HOUSE OF REPRESENTATIVES—*Thursday, March 25, 1999*

The House met at 10 a.m.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We are grateful, O God, that You have made the heavens and the Earth and have breathed into us the very breath of life. As we express our petitions this day may we do so with humility and wisdom as we face the decisions that affect the lives of others. We earnestly pray for peace in our troubled world, and may Your spirit, gracious God, be with all those who face danger and suffering. May Your blessings surround all people, may Your grace be sufficient for every need and may Your love ever bind us together. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H.R. 774. An act to amend the Small Business Act to change the conditions of participation and provide an authorization of appropriations for the women's business center program.

H.R. 808. An act to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted.

H.J. Res. 26. Joint resolution providing for the reappointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 27. Joint resolution providing for the reappointment of Dr. Hanna H. Gray as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 28. Joint resolution providing for the reappointment of Wesley S. Williams, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

CONCURRENT RESOLUTION ON THE BUDGET—FISCAL YEAR 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 131 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 131

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of 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 the fiscal years 2001 through 2009. The first reading of the concurrent resolution shall be dispensed with. Points of order against consideration of the concurrent resolution for failure to comply with clause 4(a) of rule XIII are waived. General debate shall not exceed three hours, with two hours of general debate confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour of general debate on the subject of economic goals and policies divided and controlled by Representative Saxton of New Jersey and Representative Stark of California or their designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The amendment specified in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The concurrent resolution, as amended, shall be considered as read. No further amendment shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution, as amended, to the House with such further amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. Rule XXIII shall not apply with respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 2000.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 131 is a structured rule providing for consideration of H. Con. Res. 68, the budget resolution for fiscal year 2000.

H. Res. 131 provides for three hours of general debate with two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour on economic goals and policies equally divided and controlled by the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK).

The rule waives clause 4(a) of rule XIII requiring a 3-day layover of the committee report. The rule also considers the amendment printed in part one of the Committee on Rules report as adopted upon adoption of the rule. The rule also makes in order only those amendments printed in part 2 of the Committee on Rules report to be offered only in the order specified, only by the Member designated, debatable for 40 minutes equally divided and controlled by a proponent and an opponent, and shall not be subject to amendment.

The rule waives all points of order against the amendments except that if an amendment in the nature of a substitute as adopted, it is not in order to consider further substitutes. This is a very important point, because Members need to know that there will not be any king of the hill or queen of the hill procedures used here today. There are no free votes.

The rule also provides, upon the conclusion of consideration of the concurrent resolution for amendment, for a final period of general debate not to exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

The rule also provides and permits the chairman of the Committee on the Budget to offer amendments in the House to achieve mathematical consistency pursuant to section 305(a)(5) of the Budget Act. Finally, the rule suspends the application of House rule XXIII with respect to the concurrent resolution on the budget for fiscal year 2000.

Mr. Speaker, H. Res. 131 is a conventional rule for consideration of the budget resolution and provides for the consideration of a number of substitutes, including the Blue Dog budget offered by the gentleman from Minnesota (Mr. MINGE), the Democratic substitute offered by the gentleman from South Carolina (Mr. SPRATT), and President Clinton's budget. It strikes me as odd that the Committee on the Budget Democrats would not offer the President's budget for consideration, and that as a result, Members on our side of the aisle had to offer it to get it considered.

Mr. Speaker, this budget takes advantage of this historic opportunity to save Social Security by ensuring that 100 percent of the money destined for the Social Security Trust Fund remains in the trust fund. That is $1.8 trillion over the next decade for retirement security. The President's plan only sets aside 62 percent of the funds destined for the Social Security Trust Fund, about $100 billion less than the Republican plan. Our budget strengthens Social Security and ensures that big spenders can no longer raid the fund to pay for their big government spending programs.

Mr. Speaker, after saving Social Security and Medicare, the real question is, what should we do with the remainder of the surplus? We say, give it back. When previous Congresses could not figure out how to run the government, they turned to the American people for more taxes. Now that we have a surplus, the big spenders do not want to give the people a refund. They want to spend it on new, wasteful, bureaucratic programs.

I welcome this debate because it will speak volumes about the differing opinions on the role of the Federal Government in the lives of the American people.

A few months ago, we received a preview of this debate when the President said, and I quote, we could give it all back to you and hope you spend it right, closed quotes. But the President then proceeded to explain that he really should not give back the surplus because Federal Government bureaucrats could make wiser choices with your paychecks than you could.

That is the ideological conflict we are dealing with today. Our budget is designed to provide more freedom and more power to the American people. The President's budget is designed to keep taxpayer money controlled inside of the Washington, D.C. bureaucracy.

The Republican budget expands upon our efforts to provide every American with as much personal freedom and liberty as possible. We simply believe that individuals make much better choices about their lives than bureaucrats do.

The President's position on taxes illustrates his belief that the government makes wiser choices with the paychecks of the American worker. In a budget that weighed 12 pounds and was 2,800 pages long, the Clinton budget did not contain any real tax cut. In fact, his budget proposal actually included billions of new taxes and fees.

Today, your tax rate is about 2 percent lower than it was 2 years ago because Congress provided the first Federal tax cut in 16 years. Yet Federal tax revenues still comprise a record percentage of Gross Domestic Product. In fact, Americans pay more in taxes than for food, clothing and shelter combined.

The President responded to this growing tax burden by stating, ''Fifteen years from now, if the Congress wants to give more tax relief, then let them do it.''

Well, if waiting until the year 2014 to get a tax refund does not appeal to people, they will be pleased to know that the Republican budget states that the surplus does not belong to government. The Republican budget will provide $800 billion in tax relief, including $10 billion to $15 billion in the first year. It is a reaffirmation of our belief that the American people know best how to spend their money.

The President's budget, which the Democrats would not even offer today, spends $341 billion of the Social Security surplus over 10 years, it breaks the balanced budget caps, and proposes $30 billion more in outlays than allowed under the law in just the first year.

It should be noted that despite the President's rhetoric, his budget actually cuts Medicare by $11.9 billion over 5 years. The Republican budget rejects the President's Medicare cuts, including those he proposed for certain prescription drugs.

Even the President's own Comptroller General, David Walker, has criticized the Clinton Medicare proposal for essentially doing nothing to alter the imbalance between the program's receipts and benefits payments. The President's $11.9 billion cut in Medicare and his fiscal shell games are endangering the quality of our seniors' health care.

Conversely, our budget locks away all of the Social Security trust fund surpluses for the Nation's elderly to save, strengthen and preserve Social Security and Medicare.

This budget continues our determined efforts to provide more security, more freedom, and less government to the American people. In its entirety, our budget is a common sense plan to provide security for the American people by preserving every penny of the Social Security surplus, return overtaxed paychecks to those who earned it, pay down the national debt, rebuild our Nation's defense, and improve our public schools.

Mr. Speaker, this Republican budget reaffirms our belief in the Ronald Reagan adage that it is not the function of government to bestow happiness upon us. Rather, it is the function of government to give the American people the opportunity to work out happiness for themselves. That is why this budget resolution is written in such a way to provide more freedom to American families and communities by returning money, power and control back to them.

Mr. Speaker, this is a fair rule. I urge my colleagues to support it so that we may proceed with the general debate and consideration of this historic budget resolution and the substitute resolutions.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague for yielding me the customary half hour, and I yield myself such time as I may consume.

Mr. Speaker, people are starting to get their hopes up with this budget. With the new surplus and the new millennium, it looks like anything is possible. Unfortunately, Mr. Speaker, they are in for a huge disappointment. Last week's unveiling of my Republican colleagues' new budget proved to be more of the same: All bad ideas.

Despite predictions of Medicare and Social Security catastrophes looming on the horizon, the Republican budget does nothing to extend the life of either Social Security or Medicare for even one day. But it still manages to siphon $775 billion into tax cuts for the richest Americans, instead of investing in education, health care, to prepare this country for the next century.

□ 1015

Like Nero, Mr. Speaker, the Republican budget fiddles while Social Security and Medicare burn.

The chief actuary of the Social Security Administration has said this budget will have virtually no effect on the date that Social Security becomes insolvent. It will just make sure that it goes broke on schedule. That is not me speaking, Mr. Speaker. That is the chief actuary of the Social Security Administration.

In contrast, the Democratic budget has a lock box which will protect Social Security until the year 2050 and protect Medicare until the year 2020. My Republican colleagues propose a plan that is less secure than the Democrats', and Treasury Secretary Rubin recommended that the President of the United States veto it.

Because in reality, Mr. Speaker, the Republican lock box is more of an open till. The differences do not stop there.

The Democratic budget reduces the debt more than the Republican budget every year that it is in effect. The Democratic budget provides $40 billion more for veterans' health care over the next 10 years than the Republican budget. Mr. Speaker, we made our veterans a promise. We must keep that promise. America's fighting men and women risk their lives for this country. They deserve the very best health care, the best services we can give them. But my Republican colleagues will not allow a vote, will not even allow a vote on the Clement veterans' amendment.

The Democratic budget provides more for defense spending over the long run than the Republican budget because, in the later years, my Republican colleagues had to choose between defense spending and tax cuts. What do my colleagues think, Mr. Speaker? They chose the tax cuts.

Meanwhile, Mr. Speaker, the Democratic budget still manages to provide some balanced tax cuts and keep our economy from slipping back into deficit. The Republican budget, on the other hand, will create a whole new deficit by the year 2014.

The Democratic budget does more to reduce class size and modernize our schools than the Republican budget, which will cut spending for Head Start, cut spending for Pell Grants, and cut money for work study.

The Democratic budget protects important programs like WIC, which the Republican budget cuts by so much that 1.2 million women, infants, and children will lose their benefits next year; 16,400 of them live in my home State of Massachusetts.

Mr. Speaker, the WIC program provides essential nutrition and education during the early years of the childrens' development in order to make sure that they start school ready to learn. If we do not give them good nutrition when they are very young, we lose our chance forever.

Some of my Democratic colleagues tried to make sure that we got that chance. But this rule does not make in order the DeFazio amendment on the progressive budget, the Clement amendment on the veterans budget, or the Mink amendment on education.

This rule does make in order the Shadegg-Coburn amendment which some people are equating with President Clinton's budget. They say it reflects some CBO comparison. Mr. Speaker, I want to make something perfectly clear. The Shadegg-Coburn amendment looks as much like President Clinton's budget as I look like Gwyneth Paltrow.

Looking at this budget, we would think that my Republican colleagues have very sharp memories when it comes to bad habits that gave us the budget deficits in the 1980s and the tripling of our national debt. Now that our budget finally is in the black, we should be very, very careful about repeating those mistakes.

So I urge my colleagues to defeat the previous question. If the previous question is defeated, we will make in order the Clement amendment to take care of our American veterans. Our veterans deserve every bit of care we can give them. This country made them a promise. This country should live up to that promise.

Yesterday's U.S.A. Today says, ''If your Member of Congress comes home this weekend bragging about having adopted a responsible Federal budget, don't you believe it.''

So I urge my colleagues to defeat the Republican budget. Today's vote gives us an unprecedented chance to protect Social Security, to protect Medicare for the next generation. Mr. Speaker, let us not let that chance go by.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend from Atlanta for yielding me this time and appreciate his fine leadership in this effort.

This morning, as the House opened, since we did not go through one minutes, a lot of us were here to listen to the prayer delivered by the Chaplain. The Chaplain said, ''One of the things that we have to do here is face the challenge of those decisions that will affect the lives of others.'' This issue of the budget is a very serious one, and it cannot be taken lightly. That is why I am extraordinarily proud of, not only the process that we have gone through for consideration of these different budgets, but the budget itself that is the underlying effort that was put forward by the Committee on the Budget.

When we think about the impact on lives of others, we think about retirees and those who are looking towards retirement. We are making history today when we do in fact pass the committee's budget, which I believe we will do.

We are locking away Social Security money for Social Security and ending what has been at least a 3½ or 4 decade long practice of raiding Social Security for other spending.

I have got to enter into the RECORD at this point, Mr. Speaker, a letter that has come from the AARP, the American Association of Retired Persons. In it is made very clear that there is a high level of support and recognition that our plan to lock away Social Security does in fact provide the greatest opportunity for us to address the needs of retirees.

The letter is as follows:

AARP,
March 24, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: AARP believes it is important to protect Social Security's growing reserves and is pleased that the House Budget Resolution provides that protection. Over the next ten years, Social Security is projected to contribute $1.8 trillion of the unified surplus. Preserving Social Security's reserves not only allows our country to better prepare for the impending retirement of the baby boom generation, but also gives us greater financial flexibility to enact long-term reform in both Social Security and Medicare once the options have been carefully considered and their impact understood. In the meantime, maintaining Social Security's trust fund assets helps reduce the publicly held debt, further strengthening the economy.

We are also pleased that the Resolution does not call for reconciliation in the Medicare program. Much work remains to be done to strengthen and modernize Medicare—work that must be taken on judiciously and on a bipartisan basis. Currently, however, the program is still absorbing the impact of the changes enacted in the Balanced Budget Act of 1997. Until such changes are fully understood, we should move cautiously in making additional changes to the program.

The Association remains concerned that the constraints on domestic discretionary spending will place an inordinate burden on low-income programs such as elderly housing and home energy assistance. Inevitably, these caps will lead to difficult choices in providing for appropriations for these important programs and may need to be reconsidered in light of pressing needs.

The Resolution now before the House continues to move this year's budget process forward in a constructive manner. AARP is committed to working with the House on a bipartisan basis to achieve a Budget Resolution that takes advantage of the opportunities that come from a surplus and at the same time continues the course of fiscal discipline that our nation has worked hard to achieve.

Sincerely,

HORACE B. DEETS.

Our budget actually devotes $100 billion more than the President's budget to save, strengthen, and secure and preserve Social Security and Medicare. Unfortunately, the President's budget cuts Medicare by $11.9 billion. We maintain the spending discipline that brought us the balanced budget while, unfortunately, the President's package exceeds the caps by $30 billion.

After locking away the Social Security and Medicare funds, we returned the rest of the surplus to the American people in tax relief. That is something I think is very important to recognize, that we have an overcharge that has taken place, and that overcharge should in fact be provided as a rebate, and that is exactly what we do.

On the other side, the President's budget in fact raises taxes by $172 billion. In fact, the President has said that Congress should not even consider providing tax relief for over 15 years.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I am happy to yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the gentleman from California (Mr. DREIER), my chairman, my very dear friend, keeps alluding to the President's budget. We did not propose the President's budget. The gentleman's Members proposed the President's budget so he is using the President's budget as a straw man. We do not want any part of the President's budget.

Mr. DREIER. Mr. Speaker, reclaiming my time, I think the gentleman from Massachusetts has made an extraordinarily wonderful point when he says he does not want to have anything to do with the President's budget.

We made the President's budget in order for consideration when we move ahead for debate for a very important reason; and that is, I believe that the President was very serious when he submitted his budget to the Congress.

I find it very interesting that the budget of the President's had to be offered by Republicans. Why? Because not one single Member of the President's party chose to step forward and endorse, support, and propose this budget that I am proudly talking about and juxtaposing to the proposal that has come from the Budget Committee.

So I will continue, if I can, to talk about more reasons why Democrats do not even want to offer the President's budget.

Our budget actually pays down $450 billion more in public debt than the administration's budget does. For those on the other side of the aisle who have looked back to the days of liberal rule of the Congress and budget deficits which went as far as the eye can see, we are making in order, as I said, this old-fashioned tax-and-spend last budget that the President submitted for this Congress, the 20th Century.

I think it is unfortunate that the President chose to do that. But we have to take seriously what the President has submitted to us. That is why our Republican colleagues, the gentleman from Oklahoma (Mr. COBURN) and the gentleman from Arizona (Mr. SHADEGG) will in fact be offering that.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I am happy to once again yield to the gentleman from South Boston, Massachusetts (Mr. MOAKLEY), the distinguished ranking minority member of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, as I said, the chairman and I are very friendly.

Mr. DREIER. And we agree on a lot of things, too.

Mr. MOAKLEY. Mr. Speaker, I have a letter from the director of OMB, and I would just like to read a couple statements. It says, ''As you know, Congressmen SHADEGG and COBURN will be offering a substitute amendment as the budget resolution on the House floor today. This amendment is being characterized as the President's budget. The administration has not been consulted in the development of this amendment. It is our understanding that it is based on a set of assumptions and is quite different from those presented in the President's budget. Therefore, this is not the President's budget.''

Mr. DREIER. Mr. Speaker, reclaiming my time, I thank the gentleman from Massachusetts (Mr. MOAKLEY), my friend, for his very valuable contribution.

I hope that the spirit that was raised as a question from the distinguished ranking minority member of the Committee on Budget earlier this morning to me will be recognized, and I am trying to give time over to the other side of the aisle because I know that the gentleman said that he wanted to have, in fact, longer than the 40 minutes. Although I have got to tell my colleagues, as chairman of the Committee on Rules, I have had Democrat after Democrat who has come up to me and said, ''Gosh, don't you think, after 10 hours of debate, maybe tonight we could complete this budget process?'' That is exactly what we are trying to do.

Frankly, I do not have to leave here tonight or first thing in the morning, but I have got so many Members on the other side of the aisle who are urging us to complete this. Let me say, I know that there is great time. I have tried to yield as generously as I can to the ranking minority member.

Mr. SPRATT. Mr. Speaker, will the gentleman yield for a question?

Mr. DREIER. If there is one question, I am happy to yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, it is down the gentleman's alley. I would like for him to elaborate, to explain this so-called trust box that my colleagues are proposing. It is my understanding that the basic protection is a rule of order here on the House floor. As the gentleman knows, as the chairman of the Committee on Rules, he is in the business of waiving points of order every day of the week.

Mr. DREIER. Mr. Speaker, reclaiming my time, we have no intention of waiving that one, I should say, and we do plan to have in fact this locked up. It is the first time in history that we have ever attempted to do that. That is what this Congress is doing.

So I hope that, if my colleagues look at the litany of proposals that have been put forward, I am very happy that we have got the President's budget, we made the Spratt budget alternative in order, and we made the Blue Dog budget in order.

Of the alternatives that we are going to have, all three of them were authored by Democrats. So I have got to say that I think we are being very fair, very balanced, and I look forward to a vigorous debate on that.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, the President is not reputed for his accounting. I remember a Bush budget that was offered word for word that only got 30 votes.

I am going to vote ''no'' against everything. I will tell my colleagues why. We have an approaching $200 billion trade deficit, and there is still no address to the critical negative balance of payments.

Number two, neither party secures Social Security. My colleagues can waive rules. They can take lock boxes and throw them out windows. I submit a little bill that says we should amend the Constitution that says it is illegal to touch Social Security. We did it for limiting President's terms. We did it to allow popular vote for Senators. We in fact prohibited alcohol in this country. What is more important than Social Security?

So I will listen to the debate. But, quite frankly, the Republicans should have offered word for word President Clinton's budget, and it would have been soundly defeated.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, I would like to point out that President Clinton's budget was put on the Senate floor yesterday and defeated 97 to 2.

Mr. TRAFICANT. Mr. Speaker, I am not surprised.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS), a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank the gentleman from Georgia for yielding me the time, and I rise in support obviously of this very good rule to bring the budget forward.

□ 1030

First, though, Mr. Speaker, I know I speak for all my colleagues when I say good luck, Godspeed, and we are behind our young men and women who are overseas today doing the very hard work of this Nation's national security in their mission in Yugoslavia. We are all praying for their success, for a safe mission and a quick return home.

Mr. Speaker, as has been described, this rule is a fair and balanced approach to the very important debate we are about to have for the Nation's fiscal year 2000 budget. I know that some of our colleagues will be disappointed this rule does not allow for every proposed amendment. But what we have tried to do is craft a rule that allows for several different approaches to be debated so that all the major

issues, all of the major issues, can be addressed today. I think we have succeeded on that point, as we will hear in the 10 hours of debate that will ensue.

In addition, I point out to my colleagues who have expressed specific concern about the need to boost defense spending levels, even beyond what the Committee on the Budget has provided, that we have in fact taken that advice and this rule will incorporate an enhancement of defense spending in the base text of the resolution.

Mr. Speaker, the budget brought forward today by the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, is a positive blueprint for where we should be headed as we assess our Nation's finances in the new millennium. The budget outlines our unwavering commitment to preserving Social Security and Medicare, living within budget caps, caps we set for ourselves in 1997, and providing real tax relief to the American people.

We know there is a great temptation among some who see the term ''surplus'' and who conclude that we should be boosting the budget of all sorts of government programs. But we are committed to maintaining discipline, even in the face of that kind of temptation, by first meeting our obligation to ensure the retirement security and the national security of the American people. They are counting on us and we are doing it.

Once we have accomplished those goals, we propose to give something back in the form of tax cuts to the American people. With all the numbers we will be hearing today, and all the rhetoric and spin that will come forward, to me, once again, this debate here in Congress boils down to fundamentally different competing visions of where America is headed in the millennium.

We propose less government and more control by American families of their own hard-earned resources. The administration, and some of our Democrat colleagues across the aisle, propose ever more government and ever more taxes, and we will hear it here today. It is really just that simple.

This is a healthy debate for us to have, and this rule allows for plenty of opportunity for all voices to be heard. I congratulate the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), for bringing this rule forward, and my colleague, the gentleman from Georgia (Mr. LINDER), for his beautiful support for it today, and I urge the support of all my colleagues for this rule and the underlying resolution.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to respond to the comments made by my friend who just left the microphone and to the claim that we are to have 10 hours for debate. I wish someone would explain. I count 5 hours, if we do not count the rule. We get 5 hours of debate after the debate on the rule is finished.

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, we did a calculation, and my guess is we will be out of here about 8 o'clock tonight. I suspect we are not doing anything else today, so I assumed it would be about 10 hours.

Mr. MOAKLEY. Does vote time count as debate time; is that what the gentleman is telling me?

Mr. GOSS. I think some of the better debate takes place during the vote time.

Mr. MOAKLEY. Well, I think if the gentleman wants to look at the record, we have 5 hours for debate, not 10 hours of debate, after the rule is completed.

Mr. GOSS. Mr. Speaker, if the gentleman will permit, I will correct my statement to say that we will be applying 10 hours of our day today to this subject.

Mr. MOAKLEY. It is still not a correct statement.

Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, for all Americans, we are now in the ''Goldilocks economy''. It is not too hot, not too cold, just right, everywhere but on the Republican side and their CBO numbers. Over there it is the ''Mamma Bear economy''. It is always too cold.

So their CBO numbers right now have the American economy growing at 2.3 percent for this year. Forget the fact that the economy grew at 6.1 percent for the first quarter. Forget the fact that everybody else in America is projecting 3 or 4 percent growth. And guess what that means? That means we have to cut back on how much we can help out on Medicare, how much we can help out on education, how much we can help out on the environment.

The CBO was off by $100 billion in 1997. They were off by $75 billion in 1998. And they are off by at least $50 billion this year. And in July of this year, when the money shows up, guess where it is going. It is going for a tax break for the rich. This money is in something which the Republicans, Senator DOMENICI, is calling right now, he is calling it a tax reduction reserve plan.

That is the Republican plan, a skeleton key for their lock box this July that will take $50 or $60 billion for tax breaks for the wealthy. No money for Medicare, no money for education, no money for the environment, but money for those tax breaks. That is the secret plan. That is what this is all about.

They continue to have the remarkable ability to harness voluminous amounts of information to defend knowingly erroneous premises. This debate is a fraud.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). All Members will be reminded that references to Members of the other body are prohibited by House rules.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to point out that it was President Clinton who said on this floor in his first State of the Union that he wanted to use CBO numbers, much to the applause of all the Democrats in this Chamber.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, it is quite clear that this Republican budget has many and serious deficiencies. It is also true of the rule.

The rule, for example, will not allow us to direct our attention to the needs of American veterans. The rule does not allow us to have an amendment come to the floor which will allow us to debate the issue of health care for American veterans. The rule does not allow us to provide very drastically needed additional funds to provide for the health care for the men and women who went to war for this country.

Why do the Republicans refuse to allow us the opportunity to provide adequately for American veterans? It is a tiny amount of money that is needed. It will not disrupt the budget.

Please, I implore my colleagues, make in order as part of the rule an amendment which will allow us to debate the issue of veterans' health care and finally allow us to provide the funds that are necessary to provide for the health care of American veterans at veterans' hospitals across this country.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me this time.

The question before the House is how do we safeguard Social Security, increase military spending, cut taxes for the wealthy, and balance the budget without devastating cuts in everything else that is important to many Americans, from veterans' programs to education to law enforcement? The answer is we do not, and we cannot honestly.

On the Republican side they have revived with gusto the magic asterisks of the Reagan years, which are so-called undistributed cuts, meaning we do not know what to do, we are punting, and we will figure it out later, but there will probably be a whole bunch more cuts or we will not deliver on these promises. One or the other has got to give.

Unfortunately, the other budget alternatives before us also come up short in those areas. I tried to offer a progressive budget alternative that was balanced, did not offer tax cuts to the wealthy, protected those programs important to Americans, with modest reductions in the military, and it was not allowed.

It was an honest budget and it was not allowed. It did not have any magic asterisks that say we do not have the slightest idea how we are going to do this, we will just put something in that says we will figure out how to cut later.

This is a dishonest budget with a dishonest debate without a progressive alternative.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time, and I thank the ranking member of the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT).

Mr. Speaker, I rise today in strong opposition to the rule and to this budget resolution for many reasons, but I want to concentrate on the veterans. Veterans are very important to us because we know how much they have sacrificed in order for us to be free.

I offered an amendment in the Committee on the Budget, as well as an amendment in the Committee on Rules, asking for $1 billion for the veterans for fiscal year 2000 over and above what the Republicans had requested, which was only $900 million. What I requested was exactly what the gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Veterans' Affairs, recommended to the Committee on the Budget that was adopted but rejected by the Committee on the Budget. They went with the lower amount.

It is interesting, when I asked the question in the Committee on the Budget, ''Why did we go along with the lower amount?'' ''Well, the uncertainties of the veterans' programs in the future,'' was the answer.

Well, we know what is happening in Kosovo right now. We also know that a lot of people could get hurt and killed in Kosovo. We know about all the regional and ethnic conflicts in the world that will continue in the future as well, because we know about our civilization and we know about the struggles for freedom and for fairness. And we also know that we have an obligation to our veterans to do everything we possibly can to help them in time of need. But are we? The Republican budget ignores this recommendation.

In fact, the resolution actually decreases veterans' funding over the next 10 years by $3 billion. This is simply wrong. In an era with budget surpluses, it is unconscionable to deny our veterans the funds they so desperately need. Yes, we are going to increase the defense budget, which I strongly support, but we are going to deny our veterans.

The Veterans of Foreign Wars, the Paralyzed Veterans of America, Disabled American Veterans, and the American Legion have expressed their strong support of both my amendment as well as opposing the rule. These groups represent millions of veterans across our country who are suffering because their hospitals do not have adequate funds to provide the quality care that they deserve.

For 4 consecutive years the veterans' budget has been essentially stagnant. This means the same inadequate funding for health care, more reductions in full-time employees, and new initiatives without new funding to pay for them. Veterans are growing older and sicker each year and cannot survive on a flat-line budget. The pattern has to end. Vote against the rule, help the veterans of this country once and for all.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BONIOR), the minority whip of the Democratic party.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, I came back from Hershey, Pennsylvania and I said to myself, I am going to try to work together to keep my anger from spilling over on the floor. And I think I have done a good job this week. But I cannot, on this issue, stand by and not express my extreme displeasure on the way the veterans of this country have been dealt with in this budget.

There is no reason why the Clement amendment should not be made in order; why it was treated the way it was in the Committee on Veterans' Affairs and throughout this whole process. I came here 22-plus years ago, and the Vietnam veterans back then could not get a decent hearing on anything; on Agent Orange; they could not get a decent hearing in this Congress on outreach counseling.

We put together a group called The Vietnam Veterans in Congress and we went to work on that stuff, and we finally got some things and justice done for those veterans. And we are back at the same old game here today: $3 billion in cuts in the Republican budget. And I might say, while I am talking about their budget, the President's budget is not much better. They are both lousy in terms of our veterans.

We have people in this country who have sacrificed, who have put their lives on the line day after day, month after month, year after year, fighting right now in Kosovo and in Serbia, without the knowledge that they are going to have the benefits that they need in health care and other things when they get out of the service.

Over the top of the building which houses the Department of Veterans Affairs are written the words ''To care for him who shall have borne the battle, and for his widow and his orphan.'' Those words are meaningless if we do not put our dollars and our hearts behind those words, and we are not doing it. We are not doing it, and it is wrong.

There is a crisis in health care for our veterans in this country. If my colleagues talk to the people who run these hospitals anywhere in America, they will hear that the veterans are not getting the service they deserve. And it seems to me it is only just and right that we vote down this rule so the committee can go back and do its work, and not cut veterans' benefits by $3 billion while we increase Star Wars and all these other things, while we provide tax benefits for the wealthiest people in this country.

It is not right, it is not just, and I hope my colleagues on this side of the aisle and on that side of the aisle will reject the President's budget on this and the Republican budget on this.

□ 1045

The veterans' organizations are in agreement with us on this. The DAV, the VFW, the Paralyzed American Veterans, AmVets, the organization that I belong to, Vietnam Veterans of America, say ''no'' on this rule.

Vote ''no'' on this rule so we can get a decent budget for the people that are fighting for our country right now.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in opposition to this rule and in opposition to this budget and in support of our Nation's veterans.

This rule does not even allow the veterans of America to have a vote on the budget that they recommended to us to take care of their health needs, to take care of the cemetery needs, to take care of all of the issues which have been left up in the air in the last few years' straight-line budget.

The Democrats in the Committee on Veterans' Affairs could not even have their amendment to raise the budget by $3.2 billion, which is what the veterans advocate. We were not even allowed a vote in our committee. We went to the Committee on Rules to ask for a vote on this on the floor. The Committee on Rules did not give us a vote.

The veterans of this Nation fought for our country's democracy, fought for freedom of speech, fought for the right to be heard. And yet their budget is not even allowed to be heard on any committee or on the floor of this House.

Reject this rule. Reject this budget. Vote ''yes'' for American veterans.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, let us be clear. This budget is a disaster for American veterans and this rule is a disaster for veterans. And that is why this rule is being opposed by almost every major veterans organization in the country, including AmVets, the Blinded Vets, the DAV, the Paralyzed Vets, the VFW, and the Vietnam Vets.

The truth is that the President's budget for veterans is totally inadequate and the Republican budget for vets is even worse. It is unacceptable to me that in a time when some Members of this body want to give tens of billions of dollars in tax breaks to the wealthiest people in this country, we cannot come up with $3 billion to protect medical care for veterans all over this country.

Yesterday, Mr. Speaker, by a unanimous vote, the Senate did the right thing and they raised the amount of money available to vets. We need to defeat this rule, send it back, so that we can join in the Senate and say ''yes'' to our veterans and make sure they get the medical care to which they are entitled.

Mr. MOAKLEY. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Georgia (Mr. LINDER) has 10½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 11 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, it is regrettable that the consideration of this budget has gotten so partisan. Because I tell my colleagues, this area of veterans' health care is an area where we ought to be able to reach bipartisan agreement, as the other body did in a 99–0 vote last night.

We ought to be improving the President's budget in the area of veterans' health care, and instead the Republican budget makes it worse. Over the next 5 years it would cut discretionary spending for veterans, which primarily goes to health care, a total of $400 million below nominal 1999 levels.

Long-term care issues are going to be increasingly important as our veterans population ages. Making the Adult Day Health Care program permanent could be unobtainable if this resolution is passed.

I fought hard on the Committee on Appropriations for increases to the VA medical research budget, increases that could not be maintained if the Republican budget passes. Mental health services that are funded through our veterans' centers and which need to be expanded would have to be cut back if the Republican resolution is adopted.

The majority leadership owes this House the opportunity to have a vote on this critical funding. The gentleman from Tennessee (Mr. CLEMENT) deserves a vote on his amendment. Vote against this rule. Vote for the Democratic substitute.

Mr. LINDER. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I rise in support of the rule, and I also rise in support of the Republican budget.

Listening to the rhetoric from the other side, one would think that the Republican budget cuts veterans' funding. Actually, the Republican budget increases veterans' funding by $1.1 billion. It is the Clinton-Gore budget that cuts veterans' funding, particularly veterans' health care funding.

Why I support the Republican budget is pretty simple. The Republican budget reflects Republican values of good schools, low taxes, and a secure retirement. It is interesting, when we compare the Clinton-Gore budget with the Republican budget, this is really an historic day.

The Clinton-Gore budget raids the Social Security Trust Fund by $341 billion, cuts Medicare by almost $12 billion, cuts veterans' health care, whereas the Republican budget does something that the folks back home have asked for for almost 30 years. We wall off the Social Security Trust Fund.

How often have I heard in a town meeting or in a senior citizens center folks saying, ''When are the folks in Washington going to stop dipping into the Social Security Trust Fund for other purposes?'' Our budget puts an end to that. We wall off the Social Security Trust Fund and say hands off.

The President wants to spend over $300 billion in Social Security Trust Fund surpluses on new government spending, not Social Security. We protect Social Security in this budget. We do provide for small tax relief. And I believe we should eliminate the marriage tax penalty. That should be our top priority when it comes to tax relief for families.

The Republican budget pays down the national debt. We increase funding for education by over $1 billion more than the President requests in his budget, and we provide over a $1 billion increase in funding for veterans' health care.

I also want to point out the Republican budget rejects the Clinton-Gore cuts in Medicare that hurt our local hospitals.

Mr. KASICH. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Speaker, let me first of all make the point that in both fiscal year 1998 and fiscal year 1999, the President of the United States in his budget recommended cuts in veterans.

Many of my colleagues who—well, let me not characterize some of their comments, because I get very concerned when politicians play on the fears of people in this Nation. We have seen it exhibited on this floor in regard to Medicare. We see the administration trying to play on the fears of our seniors on Social Security and Medicare, to the point where a Democratic member of the United States Senate said that they only care about politics, they do not care about the seniors. We see the same kind of rhetoric out here today on veterans.

I wish I had heard a little bit of talk about this when the President's budget director came up to the Committee on the Budget, when it came to the issue of the veterans. For the last 2 fiscal years, the President has recommended cuts in veterans' health care. We recommended increases. Now in this next fiscal year, of course, we have increased the funding for the veterans by $1 billion.

Now, people come down here and they make an argument there ought to be some amendment in order. I have been in the Congress now, this is my 17th year. Since 1995 we have been in the majority. I never saw amendments made in order. In fact, I did not even see the old majority let a lot of budgets in order.

The fact is, in the last 3 years, we have significantly increased funding for veterans' medical health care. I think the time has come for politicians as we head into the next millennium to stop using the politics of fear in order to scare people, in order to use it as a club.

They have this seminar down at Hershey where we are supposed to have greater comity, to be able to get along better. Well, we should. Maybe that ought to extend to the American people so that we are not beating them up every day and playing to their worst hopes and fears.

The fact is, at the end of the day we do better for veterans in this budget than the President did. And this will be 3 years in a row that we have done a better job than the President has, and at the same time will protect Social Security and Medicare and provide tax relief to the American people.

The SPEAKER pro tempore. The Chair will advise that the gentleman from Georgia (Mr. LINDER) has 6½ minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 10 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, during recent days Members of both parties have spoken very reverently about our sailors and soldiers and Marines, showing their concern for our troops deployed overseas. And I join them. But, unfortunately, they are not doing it here today.

And unfortunately, the gentleman from Ohio (Mr. KASICH) left. There is

not $1 billion over Clinton's budget. There is $900 million over Clinton's budget in their budget today. And the gentleman from Ohio (Mr. KASICH) forgot to tell them the other half, that in the subsequent 4 years they eliminate $3 billion from the budget of the veterans. He should tell them the truth.

And while he is doing that, it is not a small, modest tax break. In that budget, in the first 4 years, there is $142 billion in tax breaks for the richest in this Nation. And in the next 5 years, they add another $437 billion, most of which goes to the wealthiest in this Nation. Yes, my colleagues, $779 billion in tax breaks for the richest in this Nation, and they cannot find $3 billion for our veterans. Shame on this House.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE) a member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time, and I rise in support of this fair and balanced rule. It provides for a full and free debate of our Nation's budget priorities.

The House will have the opportunity to debate not only the Republican budget proposal but also the President's budget, as well as two other budgets offered by House Democrats. That is right. Out of the four plans we consider today, three were written by our Democratic friends.

I would like to take a moment to recognize the hard work of my friend from Columbus, Ohio (Mr. KASICH). He is a tireless advocate of balanced budgets, fiscal discipline, and the Republican principles of smaller government and lower taxes. The GOP budget resolution embodies these values.

First and foremost, Mr. Speaker, the Republican budget is honest. It comes to terms with our Nation's true budget situation by recognizing that the surplus that everyone is talking about is really Social Security money. Instead of spending this money, the Republican budget locks away 100 percent of the Social Security surplus to be used only for Social Security benefits, debt reduction, or Medicare reform.

Secondly, the Republican budget is responsible. In 1997 the Republican Congress and President Clinton agreed to a historic balanced budget agreement that has steered our Nation down the path of economic prosperity. In the Republican budget we honor the balanced budget deal we made with the President by sticking to those limitations. Promises made, promises kept; and our country will be better for it.

Further, the GOP budget provides Americans with security today and in their future by investing in our national defense and the education of our children. We wish we could do more in these areas, and we will do more as our budget situation improves and additional resources become available.

It is today's fiscal discipline that will ensure those resources materialize in the future. When a true budget surplus is achieved, Congress will have the flexibility to bolster our Nation's defense budget, prop up special education, and check off some other items on our wish list.

For Republicans, this wish list includes some long-awaited tax relief for American taxpayers. I, for one, am amazed that the tax rate in America is at its highest level since World War II. These high taxes have real effects on real people's lives. Am I the only one receiving mail and phone calls from students, newlyweds, and young parents who are trying to get ahead in life, only to be set back by crippling tax bills?

One man from my district who was downsized, out of his job, is being taxed at the rate of 28 percent on his severance pay. In frustration, he wrote to me asking why the government is hitting him while he is down. He is trying to put two kids through college. Meanwhile, the government is taking $700 from him while he is unemployed.

□ 1100

I cannot explain the government's greed, but I can tell him that the Republican budget anticipates giving back some of that surplus to the people who earned it so they can spend their money as they see fit on their priorities.

I urge my colleagues to support this rule, which gives ample opportunity to debate the priorities of both Republicans and Democrats.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS) the ranking member on the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding me this time.

The irony of today is that as many brave American servicemen and women are joining with our allies in a military campaign to bring an end to uncontrolled aggression, Congress is turning a deaf ear and a blind eye to the health care needs of its veterans.

The budget resolution for next year provides a modest $900 million increase in funding for veterans' health care. This increase is one-half the increase recommended by the Republican majority of the House Committee on Veterans' Affairs. It is less than one-third the total increase for VA funding supported by the Committee on Veterans' Affairs Democrats.

Would Members of Congress want to rely for their health care on a health care system as underfunded as the VA's? I doubt it. But Congress apparently has a different, lower standard for health care for our servicemen and women.

Even more troublesome is the fact that its supporters tell us time and time again that it provides an unprecedented increase in funding for veterans' health care. What they fail to say is that the Republican budget provides an unprecedented decrease of $1.1 billion for Veterans' Affairs in fiscal year 2001.

After years of inadequate funding under both Democratic and Republican administrations, a consensus exists today for the added funding needed to provide veterans with the highest quality health care and other benefits and services that they have earned.

As Republican Members of the House have said, ''We must keep our promises to the veterans.'' I agree. Approving additional funding for veterans' health care as proposed in the Clement substitute and other budget alternatives would do that and would be an important step for this Congress to take if Congress is going to do more than simply talk the talk on veterans' issues.

urge my colleagues to vote against the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, this year's budget falls far short of providing the funds needed to honor our commitments to our servicemen and women. Even with the increased support last week by the Committee on the Budget, funding for fiscal year 2000 is $2 billion short of what is needed to provide for our veterans' health and well-being.

The budget falls short in keeping up with medical inflation in our aging veterans population. As our veterans grow older, we must dedicate funds to expand health care programs, expand home and community-based services, build more veterans nursing homes and, yes, build more veterans cemeteries.

Veterans are in a budget disaster. Let me say, there is no surplus when your bills are not paid. Let me repeat that. There is no surplus when all of your bills have not been paid. The veterans have paid their bills, they have served us well. All of us, when the veterans come here, we talk a great talk. It is now time to walk that walk for the veterans.

Mr. Speaker, this year's budget falls well short of providing the funding needed to honor our commitment to our service men and women. Even with the increase voted last week by the Budget Committee, funding for Fiscal Year 2000 is 2 billion dollars short of what is needed to provide for our veterans health and well being.

This budget falls short in keeping up with medical inflation and an aging and vulnerable veterans population. As our veterans grow older, we must dedicate funds to:

1. Expanding long term care programs;
2. Expanding home and community based services;
3. Building more veterans nursing homes; and
4. Building more veterans cemeteries.

Veterans are in a budget disaster.

The Budget Committee increased the figure for veterans health care by $1.1 billion dollars last week. Given the 3.9 percent rate of health care cost inflation, this is still a flat-line budget. Given the new initiatives VA is to be tasked with, this is still a flat-line budget. A flat-line budget is still a budget reduction.

We've all heard talk about giving away the budget surplus. There is no surplus when all the bills have not been paid. Last week, many of us on the Veterans' Affairs Committee who see this need spelled it out in detail in our "Additional and Dissenting Views and Estimates."

This was after Mr. EVANS attempted to introduce a proposal within the Committee calling for adding 3 billion dollars to the Administration budget. That debate was not permitted.

Mr. Speaker, this was not a partisan effort. It was a simple statement of dollars and common sense. We need an opportunity to present the case to the full House for more funding for veterans programs.

Mr. Speaker, this is still not a partisan effort. In all fairness, we need a rule that allows such a discussion.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I have worked well with the Republicans since coming to Congress. I think it is important to try to work together. But what this Republican budget does is cross that line of reason. This is a bait and switch budget. Republicans are saying with one hand, look at all the good things we are doing over here and then with the other hand they are cutting programs and not telling you what they are doing.

Let me give my colleagues an example. Education. They say, ''Well, we're increasing education,'' and they are in spots. But on the other hand they are cutting in the year 2000 $1.2 billion of the education budget.

Democrats are extending the life of Social Security to the year 2050. The Republicans make doing nothing about extending the life of Social Security just sound good. The same is true for the Medicare budget. The life of the program is not extended one day under this bait and switch budget.

All of this so they can talk about a tax cut. Now, I support tax cuts, but I think a $779 billion tax cut is too much while we have ignored the fact that we are not adding one day to Social Security or Medicare solvency.

Oppose the rule on this bait and switch budget.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, budgets are about priorities. That is where this Republican budget falls so short. It fails to adequately protect Social Security with the guarantees that are needed. It does nothing to protect Medicare, to extend it beyond its insolvency date of 2008. And, Mr. Speaker, on veterans it falls woefully short.

I come from the State, West Virginia, with the highest number of veterans per capita in the Nation. I cannot go back and point to this budget and say that I voted for it. Today, Mr. Speaker, the next generation of veterans are being forged in the fire over Kosovo. Yet this budget does not say to them, we recognize that sacrifice. Yes, it gives an increase of $900 million the first year, trails off and disappears in the years to come. This is a totally inadequate budget for veterans.

So we want to talk about priorities. Bad on Social Security, bad on Medicare, woefully short on veterans. This is not about families and veterans. This is a bad priority, Mr. Speaker, and it is a bad budget. I urge a ''no'' vote.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, every day I rise, come in and listen to people come to the well and talk about how they support the troops. Well, I think that every surviving troop becomes a veteran and that is not acknowledged in this bill.

Regardless of what is being said, even the veterans have read this bill and they understand that they have not been treated well. We have homeless veterans, we have dwindling health care being offered to the veterans. It is unconscionable that we present a budget like this that treats our veterans in the fashion in which they have been treated in this budget. There is no real future for America that is reflected in this budget, you see, because education has been cheated, Medicare has not been addressed. We have got a lock box that has a trap door. The guardians of the privilege, they are doing well in this budget. They are taking care of the rich in this budget but they are ignoring the working people of this country. This is Robin Hood in reverse.

I ask everyone to vote against this rule.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), a colleague on the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, what we are engaged in here today is the debate that always takes place in Washington, and that is over how much money can we spend, how much bigger can we make government, and then how we are going to fight to try and save this country.

The bottom line is there is no doubt that the choices today are clear. The President prefers the status quo. He prefers bigger government. And he prefers that the government be the answer or the solution to America's problems. Republicans place our faith in families, communities and the marketplace to solve our Nation's ills. This is just yet another chapter in the string of successes of what will be for this country and for the Republican Congress. Welfare reform, a balanced budget, and tax relief are all successes that this President and his party at one time or another fought vehemently and now campaign and act like they were their ideas.

The bottom line is that the Republican Party offers a simple message. There is only one way to speak honestly to the American people, and it is called discipline. It is called dedicating 100 percent of Social Security dollars for Social Security and Medicare. The Republican plan dedicates 100 percent. The difference between 100 percent and 62 percent will be clear to the American public. There is one thing that Democrats do do and that is that they fully fund big government. Their budgets increase government spending across the board. In fact, the President's budget busts the bipartisan spending agreement that we had just 2 years ago. He increases spending by more than $200 billion in new domestic spending, creating over 120 new government programs.

Mr. Speaker, our message is plain and simple. We will keep producing ideas worth being stolen by the Democrats, but we are going to take credit for this one. It is called discipline and doing what we said we would do.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget.

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding me this time.

This rule allows just 2 hours of general debate for a budget with $1.7 trillion of spending authority. That is a travesty. Let me tell my colleagues how this kind of haste makes waste, just one way that you can mask the numbers in a debate so short about a matter so complex as the budget. This budget, as now drafted, this Republican budget resolution, means that our military personnel will not get the 4.4 percent pay raise that the Joint Chiefs of Staff asked for and the troops thought they were promised by the President and the Congress. The Republican resolution does provide extra money for defense, but nothing for an increase in military retirement benefits, nothing for extra pay raises to help retain critical personnel.

Now, we were able to ferret this out because every pay raise requires a corresponding increase in the contribution to the military retirement trust fund, function 950 of the budget. Look at function 950 in their budget, the Republican budget. There is no entry, no adjustment, no provision for these major pay increases, these major retirement reforms that have been promised. They are in ours. We followed the President's lead. We did it right, they did it wrong.

You pass this budget and everybody is on notice. Unless you do the numbers in this resolution over, you are breaking faith with our troops. You are denying them the pay raises and the benefits that they have been told were coming. This is no way to treat the armed services. The same goes for the civil service. The same mistake has been made.

I yield to the gentleman from Virginia to explain that briefly.

Mr. MORAN of Virginia. I thank the distinguished gentleman for yielding.

Mr. Speaker, not only does this Republican budget resolution not fund military pay raises, but on a party line vote they refused to treat civilian Federal employees the same as military employees as has been done for 50 years. It breaks a precedent, it is not fair to any Federal civilian employees around the country. It is a resolution that should be defeated.

Mr. Speaker, when the budget resolution was before the committee last week I offered an amendment which would have ensured that federal civilian and military employees received equitable and fair pay raises for the next ten years as they have for the last fifty years.

I expected that the amendment would be noncontroversial and pass. After all, the President recommended a 4.4 percent increase for military and civilian employees, and the Senate recommended a 4.8 percent increase for both.

So, I was surprised by the vehement objections raised by those on the other side of the aisle. It failed on a party line vote. Yesterday, I learned why.

You see, House Republicans do not support a fair pay raise for either the civilian federal employees or the military. They did not include any funding above the baseline for either the military or civilian retirement trust funds—funding which would be required if they favored a fair pay raise.

They couldn't afford it because of their $779 billion tax cut. Mr. KASICH admitted this yesterday.

Mr. Speaker, federal employees have contributed over $220 billion toward deficit reduction in the last decade in foregone pay and benefits. The sacrifices made by our military personnel in the name of deficit reduction have been significant.

We have downsized more than a quarter million civilian Federal employees over the last year, so those remaining must work much harder with far fewer resources.

The time has come to restore fair and equitable pay raises for these men and women who have dedicated their careers and, for many, their lives to serving their country.

Mr. SPRATT. Function 950 of this budget is fatally flawed. That is the best reason yet to vote against the rule.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

I urge a ''no'' vote on the previous question. If the previous question is defeated, I will offer an amendment to make in order the Clement amendment which does increase the Veterans' Affairs function by $1.9 billion. We made a promise to our veterans and this country must keep our promise.

The text of the amendment is as follows:

AMENDMENT TO HOUSE RESOLUTION 131 TO BE OFFERED IF THE PREVIOUS QUESTION IS DEFEATED

TO MAKE IN ORDER AN AMENDMENT TO KEEP OUR PROMISES TO OUR VETERANS

On page 2, line 23, before ''.'' insert the following:

''or in section 3 of this resolution. The amendment in section 3 of the resolution shall be considered before the amendments in the nature of substitutes printed in the report, may be offered only by Representative CLEMENT of Tennessee or his designee, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment nor to a demand for a division of the question''

At the end of the resolution, add the following new section:

SECTION 3.

Amendment to H. Con. Res. 68, as Reported Offered by Mr. Clement of Tennessee

In paragraph (16) of section 3 (relating to Veterans Benefits and Services (700)) increase budget authority and outlays by the following amounts to reflect fundings for veterans' medical care:

(1) For fiscal year 2000, $1 billion in new budget authority and $900 million in outlays.

(2) For fiscal year 2001, $3.2 billion in new budget authority and $2.822 million in outlays.

(3) For fiscal year 2002, $3.283 billion in new budget authority and $3.106 million in outlays.

(4) For fiscal year 2003, $3.369 billion in new budget authority and $3.283 million in outlays.

(5) For fiscal year 2004, $3.456 billion in new budget authority and $3.423 million in outlays.

(6) For fiscal year 2005, $3.546 billion in new budget authority and $3.512 million in outlays.

(7) For fiscal year 2006, $3.638 billion in new budget authority and $3.603 million in outlays.

(8) For fiscal year 2007, $3.733 billion in new budget authority and $3.697 million in outlays.

(9) For fiscal year 2008, $3.830 billion in new budget authority and $3.793 million in outlays.

(10) For fiscal year 2009, $3.929 billion in new budget authority and $2.891 million in outlays.

In paragraph (1) of section 3 (relating to national defense (050)) reduce budget authority and outlays by the following amounts:

(1) For fiscal year 2000, $1 billion in new budget authority and $900 million in outlays.

(2) For fiscal year 2001, $3.2 billion in new budget authority and $2.822 million in outlays.

(3) For fiscal year 2002, $3.283 billion in new budget authority and $3.106 million in outlays.

(4) For fiscal year 2003, $3.369 billion in new budget authority and $3.283 million in outlays.

(5) For fiscal year 2004, $3.456 billion in new budget authority and $3.423 million in outlays.

(6) For fiscal year 2005, $3.546 billion in new budget authority and $3.512 million in outlays.

(7) For fiscal year 2006, $3.638 billion in new budget authority and $3.603 million in outlays.

(8) For fiscal year 2007, $3.733 billion in new budget authority and $3.697 million in outlays.

(9) For fiscal year 2008, $3.830 billion in new budget authority and $3.793 million in outlays.

(10) For fiscal year 2009, $3.929 billion in new budget authority and $3.891 million in outlays.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield myself the balance of my time.

I predicted in the Committee on Rules meeting yesterday that the Democrats would trot out the veterans one more time and use them as a pawn in a political battle to try and force a vote. It is even more clear that they are pawns when we see that six people who spoke on behalf of the veterans today, the gentleman from Illinois (Mr. GUTIERREZ), the gentleman from California (Mr. FILNER), the gentleman from Vermont (Mr. SANDERS), the gentleman from Michigan (Mr. BONIOR), the gentleman from Illinois (Mr. EVANS) and the gentlewoman from Florida (Ms. Brown) are all members of the Progressive Caucus which has put its own budget forth in which they are cutting defense spending by nearly $220 billion over 5 years. In a time when 11,000 military families are on food stamps, they want to cut funding for the military even further, it seems that they are far more concerned about using the veterans as a political pawn than they are allowing our own active members of the military enough income to provide for food for their own families.

This has been trotted out virtually every year that I have been here. I have said that they would use the veterans on a vote against the previous question. I urge all Members to vote in favor of the previous question, to vote for a rule that gives a fair opportunity to be heard on several Democrat alternatives to the Republican budget.

Mr. Speaker, I include the following extraneous material for the RECORD:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RULES,
Washington, DC, March 24, 1999.

Hon. DENNY HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: As you know, H. Con. Res. 68, the Concurrent Resolution on the Budget for FY 2000, was filed by the Committee on the Budget on Tuesday, March 23. As reported, H. Con. Res. 68 contains matters within the jurisdiction of the Rules Committee.

Specifically, Section 5 (the Safe Deposit Box for Social Security Surpluses), which establishes a point of order against consideration of a budget resolution, an amendment thereto or any conference report thereon which provides for a deficit in any fiscal year, falls solely within the jurisdiction of the Rules Committee. Although the Rules Committee has not sought to exercise its

original jurisdiction prerogatives on this legislation pursuant to section 301(c) of the Congressional Budget Act of 1974, the Committee has discussed these provisions with the Budget Committee. It is the understanding of the Rules Committee that the Leadership has scheduled the resolution for floor consideration on Thursday, March 25. In recognition of these facts, I agree to waive the Rules Committee's jurisdiction over consideration of this legislation at this time.

Nevertheless, I reserve the jurisdiction of the Rules Committee over all bills relating to the rules, joint rules and the order of business of the House, including any bills relating to the congressional budget process. Furthermore, it would be my intention to seek to have the Rules Committee represented on any conference committee on this concurrent resolution.

Sincerely,

DAVID DREIER.

THE PREVIOUS QUESTION VOTE: WHAT IT MEANS

The previous question is a motion made in order under House Rule XVII and is the only parliamentary device in the House used for closing debate and preventing amendment. The effect of adopting the previous question is to bring the resolution to an immediate, final vote. The motion is most often made at the conclusion of debate on a rule or any motion or piece of legislation considered in the House prior to final passage. A Member might think about ordering the previous question in terms of answering the question: Is the House ready to vote on the bill or amendment before it?

In order to amend a rule (other than by using those procedures previously mentioned), the House must vote against ordering the previous question. If the previous question is defeated, the House is in effect, turning control of the Floor over to the Minority party.

If the previous question is defeated, the Speaker then recognizes the Member who led the opposition to the previous question (usually a Member of the Minority party) to control an additional hour of debate during which a germane amendment may be offered to the rule. The Member controlling the Floor then moves the previous question on the amendment and the rule. If the previous question is ordered, the next vote occurs on the amendment followed by a vote on the rule as amended.

DEBATE & AMENDMENTS ON HOUSE BUDGET RESOLUTIONS

[Fiscal year 1990–99]

Year	Budget Res.	Rule Number	General Debate Time	Amendments Allowed	Vote on Rule	Total Time Consumed [1]
1999	H. Con. Res. 284	H. Res. 455	3 hrs. (1 HH) [2]	3 (1–D 1–R)	Adopted: 216–197	6 hrs.
1998	H. Con. Res. 84	H. Res. 152	5 hrs. (1 HH) [3]	5 (3–D 2–R)	Adopted: 278–142	7 hrs.
1997	H. Con. Res. 178	H. Res. 435	3 hrs.[4]	3 (2–D 1–R)	Adopted: 227–196	6 hrs.
1996	H. Con. Res. 67	H. Res. 149	6 hrs.[5]	4 (2–D 2–R)	Adopted: 255–168	10 hrs.
1995	H. Con. Res. 218	H. Res. 384	4 hrs. (1 HH) [6]	5 (3–D 2–R)	Adopted: 245–171	9 hrs.
1994	H. Con. Res. 64	H. Res. 131	10 hrs. (4 HH) [7]		Adopted: voice vote	16 hrs.
		H. Res. 133		4 (2–D 2–R)	Adopted: 251–172	
1993	H. Con. Res. 287	H. Res. 386	3 hrs. (1 HH) [8]	3 (1–D 2–R)	Adopted: 239–182	13½ hrs.
1992	H. Con. Res. 121	H. Res. 123	5 hrs. (2 HH) [9]	4 (1–D 3–R)	Adopted: 392–9	11 hrs.
1991	H. Con. Res. 310	H. Res. 382	6 hrs. (3 HH) [10]	4 (1–D 3–R)	Adopted: voice vote	13 hrs.
1990	H. Con. Res. 106	H. Res. 145	5 hrs. (2 HH) [11]	5 (3–D 2–R)	Adopted: voice vote	12½ hrs.

[1] Includes hour on rule, general debate time, and debate time on all amendments. Does not include time taken on rollcall votes and walking around time.

[2] The 3 hours of general debate were allocated as follows: 2 hrs. Budget Committee and 1 hr. (HH) between Rep. Saxton of New Jersey and Representative Stark of California. Additional debate time on amendments was as follows: 1 hr. Neumann and 1 hr. Spratt.

[3] The resolution provided for an additional 20 minutes of debate controlled by Representative Minge of Minnesota. Additional debate time for amendments: 20 min. Waters, 20 min. Doolittle, 20 min. Brown, 20 min. Kennedy and 20 min. Shuster.

[4] Additional debate time for amendments: 1 hr. Payne, 1 hr. Orton and 1 hr. Sabo. The resolution provided for an additional 40 minutes of general debate, following the conclusion of consideration of the proposed amendments, divided and controlled equally by the chairman and ranking minority member of the Budget Committee.

[5] Additional debate time for amendments: 1 hr. Gephardt, 1 hr. Neumann, 1 hr. Payne and 1 hr. by the minority leader. The rule provided for a final ten minute period of general debate following the disposition of the amendments.

[6] In addition to the hour on HH, Reps. Kasich and Mfume was each given 1 hr. of general debate time to discuss their substitutes. This was followed by 5 substitutes under "king of the hill" (1 hr. Frank, 1 hr. Solomon, 1 hr. Mfume, 1 hr. Kasich, 1 hr. for the final substitute identical to the reported budget resolution).

[7] The 4 hrs. of general debate were allocated: 2 hrs. Budget Committee, 4 hrs. HH, 2 hrs. to discuss the Mfume substitute, 1 hr. to discuss the Solomon substitute, followed by 4 substitutes under "king of the hill" (2 hrs. Kasich, 1 hr. Solomon, 1 hr. Mfume and 1 hr. Sabo (identical to the base resolution)).

[8] Three substitutes were allowed under "king of the hill" (30 min. Dannemeyer, 1 hr. Gradison, 8 hrs. Towns-Dellums).

[9] Of the 4 amendments allowed, the first was a perfecting amendment by Rep. Ford of Michigan for which 1 hr. was allowed, followed by three substitutes under "king of the hill" (1 hr. Dannemeyer, 1 hr. Kasich, 2 hrs. Gradison).

[10] General debate began on April 25th under an unanimous consent request agreed to on April 24th. Four substitutes were allowed under "king of the hill" (1 hr. Kasich, 1 hr. Dannemeyer, 2 hrs. Dellums, 2 hrs. Frenzel).

[11] Of the five amendments, one was an amendment by the Chairman of the Budget Committee, 30 mins., followed by 4 substitutes under "king of the hill" (1 hr. Dannemeyer, 3 hrs. Dellums, 1 hr. Kasich, 1 hr. Gephardt).

Source: Rules Committee Calendars (Note: HH stands for Humphrey-Hawkins debate which relates to the economic goals and policies underlying the economic projections assumed in the baseline of the budget resolution).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to this bill because it prohibits the open and free amendment process that governs most of our budgetary and appropriations debates.

This debate that we will engage in later today is an important one for the American people. We will be deciding the future of our Social Security system. We will be deciding the fate of the Medicare system. Our constituents care about these programs, because they know just how valuable they are.

Earlier this week, I met with several senior citizens groups in my district, which resides in Houston, Texas. Without exception, each of them relayed their concerns to me that both the Social Security and Medicare systems should not have their benefits reduced in any way. They were also concerned about the longevity of both programs—and making sure that Medicare and Social Security will be here for their children, and their children's children.

This puts into proper perspective the gravity of our chore. Without a completely open rule, we cannot dissect the Republican resolution and directly address the concerns of our constituents.

Having said that, I am thankful that the rule contains provisions which allow for the debate of the Democratic substitute to this bill, sponsored by Ranking Member SPRATT. I only wish that we would have a more extensive debate on that amendment—meaning more than 40 minutes, so that my Democratic colleagues could voice their support for the measure.

I urge each of my colleagues to vote against the rule, and to vote for the Democratic substitute when it comes to the floor for consideration.

Mr. LINDER. Mr. Speaker, I move the previous question on the resolution.

□ 1115

The SPEAKER pro tempore (Mr. FOLEY). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 203, not voting 7, as follows:

[Roll No. 72]

YEAS—224

Aderholt	Camp	Duncan
Archer	Campbell	Dunn
Armey	Canady	Ehlers
Bachus	Cannon	Ehrlich
Baker	Castle	English
Ballenger	Chabot	Everett
Barrett (NE)	Chambliss	Ewing
Bartlett	Chenoweth	Fletcher
Barton	Coble	Foley
Bass	Coburn	Forbes
Bateman	Collins	Fossella
Bereuter	Combest	Fowler
Biggert	Condit	Franks (NJ)
Bilbray	Cook	Frelinghuysen
Bilirakis	Cooksey	Gallegly
Bliley	Cox	Ganske
Blunt	Crane	Gekas
Boehlert	Cubin	Gibbons
Boehner	Cunningham	Gilchrest
Bonilla	Davis (VA)	Gillmor
Bono	Deal	Gilman
Bryant	DeLay	Goode
Burr	DeMint	Goodlatte
Burton	Diaz-Balart	Goodling
Buyer	Dickey	Goss
Callahan	Doolittle	Graham
Calvert	Dreier	Granger

Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—203

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—7

Barr
Brady (TX)
Cummings
Emerson
Engel
Lowey
Stupak

□ 1134

Mr. BOSWELL and Mr. BISHOP changed their vote from ''yea'' to ''nay.''

Messrs. PICKERING, HORN, STUMP, BISHOP and JONES of North Carolina changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BUYER. Mr. Speaker, on rollcall No. 73, my voting card was not operable and is now being replaced. Had the voting card worked, I would have voted ''aye.''

The SPEAKER pro tempore (Mr. FOLEY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MOAKLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 194, not voting 11, as follows:

[Roll No. 73]

AYES—228

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—194

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan

Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tauscher
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—11

Barr
Brady (TX)
Buyer
Emerson
Engel
Franks (NJ)
Gonzalez
Johnson (CT)
Lowey
Stupak
Weldon (PA)

□ 1144

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATIONS

Mr. BARR of Georgia. Mr. Speaker, today I was unavoidably detained during rollcall Nos. 72 and 73 due to medical reasons. Had I been present I would have voted "yea" on rollcall No. 72 and "yea" on rollcall No. 73.

PERSONAL EXPLANATION

Mrs. EMERSON. Mr. Speaker, on rollcall No. 72 and 73, I was not present due to a family emergency. Had I been present, I would have voted "aye."

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to House Resolution 131 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution, House Concurrent Resolution 68.

□ 1148

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of 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, with Mr. CAMP in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIRMAN. Pursuant to the rule, the concurrent resolution is considered as having been read the first time.

Under the rule, general debate shall not exceed 3 hours, with 2 hours confined to the congressional budget, equally divided and controlled by the chairman and ranking member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK).

The gentleman from Ohio (Mr. KASICH) and the gentleman from South Carolina (Mr. SPRATT) each will control 1 hour of debate on the congressional budget.

The Chair recognizes the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we offer the first budget of the next century and a new agenda for the new millennium. I think this is a great day for the House, because we have been able to move forward from an era not very long ago when, as we looked out across the horizon, the economic horizon of this country, we saw deficits as far as the eye could see.

The majority came into its position in 1995 when we first advanced the need for economic stimulus driven by tax relief, giving more power, providing more incentives for risk-taking, and at the same time a big dose of fiscal restraint; in other words, starting to get the Congress of the United States to live within its means.

The fact is that in 1995, Mr. Greenspan, the chairman of the Federal Reserve System, said that if you can offer a legitimate and credible plan to balance the Federal budget, he said that he believed that interest rates would decline by 2 points.

I must also remind Members that in 1995, as we assumed control of the House of Representatives, interest rates had been rising, the economy had been slowing, there was concern about unemployment. The fact that we laid down a plan that would begin to put our fiscal house in order, to put us in a position where the Congress of the United States would operate really like the American family, and that we would restore some of the incentives to risk-take, I believe that has contributed significantly to the economic gains that we have had in this country.

Now today, as we stand here, as I stand here in the well, we are about to pass a budget that not only captures the surpluses of Medicare and social security, but at the same time has the on-budget surpluses that so many people have sought for years.

In other words, when we take a look at the balance sheets of the Federal Government, both in the social security and Medicare accounts and in the non-social security and Medicare accounts, we have been able to achieve not only a balanced budget, but also some huge surpluses.

Let me say, at the outset, we are doing something that the Congress of the United States has never done: We are taking all the payroll taxes that we collect every day that are related to social security and Medicare and we are locking them into an account so that the politicians, Republicans and Democrats, cannot raid those accounts for any other spending item.

That money will sit in an account, and until we enact a plan that actually saves social security, that money will be used to pay down part of the Federal debt. Last year we paid down about $50 billion of the debt. Most Americans do not know that. This year we would anticipate paying down at least $125 billion of the national debt.

Of course, if I was a citizen listening to somebody in the well of this House make that claim, I would greet it with great skepticism, but the fact is that what I am saying is true. Last year the publicly-held debt was paid down by $50 billion, and in fact this year we anticipate at least $125 billion of the publicly-held debt to be retired.

That does not allow us to rest on our laurels, by any stretch of the imagination, because we must work every day to make the power of government less and the power of people greater. We need to run America from the bottom up, so people can have control over the education for their children, so that the baby boomers and the younger generation can have hope of having a decent retirement by having more control, so Americans can have more money in their pockets.

The fact is, as it relates to social security and Medicare, we know those programs have to be transformed, and not just to protect the retirement benefits of our seniors today. I would argue that that is a given. Because of a pay-as-you-go system, we know that the baby boomers are able to carry the load of their parents, but I want the moms and dads of this country to realize that the people who are really at risk are their children. I want mom and dad who are on social security and Medicare to realize that we are going to stand up and protect their benefits, but it is their children, their baby boomer sons and daughters, who are at risk.

We must have the courage to transform this system so that the benefits just do not accrue to our seniors today, but that our baby boomers and their children will also have retirement security. Sad to say that the President has taken a leave of absence on this. He is missing-in-action as it relates to the issue of social security and Medicare.

Just last week the Medicare Commission, headed by a member of his own party, was blunted by the action of the President. That Democrat, leader of this program to try to extend the life of social security and to reform it so it is available for the baby boomers, that Senator said last week that the administration and many in his party were

more interested in using the issue of Medicare as a political weapon than they were interested in being able to transform and save Medicare, not just for today's seniors, but for the baby boomers and their children.

That is the worst of American politics, to use the threat of destroying economic security for our senior citizens to try to win votes. That is not what makes America great. What makes America great is not just to debate when Republicans and Democrats disagree, but the ability to search for a common goal, to preserve some of the vital retirement programs for this Nation, to keep the demagoguery out of this debate. Let us work together to try to extend the life of Medicare and social security.

At the same time, we are also honoring the 1997 budget agreement. The President breaks the spending caps. He breaks the discipline of the 1997 budget agreement. We will not do that. Not only will we not break the discipline of the 1997 agreement that has contributed to a stronger economy, but we will not raid the social security and Medicare trust fund the way the President does.

We have decided to save it all, and to take that and coordinate with that the 1997 budget agreement by having fiscal restraint. It is about priorities in America today. What we are saying is that the programs of defense and education ought to be top priorities in our budget.

There was a paper distributed on the floor with more misleading information about the fact that this bill does not include a pay raise for the military. That is false. That is patently false. I am beginning to believe that many people who stand in opposition to this bill are just going to ignore the facts. This is not going to be a debate about what is in the bill, this is a debate about what fictions we can create.

There will be provided for in this budget document a pay raise for our troops. The Committee on Armed Services will come to the floor and tell us that. We know that it is necessary to boost the spending for the military. That is precisely what we do in this bill. At the same time, we also believe we should emphasize education.

The fact is, in education we have provided more money than the President has, not just for defense but for education as well. As Members know, we are very interested in education flexibility, so that the school districts can manage their challenges better at the local level without having to have a bureaucrat a thousand miles away who does not even know what time zone it is in these local school districts to tell them how to manage their challenges.

In addition to all of this, Mr. Chairman, there is tax relief for the taxpayers. The fact of the matter is there are many on the other side of the aisle that bristle at the thought of a tax cut for Americans. It has become almost a philosophy, almost a mantra, to make the argument that there is something wrong with shrinking the size of the government and letting peoples' pocketbooks grow bigger.

I want to warn a number of my friends, it is not only wrong for the country but it is very bad politics to make an argument that the budget of the government ought to grow while our personal and family budgets ought to shrink, and that somehow we should pound our chests in self-righteous indignation at the notion that we want to work to cut the size of government and give more money to the American people.

□ 1200

If we are going to run America from the bottom up, if we are going to let Americans be able to pursue their hopes and dreams, Mr. Chairman, the more money that one has in one's pocket, the more one can control one's own destiny, the more power that one has. The smaller this amount becomes, the less power one has.

Power is a zero sum game. If one has less and the government has more, who has got the power? When the government has less and if one has more, who has got the power?

In our country today, as we approach the new millennium and we set the new agenda for the next century, what we do know is that the strength of America, harkening back to where our founders was, was a limited government; the dignity of the individual was to be preserved; that the individual in our society was what was most important in a Nation that recognizes that freedom is precious; and that that the future is ours.

So, Mr. Chairman, we intend not only to preserve Social Security and Medicare, we not only agree to prioritize the items of national security and education, but at the same time, we also believe that the American people ought to be empowered, that the American people ought to have more money in their pockets in order to provide, not just for themselves and not just for their communities, but for those that may live in the shadows of their communities who have less and cannot be ignored in America.

That is the great tradition of America. More in one's pocket means more for one's family. For those who have not been so fortunate, we have an obligation to take care of them.

So at the end of the day, Mr. Chairman, I think we present a budget for the new millennium that is right in pace with where the American people want to go. The American people hunger for more control over their lives and more power in order to fix the problems, to meet the challenges that they see every day.

This budget will begin to preserve and reform and transform the programs for economic security in our senior years, at the same time paying down some of the national debt and, most important, beginning to transfer again, continuing to transfer power, money, and influence from the institution of government into the pockets of people.

We will move forward on this. We will lay down a good marker as we enter the next millennium. We will set the pace and set the direction for what can be a glorious new century for, not just Americans, but for people all over the world who have come to see us as a model and as an example of the power of freedom and individuality and compassion and caring and vision.

Vote for the budget. Reject these alternatives and, at the same time, reject the President's budget and set ourselves on the right course.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I was trying to get the gentleman from Ohio (Mr. KASICH) to tell us why Function 950 of his budget resolution provides no adjustment as it is required to do to provide for the pay raise, the extra pay raise for selected pay grades and officers and NCOs and for the military retirement benefits.

The fact of the matter is, Function 950, the military retirement account, where that charge needs to be made, is absolutely unadjusted in their budget resolution. So it does not provide for the pay raise and the benefits that our troops have been promised.

Let me go to the overarching subject, the budget, and the happy occasion that we find ourselves in today. I did not ever think that I would serve to see the day where we have surpluses as far as the eye could see. I think it is worth taking just a minute to track down the trail we have followed for the last 10 years that have led us to this happy set of circumstances.

In 1990, we had a budget summit that lasted 6 months. We finally brought it to the floor. It was defeated once. Then the Democrats put the vote up to pass President Bush's budget summit agreement. There were only 80 votes on that side of the aisle. It implemented discretionary pay caps, a pay-as-you-go rule, and the kind of disciplines that have served us well to get rid of the deficit. But it did not have any obvious effect because it was eclipsed by a recession.

In 1993, when President Clinton came to office, he found on his desk awaiting him the economic report of the President. In it, Michael Boskin, his Economic Council chief, said the deficit this year will be $332 billion. That was the baseline from which the Clinton administration began.

From that baseline, in 1993, we reduced the deficit with the Deficit Reduction Act of 1993, which had exclusively Democratic votes in the House

and the Senate from $330 billion projected level, $290 billion actual level in 1992, to $22 billion in 1997.

Then our colleagues on the other side of the aisle joined with us, and we finished the job and wiped out that additional $22 billion of deficit and lay the basis for going into the next century.

It is critically important that we did this, because until we dealt with the year-to-year deficit, we could not deal with the next problem; and that is the problem, the challenge of an aging society.

Our society is getting older and older. I am a war baby. A huge generation of young people were born, babies were born in 1946 until 1964, and they will start retiring in about 10 or 12 years. When they do, they will put unprecedented strain on the most popular, most successful program ever invented by the government, the Social Security program, so much so that they may put in jeopardy its solvency by the year 2032.

The Medicare program, which runs a close second in popularity, is in even greater jeopardy because the cost of medical care is rising along with the demographic increases, and it, too, is threatened with insolvency in the year 2008.

We have an opportunity to do something about that. We have an opportunity to take the work we began in 1990 and 1993 and 1997 and deal with the next problem, which is a daunting challenge, preparing this country and this government for the burdens of the next century cast upon us by an aging society.

Our budget, the Democratic budget, rises to that challenge; theirs does not. We are going to have other speakers who will turn to this topic, but let me just give my colleagues the highlights and tell them what is the difference between us and them. I will give it to my colleagues in a nutshell.

We protect the Social Security Trust Fund. We proposed to protect the Trust Fund so that 100 percent of the payroll taxes coming into it are spent exclusively for the benefit of that particular program for the first time probably in 30 or 40 years. We propose to do it by directing the Treasurer of the United States to take that percentage of payroll taxes not needed to pay benefits that year and to buy down public debt.

How does that happen? That means that, when the obligations come due in 2020 and 2030, the Treasury will be in better shape than ever because it will have lower debt and lower debt service to meet those obligations.

We also, unlike the Republicans, do something about Medicare, because we see Medicare and Social Security as linked together. We extend the life of Medicare, the solvency of the Medicare program from 2020. They leave it as it is. They leave it in a lurch.

We are still opposed to huge tax cuts in the out years, $143 billion in the first 5 years and $450 billion plus in the second 5 years, rising to as much as a trillion dollars between 2009 and 2014, which will drain the budget dry of the funds needed to do something about the Medicare program.

Do my colleagues want to know the difference between us and them? Look at the Trust Fund account for Social Security. In our plan, Social Security will have $3.4 trillion more money at the end of 15 years. They will add $1.8 trillion. We are twice as good as they. With Medicare, we add $400 billion. To their Trust Fund, they add a paltry $14 billion.

There are significant differences. If my colleagues care about meeting the challenge in the next century, this is a budget resolution to vote for.

Mr. Chairman, I yield 14 minutes to the gentleman from Washington (Mr. McDERMOTT), and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MATSUI).

Mr. MATSUI. Mr. Chairman, I thank the gentleman from Washington for yielding me this time.

Mr. Chairman, Social Security is probably the most important program Americans have had over the years. It takes care of the senior citizens of America. As anybody knows, if we did not have Social Security today, half the senior population would live in poverty.

One-third of the benefits of Social Security go to families that have the bread winner disabled or perhaps dies. So many children who no longer have a mother or father who are the bread winners in that family can still go on to school and perhaps college. This is a very, very critical program.

What the budget of the gentleman from South Carolina (Mr. SPRATT) does is adds 18 more years to that program so that it will be solvent to the year 2050, 50 more years of solvency total. The Republican plan does not add one year to that solvency.

As we continue this debate, it is my hope that the Republicans respond to the March 13 letter from the actuary of the Social Security, Mr. Harry Ballantine of which everyone bases their conclusions on.

In that letter, in the second paragraph, he says,

> The proposal of the Republicans would not have any significant effect on the long-range solvency of the Social Security program under the intermediary assumptions of the Trustee's report. Thus, the estimated long-range actuarial deficit of 2.19 percent of taxable payroll and the year of combined trust funds exhaustion would not change.

So when we hear that the Republicans are saying they extend the life of Social Security by protecting the money, they do not. In fact, they can use the money for a tax cut. They can use it for a tax cut. So bear in mind what this is all about, this debate, is to protect Social Security, and the Democratic bill does that.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. WEYGAND).

Mr. WEYGAND. Mr. Chairman, I want to thank the gentleman from Washington (Mr. McDERMOTT) for yielding me this time. I particularly want to thank the gentleman from South Carolina (Mr. SPRATT) for providing us with this alternative.

When we talk so much, as both sides have, about Social Security and Medicare, the people back home are listening to us and saying, have they really given us a solution? The gentleman from South Carolina (Mr. SPRATT) has done that, and the Democratic alternative has done just that.

He has said let us take aside all of the surplus that we are getting in the area of Social Security, dedicate it to Social Security and Medicare, and make sure we come up with a fix, a solution. Set the money aside and take away the rhetoric of tax cuts and additional discretionary spending. Solve these problems first before we go home.

Medicare is perhaps one of the most aching problems that is out there, home health care, prescription drugs. People each day are asking us in both Democratic and Republican districts, how do we solve this?

It is indeed a problem back home in Rhode Island, because I know home health care agencies, the most cost effective, efficient agencies are going out of businesses. People that need the kind of home care, that is the least costly home care, are not getting it and eventually ending up in nursing homes and hospitals.

I have a couple in Rhode Island that are 66 and 70 years old. Prescription drugs is something they never thought about when they retired. But after open heart surgery and bypass surgery, both of them, at age 66 and 70, are back working part-time just to pay for the $8,200 a year for prescription drugs they have to pay.

Seniors are doing without paying their rent, without paying for food, and sometimes not even paying for the prescriptions because the cost is so high. That is going to come back to all of us in terms of higher taxpayer costs.

We should not leave here until we resolve this problem. The only way to do it is, as the gentleman from South Carolina (Mr. SPRATT) has suggested, lock this money aside, not use it for all those rhetorical questions that are being asked all the time about tax cuts and discretionary spending, and fix the problem.

Let us bring us to a solution rather than continuing putting us in this rhetorical oblivion that will never come to

a conclusion. End this problem now. Fix Medicare.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, Medicare and Social Security have improved the lives of millions of elderly and disabled Americans. Together they provide a vital safety net which millions of Americans rely on. However, while Medicare is projected to run short of funds in just 9 years, and Social Security will run short of funds by 2032, the Republican budget resolution does nothing to extend the life of Medicare or Social Security.

The Democratic budget alternative that will be offered later today will extend the life of Medicare through 2020 in addition to extending the life of Social Security to 2050.

□ 1215

Only after this commitment is fulfilled would we propose to spend money on high priority areas like health, education and the environment.

I believe firmly that I would not be standing before my colleagues today if it were not for Medicare. Social Security and Medicare together enabled my grandmother to live independently until she was 90 years old. As her primary caregiver for the last several years, I know the role Social Security and Medicare play in making ends meet, in protecting her from making sure that a medical crisis would not lead to financial ruin.

Medicare and Social Security are not just commitments we made to our seniors, they are commitments we made to families. And it is just as important to young people that we have Medicare and Social Security as it is to our seniors, because it keeps our families and our communities strong.

We have an historic opportunity to make good on this commitment. The budget decisions we make today will have enormous consequences for decades. The Republican budget resolution squanders this opportunity before us; the opportunity to reduce public debt while protecting the existence of Social Security and Medicare.

Mr. McDERMOTT. Mr. Chairman, I yield 2¼ minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means and a former member of the Committee on the Budget.

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, when Franklin Delano Roosevelt proposed Social Security and worked for its passage, the Republican Party was dead set against it. When John F. Kennedy and Lyndon B. Johnson said that having Social Security was not enough, if there was no health security and advanced Medicare, 90 percent of the Republicans in this Congress voted to reject it. When Bill Clinton was elected President, the Republican Party in this House elected a majority leader, my colleague, the gentleman from Texas (Mr. ARMEY), who said of Social Security, It is ''a rotten trick;'' who said of Medicare that he ''resented'' having to be a part of it as a compulsory government program.

So I suppose that against that backdrop the American people should take some confidence and some reassurance in the fact that Medicare and Social Security are even mentioned in this budget resolution. They are indeed mentioned in the resolution. When we look to the budget resolution to see whether there is any money to match the promises made, there is not $1 truly set aside for Social Security and Medicare to assure solvency into the future. All that the Republican budget resolution says is that these vital programs can go broke on schedule, which is not much help to the people of this country.

The second indication that we get out of this budget resolution of where the heart of the Republican Party is on these critical issues for hundreds of millions of American citizens who either benefit from these programs today or will in the future is to look to the instructions that they include in this resolution. What instruction do they have about Medicare and Social Security? They have one reconciliation instruction, and it is ''Give us our tax breaks.'' They say ''Give us our tax breaks.''

We say save Medicare and Social Security first. Do the fiscally responsible thing; pay down the debt, preserve these valuable programs, postpone the desire to help those at the top of the economic ladder to some future time, and help those Americans who want these systems preserved.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DAVIS), a member of the Committee on the Budget.

Mr. DAVIS of Florida. Mr. Chairman, today we have a very fundamental choice before us; we can pass the budget resolution that proposes a tax cut over 10 years of approximately $800 billion, or we can do first things first, and that is we can take up and pass the Spratt amendment, which provides a tax cut of about $137 billion but pays down the publicly held debt, the Federal debt, by more than $137 billion more than the Republican budget proposal.

Now, why is that so important? The first thing is it is the right thing to do for our children and grandchildren, and not for them to have to inherit this debt.

The second thing is, as we begin to prepare for the retirement of the baby boomers, of which I am one, and funding the solvency of Social Security and Medicare, we are going to need some of those funds to pay that.

Thirdly, and perhaps most important, one of the best things we can do to protect our economy right now is to pay down the Federal debt. As Chairman Greenspan has testified before the House Committee on the Budget, it has a direct bearing on interest rates.

In my home, Florida and Tampa, where the average mortgage for a homeowner is about $115,000, if we drop interest rates two points, down from 8 to 6 percent, that is $155 a month in that homeowner's pocket they would not otherwise have.

Paying down the debt and providing that type of tax cut, simple and immediate, to homeowners, to people holding student loans and car loans, is the right thing to do for our children and grandchildren and, most importantly, will help preserve the solvency of Medicare and Social Security as we begin to prepare for the retirement of the baby boomers.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY), a member of the Committee on Commerce and also the Committee on the Budget.

Mr. MARKEY. Mr. Chairman, this Republican bill is a complete fraud. That is the bottom line. They have got hundreds of billions of dollars for tax cuts, mostly for the rich, but not one penny to extend the Medicare trust fund, which is going bankrupt, by the way, in the year 2008.

Let us go back to their balanced budget of 1997. The premise was that we would have to cut Medicare and home health care, those are visits made to people's homes who have Alzheimer's and Parkinson's and other chronic diseases, $115 billion to give a $90 billion tax break for mostly the wealthiest in America.

Now we have this huge surplus. Now, what do the Republicans say? We are going to give that money back to the Medicare recipients; we are going to give that money back to the HMO health care recipients? No, they say, we do not have enough money for those people.

Now, the problem, of course, is that the programs were cut fraudulently, using numbers that were not accurate in 1997 in terms of the problem with Medicare. It turns out today that the CBO says that in fact they have found miraculously $88 billion more of savings in Medicare for this 5-year period, and they found an additional hundreds of billions of dollars of revenues that they did not project.

How much goes back to Medicare on the Republican side? They do not have a penny.

If we kick them in the heart over here, we are going to break our toes. They just do not want to help these old people on Medicare.

So, my colleagues, our substitute, with the effort to try to help those most vulnerable, the senior citizens

within our society, intends on guaranteeing that Medicare is extended 10 extra years in solvency, so that the senior citizens in our country are going to be given the protection which they deserve.

My colleagues, the Republican substitute does nothing, nothing to help the solvency of the Medicare trust fund. Vote ''no'' on the Republican budget here today on the House floor.

Mr. McDERMOTT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I was elected in 1970 and spent 15 years in the State legislature and spent 10 years here, and I have never seen a budget exercise like this one.

Last year, we have to remember, the Republicans did not pass a budget. They never got a budget resolution through the United States Congress. This year they said, we are going to do it, but we are going to do it by jamming it past people so fast they can never figure out what is happening.

We listened to a wonderful stump speech by the chairman of the committee today, but when he hands the budget to us 4 hours before and gives us two pieces of paper with the numbers on it, that is all we got, two pieces of paper, to spend $1.7 billion, I say this is a smoke and mirrors budget.

My colleagues can look at these pieces of paper and say there is anything in here. They can promise the world. They can promise veterans, they can promise old people, they can promise the National Institutes of Health, they can promise anything on these two pieces of paper, because there is no specificity. There were no hearings. It was simply, ram it through.

Now we come to the floor. We get 40 minutes on the Committee on the Budget to talk about this issue. Now, is that because we are busy tomorrow? No. People are going home. Could we have more time on this? No, the Committee on Rules said we have to be out tonight. Where are we going? I guess we are just going out for 2 weeks, yet we cannot spend another 1 or 2 hours on this issue.

The gentleman from Massachusetts (Mr. MARKEY) is right. I sat on the Medicare Commission, and the Medicare Commission rightly turned down the proposal being jammed through by the Republicans to privatize Medicare, but they are going to do it here. This budget has no money in it to deal with the problems of Medicare.

What they are going to do is they are going to come in with their little voucher program. It is going to be called ''premium support.'' They are going to try to ram that out of the Committee on Ways and Means and run it through here and leave the old people holding the bag.

This is a bad budget, and I urge Members to vote against the Republican alternative.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. CHAMBLISS).

The CHAIRMAN. Without objection, the gentleman from Connecticut (Mr. SHAYS) may yield time.

There was no objection.

Mr. CHAMBLISS. Mr. Chairman, I had hoped we were going to come to the floor today to talk about the real facts contained in the Democrat budget versus the Republican budget, but it appears we are getting off base here. But let us look at what the actual dollar numbers are when it comes to Medicare, and here they are.

We are going to put $1.8 trillion aside over the next 10 years to save and protect Social Security and Medicare. What does the President do? He is well below us, right down here.

These are the actual numbers, Members.

Mr. Chairman, today the House is going to consider a budget for the fiscal year 2000 that addresses the issues that matter most to American families. This budget, the first for the new millennium, safeguards Social Security and Medicare, addresses priorities such as education, defense and agriculture, and provides historic tax relief. This budget meets the challenges of the 21st century head-on by adhering to several bedrock principles, each of which is set forth right here.

First, we are going to lock away every penny of the Social Security surplus for our Nation's elderly.

We are going to set aside more money than the President to strengthen Social Security and Medicare.

We are going to create a safe deposit box to ensure that bureaucrats in Washington cannot get their hands on the Social Security Trust Fund money.

We are going to pay down more debt than the President's budget.

We are going to maintain the spending discipline that carries over from the 1997 Balanced Budget Act.

We are going to make national defense a top priority by providing additional resources for things such as pay raises which are specifically set forth in the budget.

We are going to provide the resources to train, equip and retain our men and women in uniform, who are in harm's risk as we speak today.

We are going to offer security for rural Americans by providing reforms in crop insurance and money to fund that crop insurance reform.

And we are going to enact historic tax relief. Yes, tax relief. And it is interesting that opponents of this budget would get up today and argue against tax relief. That is almost un-American, and I really cannot believe we are hearing that in the well today. But, yes, we favor tax relief, and we are going to support tax relief in our budget plan for hard-working Americans.

Mr. Chairman, this budget is consistent with the common sense conservative principles of encouraging our communities and individuals to grow from the bottom up, not from Washington down. This is a budget Americans can be proud of, and I urge all of my colleagues to support the Republican budget.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

When I came here, we were paying interest on the national debt equal to about $52 billion. In the years I have been here that bill has gone up to $252 billion. Dead weight. Produces no goods and services for anybody.

We have got a proposal in our budget resolution that will drive that debt down $3 trillion. It is good for Social Security, it is good for the economy, it is good for the Federal budget, and it is good for our children and grandchildren.

□ 1230

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, this chart shows where we were when Republicans took the majority in 1995.

For the foreseeable future, at that time, this government went deeper and deeper into debt—for as far as the economist could see. We came in, as the new majority, determined we were going to reduce and slow down spending. Look, we did it.

This is historic. I went back over the last 40 years. In every one of those years that the Democrats had control they used the surplus coming in from Social Security for other Government spending.

Please look, what we are doing now. We do not have to increase the national debt in this 5 year Republican budget. The President's plan, the Democrats' plan, has to increase the national debt. Their plan forces this country deeper into debt by $2 trillion more than the Republican proposal.

I want to say that again to the gentleman from South Carolina (Mr. SPRATT). Your plan goes deeper into debt by $2 trillion more than the Republican proposal.

Nobody should just talk about the debt to the public. They have got to talk about the total Government debt. Because what we owe the Social Security Trust Fund is just as important as what we owe Wall Street.

I want to talk about the caps. The Republicans stay under the caps. The Democrat proposal does not stay under the caps. I am chairman of the Committee on the Budget Task Force on Social Security. That bipartisan task force is working very well together. But I just want to say very clearly that what we are doing for the first time in recent history, is not spending the Social Security surplus for other Government programs.

I mean, it is a giant step forward for saving Social Security. We are putting that money aside. The gentleman from South Carolina (Mr. SPRATT) says that they are saving Social Security by adding a giant IOU to the Medicare Trust Fund and the Social Security Trust Fund. That makes us go deeper into debt. It is not honest. It is a asset for Social Security but a deficit for the general fund. In short it is a mandate for future tax increases for our kids and grandkids.

All the review of the President's proposal that suggests that we can save Social Security by adding more IOUs—conclude it is smoke and mirrors. It is!

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, today we are debating the budget. In putting together a budget blueprint, it is important to remember that the Federal budget is an outline of priorities. It is not a detailed specification of every single appropriation bill that we are going to pass over the next year. The Federal budget is $1.7 trillion. The budget blueprint is intended to talk about what our priorities are as a Congress for the next year.

In trying to establish those priorities, the Committee on the Budget tried to answer three questions. First and foremost, what about Social Security and Medicare? Those on the other side have talked about these important issues; and we came back with the answer first we should set aside every penny of the Social Security surplus, every penny of that trust fund surplus, to strengthen and protect Social Security and Medicare.

As the debate goes on today, we will see time and again that we set aside more to preserve Social Security and Medicare than the President in his budget. We set aside every penny of the surplus for Social Security, not 60 percent as the administration suggested, because it is the right thing to do.

Second, we wanted to set priorities about the size and scope of the Federal Government. And we thought it was appropriate that we keep to the commitments of the 1997 Balanced Budget Act, a bipartisan agreement that set some control on the growth and scope of the Federal Government. Keeping those commitments again is an important part of the integrity of this budget resolution.

And third, what about tax relief? Right now taxes in this country are at a peacetime high. They have not been this high since 1944. And we thought it appropriate that, after we set aside 100 percent of the Social Security Trust Fund surplus, we ought to give back the additional surpluses to the American workers in the form of lower taxes.

This is about priorities, our priority of saving 100 percent of the Social Security surplus, against the administration's priority, if we can call it that, of only setting aside 60 percent of the Social Security Trust Fund surplus. Our commitment and priority to keep to the promises we made as part of the 1997 budget agreement. The administration's budget breaks those caps by $30 billion. Our commitment to lower taxes once we have ensured that we protect the Social Security Trust Fund surplus. The administration's commitment to raise taxes by $100 billion. That is the wrong direction for this country.

In the end, this budget resolution pays down more debt, does more to protect Social Security and Medicare, and provides fair and honest tax relief. That is a set of priorities we can be proud of. It is a set of priorities that makes sense for the country. And that is why I am proud to support the budget resolution.

Mr. SPRATT. Mr. Chairman, I yield 8 minutes to the gentlewoman from Michigan (Ms. RIVERS) and ask unanimous consent that she control the time for yielding to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Ms. RIVERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Chairman, I rise in defense of fiscal responsibility and in support of the Democratic budget resolution and in opposition to the Republican budget resolution.

When I was elected to Congress, my highest priority was to balance the unified budget. We have apparently accomplished that goal. Now my highest priority is to pay down the publicly held debt and extend Social Security and Medicare solvency.

Mr. Chairman, a week ago the majority on the Committee on the Budget submitted two pages of numbers and called it a budget resolution. It is as much a budget resolution as a blank piece of paper is a Pulitzer Prize winning novel. The budget resolution is two pages, no explanation. Draconian spending cuts of $181 billion over 10 years are hidden in blue smoke and mirrors.

This budget says we are going to increase defense spending and education and cut other programs by $27 billion. It is not going to happen. The budget builds on the hope that the CBO can reestimate the base line just so we can put off until September either any cuts we have to make and either have a showdown or disaster like last year.

What this budget will do is bust the caps and the pay-go rules. The majority's budget resolution gives more priority to enacting an $800 billion tax break than paying down the debt. It does not stop Social Security and Medicare from going insolvent. It locks in nearly a trillion-dollar tax cut betting on a 15-year projection that, if the surplus does not materialize, will result in more deficits and more debt.

The Republicans say they are saving the surplus in Social Security in the trust fund, but they do nothing to honor the obligation to extending the life of Social Security and Medicare. Let us look at what Alan Greenspan has to say. He is adamantly clear that the best policy is debt reduction. Let me quote him.

''From an economic policy point of view I envisage that the best thing we can do at this particular state is to allow that surplus to run. What that means, of course, is that the debt to the public declines, interest costs on the debt decline, and in my judgment, that contributes to lower long-term interest rates.''

Make no mistake, the Democratic budget resolutions retires nearly three-quarters of a trillion dollars of publicly held debt. The Republicans' do not.

Ms. RIVERS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, when asked about the rough-and-tumble world of politics, Margaret Thatcher said, ''Well, you don't tell deliberate lies, but sometimes you have to be evasive.''

Mr. Chairman, I would suggest that there is considerable evasion in this budget. Starting with the issue that the Republicans claim to put aside all of the Social Security money for Social Security, in today's Wall Street Journal, page A–28, we find a very interesting article. The Wall Street Journal tells us that their commitment is essentially toothless and can be waived by a simple majority, which is done on the floor every day. This is the Wall Street Journal.

They promise us that certain programs will be taken care of, that certain groups will get the things they need. But they forget to tell us, or they evade telling us, that $52 billion of cuts have to be found over the next 5 years to provide what they have in their budget.

An earlier speaker talked about what was un-American. Well, I will tell my colleagues what is un-American, Mr. Chairman. What is un-American is not paying our bills, not dealing with our debts, not dealing with our existing obligations. And as a Nation, we have many: Social Security, Medicare, and a national debt that is nearing $6 trillion.

The gentleman from Texas (Mr. BENTSEN) mentioned that Alan Greenspan said unequivocally that the best way to deal with our current situation is to pay down the debt and to use both surpluses, on-budget and off-budget. The Democratic proposal here today puts more than $474 billion over the Republican proposal in the next 15 years.

The last piece of evasion that I want to speak to today is the suggestion

that the tax cuts that are being proposed come purely from the on-budget surplus. That ignores the fact that as these tax cuts play themselves out over the years, by the year 2013 we will be dealing with an on-budget deficit and we will have to dip into Social Security money.

Now, that comes at a time when the existing obligations I was talking about, our baby-boomers, begin to retire, and it will be the greatest strain on our budget to provide for them.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa (Mr. NUSSLE), a member of the Committee on Ways and Means and the Committee on the Budget.

Mr. NUSSLE. Mr. Chairman, I thank the gentleman for yielding me this time.

It is so amazing. I mean, really, when it comes right down to it, both sides have done not a pretty good job of coming up with a budget. All right? I mean, there are only so many ways we can do it, with mandatory programs and discretionary programs. There are only a certain few ways we can do it.

And so what happened was the President sat down and he said, you know what? I can spend that Social Security surplus and I can have a whole bunch of new programs that I can pass out to people and make them feel good.

The Republicans sat down and said, you know what? For the first time since 1969, we are going to set all of it aside, 100 percent of the Social Security surplus, so that it is there not only for Social Security but it is there if we need to find a fix for Medicare. We set all of it aside. The President did not set all of it aside.

So what happens today? The last minute, the last opportunity, in run the Democrats, oh, but we did not mean that. We did not quite mean that. We can do better. We can do better than that. We are going to set 100 percent of it aside because they are. And so they rush in here at the last minute. Well, even their last-minute plan does not quite make it.

Let me show my colleagues something here. They are talking about debt reduction and how much they want to reduce the debt for their grandchildren and children, and we heard all sorts of speeches waxing philosophical about that. Let us look at the plan. The Republicans set aside more money so we can pay down the debt. The Democrats do not. Those are the facts. Yet they run in here and say, we can do better than that.

Let me tell my colleagues something else that is interesting here. When it comes to education, they say this is a priority. Look what we do. The Republicans, the Republicans, spend more time than the President, who stood up here for the State the Union address and said how he is going to support education.

Well, let me take my colleagues one example further. Special education. Special education. Since 1975, a program that the Democrats, to their credit, passed one of the most beautiful civil rights pieces of legislation in history, saying every American child ought to be able to attend public school. And what did they do? They did not fund it. And they have not funded it since 1975.

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For the first time, the Republicans are funding IDEA, special education, $1 billion extra in our budget than the President's for special education. Plus we are saying to governors and States who are crying to Washington to give them more flexibility for education, we are letting them spend excess dollars from welfare, we are giving them the ability to transfer funds from other education programs, and we are allowing them, if we get more money at the end of the year, this surplus may grow as everyone has talked about so far, in our plan we allow special education to get a little bump up. That is not in their plan, either.

Mr. Chairman, it just is amazing to me with the Academy Awards being last week how they can continue to win more Academy Awards for this budget.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Could I have the benefit of the chart of the gentleman from Iowa (Mr. NUSSLE), the chart he just used that showed the President commits 62 percent of the surplus and you commit 100 percent of the surplus?

Mr. NUSSLE. The gentleman did not bring his own charts today?

Mr. SPRATT. That is 62 percent of the unified surplus which he quotes, $1.8 trillion. One hundred percent of the Social Security surplus, which is part of it, equals $1.8 trillion. They are the same thing over a different period. Over 15 years it works out to the same thing.

Mr. NUSSLE. That is the problem, if the gentleman would yield.

Mr. SPRATT. No, I cannot yield because I do not have the time to yield.

Mr. NUSSLE. He wants to use my chart but I cannot talk about it?

Mr. SPRATT. In a little while we will answer what he just said about education.

Mr. NUSSLE. Mr. Chairman, I hope he does.

Mr. SPRATT. Because I do not think the facts will bear him out.

Ms. RIVERS. Mr. Chairman, I yield myself 1 minute. I believe there was another problem with the charts that were just shown to us in that while the speaker, I am sure he misspoke, when the speaker said he was comparing the Republican plan to the Democratic plan on the floor from House Democrats today, I believe he used numbers from the President's proposal and not from our budget today relative to debt reduction.

Secondly, the question of IDEA, special education, is one I am very interested in, because for several years I have offered an amendment to the Committee on the Budget as well as to the Congress to deal with fully funding IDEA, making the commitment that was passed so long ago real, to bring funding up to 40 percent of real cost. That was offered in the Committee on the Budget last week and to a person every Republican, including the gentleman from Iowa, voted against doing that.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, I thank the ranking member of our Committee on the Budget for the terrific job he has done.

Mr. Chairman, if I could yield first of all to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I thank the gentlewoman for yielding.

Mr. Chairman, we want to talk about education. There is a lot that is wrong with this Republican budget resolution. We need to discuss these issues in depth. The budget resolution is arguably the most important single decision we make here. It is the blueprint for how Federal resources will be used for the coming fiscal year and on into the future. So the Democratic and the Republican proposals we are considering here today need to be debated in depth. They are a study, in fact, in contrasting priorities.

The Republican budget would provide no help in extending the solvency of Medicare and Social Security. It falls short on veterans health care and crop insurance for our farmers and other critical needs. The Democratic alternative would extend the solvency of Medicare and Social Security, would provide more funding for critical priorities, would implement targeted tax relief, and would reduce the debt held by the public more than the Republican proposal.

Mr. Chairman, we want to talk especially about education, because nowhere is the contrast more stark than with education. Our Republican colleagues boast about providing some increase for elementary and secondary education, but, overall, funding for education and training would be cut by $1.2 billion from the nominal 1999 level in the Republican budget for 2000. The result would be drastic cuts in funding for other priorities like higher education and teacher training and Pell grants and Head Start. Over 5 years, the Republican budget cuts to education and training would result in a 6.9 percent decrease in purchasing power, and over 10 years the decline in purchasing power for education would be over 18 percent.

Ms. HOOLEY of Oregon. Mr. Chairman, one of the things that I find interesting about this budget is we were told absolutely education is increased. They did increase it for elementary and secondary education. But what they do not tell us is that they are cutting it in all other parts of education. They do not say specifically where they are going to cut those budgets. But it is cut over 10 years from this level by $36.5 billion. So they are cutting programs like Head Start and Pell grants and work-to-school programs. That is where the cuts are.

And so again it is one of those bait and switch budgets that they tell us we are doing great things over here and then they do not tell us what the other hand is doing, which is cutting education. This budget does not reflect that our school facilities are in a crisis situation. There was a study done by the engineers that said of all of our infrastructure, our school infrastructure is the one that is in the greatest need. We would not work in the schools that we send our children to.

Mr. SPRATT. Mr. Chairman, I yield 4½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I would like to engage the gentleman from New Jersey (Mr. HOLT) and the gentlewoman from Oregon (Ms. HOOLEY) in a further discussion of this. It is important to get these facts out.

Is it not true that the Democratic alternative would make room for school construction? The kind of proposal that the President has made to give tax credits in lieu of interest on bonds in these low-income areas that need desperately to build or modernize facilities, or like the gentleman from North Carolina (Mr. ETHERIDGE) and I have introduced to target high-growth areas so that our kids are not going to school in trailers.

I come from a district where we have hundreds of trailers, thousands of kids going to school in these kinds of facilities. We need to get ahead of the curve in school construction.

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from New Jersey.

Mr. HOLT. The Democratic budget does indeed provide for modernizing schools. In fact, it would provide tax credits that would allow modernizing of up to 6,000 public schools.

Ms. HOOLEY of Oregon. Mr. Chairman, if the gentleman will yield, one of the other things that I think is interesting to note, not only are schools in bad shape right now and we have talked about trailers. We have first graders that have to walk across an open area in Oregon where it rains all the time. This is not a wonderful thing to do to wash their hands or go to the bathroom. And some of the rooms are in such disrepair. Again, my colleagues would not work in that facility but we expect our children to learn in that facility.

The other thing that I think is interesting is there have been studies that have been done that show that, in fact, students do better in schools that reflect our society and are not in such disrepair. They do better when our schools are repaired.

Mr. PRICE of North Carolina. Those studies are very convincing, that the students perform better when they are in first-rate facilities. It is not just an abstract issue. We have thousands of kids going to school in these facilities. Often they are going to lunch at 10:30 because the cafeteria facilities haven't kept pace with the addition of trailers. They do not have adequate gym or restroom facilities. It simply is a misplaced priority to say that we cannot afford to do this. The Republican budget squeezes it out. The Democratic budget would make room for that kind of school modernization.

Let me ask my colleagues, also, to address the other major initiative that we are looking at in this Democratic budget: getting class size down and getting 100,000 new teachers in the classrooms of America. We made a start on that last year. What is it going to take to keep that going?

Mr. HOLT. If the gentleman will yield further, indeed, these are connected. Simple math will tell us, we cannot have more teachers and get the smaller class sizes in the early years unless we have the classrooms to put them in. And so this Democratic budget does allow for both of those, continuation of the hiring of new teachers, the 100,000 new teachers that we are calling for, we will continue down that line with the Democratic budget, in addition to providing for the loans for the construction and modernization of facilities.

Mr. PRICE of North Carolina. We are talking about a stark contrast in these budget proposals. The one makes room for reduced class size and for school construction and also lets us make good on what we promised last year when we passed the higher education act, opening up opportunity through Pell grants and an improved student loan program. The other budget makes a short-term increase in education, but would drastically decrease this funding over the long haul.

Mr. HOLT. Unlike the Republican budget, the Democratic alternative does not cut higher education, training and social services in order to increase elementary and secondary education programs. That is a key difference.

Ms. HOOLEY of Oregon. I used to be a teacher. I can guarantee my colleagues that smaller classroom sizes, you have much better performance by the students. Do not take just my word for it but go out and look at all of the research on this subject and you will find if we can get our classroom size to 18 and under, that students' performance goes way up. Not only does it go up, it stays up. We are trying to get it down in K through 3. But if you get it down, get that ratio down, the performance goes straight up and that performance stays up throughout their years in school.

Mr. PRICE of North Carolina. And the impact is the greatest in grades 1 through 3, is that right?

Ms. HOOLEY of Oregon. Right.

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the way my colleagues have chimed in here. There is no question that we are dealing with a stark contrast in many areas of this budget, but certainly in education. In dollar terms, the Democratic alternative next year provides $2.6 billion more for education and training, and then over the next 5 years we are talking about a $10.2 billion gap. It is a gap that we have got to close.

Vote for the Democratic alternative.

Mr. SHAYS. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, the bottom line is, this Republican budget locks away the entire Social Security trust fund surplus for our Nation's elderly, the entire amount. We set aside more than the President to save, strengthen and preserve Social Security and as necessary Medicare as well. We create a safety deposit box to assure Social Security trust funds cannot be raided. We pay down more public debt than the President. We maintain the spending discipline for the 1997 budget act. We provide additional resources to properly train, equip and retain our men and women in uniform. And we will enact historic tax relief after we have solved Social Security for our children and our children's children. That is what we do. The President wants to spend more. The Democrats want to spend more. We do not.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Chairman, this Republican budget brings honesty back to the budget process and ends a 30-year assault on our Social Security system. For the first time, every single penny of Social Security taxes will be locked up for Social Security and Medicare. Over the next 10 years, this budget saves $1.8 trillion for these two critical programs for our seniors and future generations.

As my colleagues can see on this chart, while the Republican budget saves every penny, 100 percent, of the Social Security surplus, the President's budget saves only 62 percent of Social Security over the next 10 years.

Mr. Chairman, saving just 62 percent of the Social Security surplus is not good enough. The President's budget spends $341 billion of this very Social Security surplus over 10 years and provides no Social Security reforms or protections.

Mr. Chairman, not a dime of the Social Security dollars Americans pay should be used for unrelated programs. Locking up the entire Social Security trust fund will help save, strengthen and preserve Social Security and Medicare, not only for seniors today but for future generations as well. We must repair Social Security forever, not just put a band-aid on the problem. This Congress cannot allow the Social Security program to be bankrupt. We cannot stand by and allow anyone, even the President, to raid Social Security just to pay for more Washington-run programs.

Save Social Security. Vote ''aye'' on this Republican budget.

□ 1300

Mr. SPRATT. Mr. Chairman, before yielding to the gentleman from Virginia (Mr. MORAN), I yield myself such time as I may consume.

Mr. Chairman, I would like to say our colleagues are attacking the President's budget; it is not even on the floor.

Our resolution is on the floor. It commits a hundred percent, puts $1.8 trillion into the trust funds over the next 10 years as well.

Mr. Chairman, I yield 4½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I plan to yield time to the gentleman from Maryland (Mr. HOYER) as well because we want to address fiscal responsibility because we firmly believe that our budget is the more fiscally responsible. Mr. Chairman, what we have been presented by the majority is the baby boomer budget.

As my colleagues know, the real reason why we have this prosperity is because our parents put their lives on the line for democracy and free enterprise. That is why we live in a free and prosperous world. And now, we the baby boomer children must decide what we are willing to sacrifice for our children's future.

So what have we done with this opportunity? Mr. Chairman, one of the things we have done is to build up a $5 trillion public debt that we are about to leave to our children.

The critical test of the baby boomer generation is, are we going to be as responsible to our children as our parents were to us? Mr. Chairman, the answer is no if we do not pay down the Federal debt. The answer is no, as well, if we do not provide for their retirement security. That is why it is important to extend Medicare and Social Security.

But the budget that we have been presented with by the Republicans says after we die, after we have exhausted Social Security, there is nothing there left for our kids. It is exhausted in terms of Medicare in 2008; in terms of Social Security, by 2032. That is it; we have used it, we are set, and then it is up to our kids to take care of their own retirement security and to pay down the Federal debt.

That is why this budget, the one we are offering, is the far more responsible one because it reduces the public debt, it provides for the retirement security of our kids, and it also provides for the investment that our kids need to be able to fulfill their potential. It puts money into education, it puts money into training, it enables them to live in a safe environment.

This is by far the more responsible budget, the one that sustains the intergenerational legacy our parents left to us.

Mr. Chairman, I yield to my friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, this is a very serious debate. We are involved overseas in a very serious effort, and we need to be serious.

I came here in June of 1981, and I was presented with a budget on this floor which I voted against, and I voted against it because I thought it would cause high deficits and high interest rates. I, frankly, was right. The 1981 budget that we adopted, which was sold to us as a budget that would do all sorts of good things for America, created $3 trillion in new debt, and tax cuts were enacted long before any Republican, as Dave Stockman said, was prepared to vote for the cuts to sustain the spending cuts to sustain those tax cuts, and as a result, and I heard the gentleman from Minnesota (Mr. GUTKNECHT) last night on the floor lamenting the fact that our grandchildren were put deeply in debt, they were by that 1981 program.

Mr. Chairman, I suggest to my colleagues that this budget is very much like that. It is very much like that in that it retreats from investments in the future, it promises tax cuts that will be unsustainable, and notwithstanding how many times our colleagues repeat they are saving Social Security commitment, it does not do what both the Blue Dogs' budget does, which I will vote for, which the Democratic alternative does, which I will vote for, and frankly offering the President's budget is simply a political charade in which we have participated in the past ourselves. And I understand that; we both have done that to one another. Ronald Reagan's budgets were presented 3 years during his presidency. Zero Republicans voted for it the first time, one Republican the second and 12 the third.

This is a serious debate, and we ought to commit ourselves to the American public to do real things. I suggest to my colleagues they ought to vote for the Democratic alternative and, as well, they ought to vote for the Blue Dogs' alternative because they do real things. They do not pretend; they do real things.

Mr. MORAN of Virginia. Mr. Chairman, if this was our parents making this decision, they would not be giving themselves an $800 billion tax cut. They would be providing for the retirement security of their children, they would pay down the debt that they incurred, they would fully fund the military pay raise, they would fully fund the education of their children, they would do right for America and make sure the next generation of Americans is better off than their generation and the benefits that they incurred from their own parents.

We have a progressive legacy, let us keep it. Let us not be so selfish and give ourselves a tax cut. Let us take care of our kids first.

Mr. SHAYS. Mr. Chairman, I yield myself 15 seconds to comment that when the President gave his budget address, everyone on that side of the aisle thought it was terrific, and now everyone is running away from it and denying they ever liked it.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman from Connecticut for yielding this time to me.

As my colleagues know, somebody once said, and it may have been the Vice President, that everyone is entitled to their own opinions, but they are not entitled to their own facts, and I want to talk about the facts because we heard earlier today, and there is some revisionist history that it was the, quote, minimal tax hikes of 1993 that brought about the balanced budget that we have today.

Mr. Chairman, I am not making up the facts. This is according to the Congressional Budget Office. This is the direction we were headed in 1995. The deficit was at about $200 billion. They were predicting that by 2009 we would have deficits approaching $600 billion, and worse, that included the Social Security surpluses.

Now where are we today?

Mr. Chairman, thanks to some of the fiscal discipline demonstrated by this Congress since 1994, we are headed in the right direction. Again, these are not our numbers. This is according to the Congressional Budget Office.

Now one of the things that we are debating here today is whether or not there should be tax relief for the average American family. Now somebody said earlier, and it is true, and this is according to the Tax Foundation, that Americans now pay the highest tax burden since 1944. Now our budget does not specifically call for tax cuts, but it does begin to make room for tax cuts because we believe Americans are overtaxed.

Mr. Chairman, the average American family, and again not according to us, according to the Tax Foundation, a nonpartisan group, the average family

today spends more in taxes than they do for food, clothing, shelter and transportation combined.

Now we happen to believe that is wrong, and we may have a difference of opinion with our friends on the left, but that is the way we see it.

Now it has also been mentioned that our Democratic friends really do not want to talk about the President's budget, and I suspect this article, again not something that we said, this is according to the Investors Business Daily; what they said was balancing the books on the backs of the poor.

But this is what Investors Business Daily said, and again the source of the Tax Foundation, that under the President's budget plan he increases taxes over the next 5 years by about $45.8 billion. Now that is bad enough, but what is worse, almost 40 percent of those new taxes will be paid by families that earn less than $25,000 a year.

Now it is no wonder then that our Democratic friends do not want to talk about the President's budget.

In sum, our budget does four things:

First of all, Mr. Chairman, we say that every penny of Social Security taxes ought to go only for Social Security.

Second, we say that we are going to keep faith with the spending caps that we agreed to with the President in the Balanced Budget Act of 1997.

Third, we begin the process of actually paying down some of that debt. We will begin to pay off some of the debt that is owed to the public.

Finally, we make room for tax relief.

Now I know that does not sit well with some of our friends on the left, Mr. Chairman, but we believe that is important.

In sum, what this budget really does is that it ensures lower interest rates and a stronger economy well into the next century.

Mr. SHAYS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, it is amazing how all we can talk about is the budget in 1981. This is 1999, and I just remind some of my colleagues that the budget since 1981 was controlled by a Democrat House and a Democrat Senate that refused to cut spending. The difference, as I answer my colleagues, is this is a Republican Congress that has brought fiscal discipline to the process. In fact, the Democrats are running as fast as they can away from the President's budget that he submitted this year. The Senate voted down yesterday by a vote of 97 to 2 the President's own budget. Why can they not even support the President's own budget? And by a vote of 99 to nothing, 99 to 0, could not even get one person to vote, the Senate rejected the President's proposal for the government to invest Social Security funds into the stock market.

Over the past 4 years, Mr. Chairman, the Republican Congress has worked very hard to balance the budget; the President took credit for it. Cap federal spending; the President took credit for it. Provide much needed tax relief to American families; the President took credit for it. The Republican budget plan for the year 2000 continues this shift to restore a solid American common sense to American government.

Now American families know how to balance their checkbooks, and they know how to stay within a budget. American families know the value of a dollar. There is no reason why this Federal Government cannot be as responsible as the average American family.

Over all, the Republican budget returns control to the American family by taking less of their money, setting very strict fiscal priorities and respecting spending caps. The Republican budget locks up 100 percent of Social Security surpluses for the first time since Social Security became a program. We are being honest about the Social Security Trust Fund. The Republican budget bolsters national defense by nearly $10 billion, and the Republican budget plans to reduce the national debt by 1.8 billion over the next decade. And the Republican budget cuts taxes by $800 billion over 10 years.

Right down the line the Republican budget trumpets that fiscal responsibility is the wave of the future. This budget says loud and clear that Republicans want American families to keep more of their hard-earned money and send less of it to Washington forever.

When the Republicans took over Congress 4 years ago, the budget predictions had red ink spilled as far as the eye could see. Today, because of the Balanced Budget Act of 1997 that we pushed through and the President took credit for, there are nothing but surpluses as far as the eye can see in the future.

Now some budget decisions are very difficult to do, and what we did not show with the Democrat Congress after 1981, discipline is hard, discipline is not always easy. But at the close of this century the Republican budget does it all. It cuts taxes, it reduces the debt, it saves Social Security, and it bolster defense.

So, Mr. Chairman, if we stick to our guns, America will be freer, it will be richer, it will be safer into the next century than ever before, so I urge my colleagues to vote for the Republican budget.

Mr. SHAYS. Mr. Chairman, I yield 3½ minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, let us be very clear about what our budget does and what their budget does not do. This chart tells my colleagues what our budget does. Our budget locks away the entire Social Security Trust Fund surplus, $1.8 trillion over the next 10 years, to save, strengthen and preserve Social Security and Medicare. We set aside $100 billion more towards Social Security than the President does. We are creating a safety deposit box to make sure that we do not raid the trust fund in the future. We are paying down $450 billion more in debt than the President is. We are also maintaining the fiscal discipline of the 1997 Budget Act. And the most important thing is that we are doing this honestly, we are not playing a shell game. Honest numbers are finally coming into town, into Washington. We are maintaining strong defenses, and we are recognizing a historic commitment to education.

□ 1315

What I would like to talk briefly about is our Social Security lock box, our safety deposit box. This is very important because no other budget proposal coming to the floor today, the President's proposal, the Democratic proposal, locks away Social Security.

If we take a look at this chart one moment here, we asked David Walker, the Comptroller General of the United States, to analyze the different Social Security proposals and in looking at the President's budget proposal he said, although the trust funds will appear to have more resources as a result of the President's proposal, in reality nothing about the program has changed. The proposal does not represent Social Security reform.

Here is what we are doing. We in our Republican plan are setting aside 100 percent of all payroll taxes, plus interest, for Social Security and Medicare. We save this money to support those programs, and what is more important we implement legislation that prevents future raids on Social Security by creating a lock box. The President's plan does nothing to do that. The Democratic plan does nothing to do that.

If we look at page 41 of our budget resolution, we have section 5, which sets up a safety deposit box legislation because Congress over the last 30 years has been raiding Social Security. There was nothing to stop Congress from raiding Social Security.

We are stopping the raid on Social Security. We are saying that beginning today, there will be no more raids on the Social Security trust fund and that in the future, we are putting a point of order to require a supermajority vote in Congress that any budget resolution ever coming to Congress again has to have a supermajority vote if it attempts to dip into Social Security.

We are essentially saying, we need discipline now to stop raiding Social Security but we want to make sure that future Congresses will not raid Social Security. That is why we have meaningful legislation, meaningful changes, in this budget resolution.

Now we are told that the President is not interested in passing legislation to prevent future raids on Social Security. In fact, the President raids the Social Security trust fund by $341 billion over the next 10 years. We raid zero dollars. We put all of it towards Social Security and Medicare.

So because we cannot get a statutory fix to stop the raid on the trust fund, because the President will not sign that into law, we are changing the rules in Congress. We are changing the rules in Congress so we will not raid Social Security, so that future Congresses will have to go after a higher threshold. If they try to bring a budget to this floor of Congress in the House and the Senate, they are going to have to take a supermajority vote to raid Social Security in the future.

Even though we cannot get a law passed by this President to prevent the raids on Social Security we are changing the rules in Congress so that Congress now and into the future will not raid Social Security.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to myself.

Mr. Chairman, we keep having a red herring dragged across the path of this debate. The principal budgeting contention on the floor, the alternative to their budget is our budget and it commits 100 percent to Social Security, is backed up by a statute which requires the treasurer to take a certain percentage of payroll taxes to buy down public debt.

The general public probably does not understand, but points of order are honored in the breach on the House floor. We have a Committee on Rules upstairs which specializes in overriding points of order. It is a joke to say that a point of order provides any protection whatsoever.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Chairman, I thank the ranking member, the gentleman from South Carolina (Mr. SPRATT), for yielding me this time.

Mr. Chairman, I rise today to say regrettably that the Republican budget we are considering falls far short of what the American people need and what they deserve in terms of environmental protection.

We need to prepare our country for our children and their children. We need to prepare an America that has clean and vibrant cities, that has suburban areas not choked with automobiles and strangled by shopping malls. We need an America that has rural areas that are prepared to handle the necessary but dangerous pressure of development.

Simply put, the Republican budget does nothing to preserve our environment. The House Republican resolution for fiscal year 2000 provides $22 billion for discretionary natural resources and environmental programs. Our budget provides $23.6 billion.

The Republican level of funding is $1.3 billion less than this year's level of funding, and over 5 years the Republicans would cut funding $5.3 billion below 1999 levels.

The Sierra Club estimates that the Republican budget would stop up to 135 toxic waste cleanups under the Superfund program and would eliminate funding for the clean water action program.

The Democratic proposal gives our children a chance to grow up and raise their children in cities that are clean and safe, in suburbs that have coherent development patterns and provide park land and green space instead of chaos and confusion.

A recent series in the Philadelphia Inquirer demonstrates in the Philadelphia region that one acre per hour is being lost to development. In the last 30 years, the population in the Philadelphia area grew 13 percent; development grew 80 percent.

The Democratic budget would provide the tools for better regional planning, to improve water quality, to help local governments preserve open space, to reduce traffic congestion and clean the air.

Our proposal does not promote Federal planning. It does not promote Federal zoning. It is a good proposal, and I ask for support.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. STUMP), the distinguished chairman of the Committee on Veterans' Affairs.

Mr. STUMP. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) for yielding me this time.

Mr. Chairman, I would like to address the veterans' portion of this budget for awhile. The Clinton-Gore budget has been a total disaster for veterans' health care over the last few years. It totally has neglected veterans' health care in favor of other spending priorities by this administration.

Mr. Chairman, we are the second largest employer in the Federal Government. We have 173 hospitals to maintain, over 500 outpatient clinics, and this administration did not give us one dime increase this year in the area of health care.

This budget provides $1.1 billion in health care alone for our veterans. Their budget would require a massive layoff in VA health care and necessitate closing of some of our VA facilities that are needed to treat our needy veterans.

Mr. SPRATT. Mr. Chairman, would the gentleman yield just to make clear who ''their budget'' is, because our budget has $1.9 billion?

Mr. STUMP. I made it clear. I made it clear. I said the Clinton-Gore budget.

This Republican budget increase has the largest increase in history for veteran VA health care. I want to commend the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, and the entire Committee on the Budget, that they have always been there when we needed them for additional health care monies, which we have had to ask for every year under this administration.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. COMBEST), another distinguished Member and the chairman of the Committee on Agriculture.

Mr. COMBEST. Mr. Chairman, I rise in support of H. Con. Res. 68 before us today. In contrast to other documents, most notably the President's budget, this document underscores our commitment to the recovery and long-term economic health for production agriculture.

This resolution makes available a total of $6 billion in new agriculture funding authority over the life of the resolution. This should be viewed as nothing less than a triumph for American agriculture. They are in time of great need and we are working hard to create an adequate safety net to ensure their future.

I would remind my colleagues that the President promised crop insurance reform in his State of the Union address. Unfortunately, his budget proposed no new money or policy proposals that came forward, not one idea, not one dime, nothing.

The President has decided to turn his back on this problem so it falls to Congress to step up to the challenge, and we have.

The $6 billion in new agricultural spending in this resolution is the first infusion of funding for farmers in recent memory. This money will allow us to make permanent improvements in the tools farmers have available to manage the weather and price risks over which they have no control.

In addition to the $6 billion in new agricultural funding, the budget resolution creates generous tax cuts in fiscal year 2000 over the next decade. These reductions will allow Congress to continue working to provide American farmers and ranchers with tax relief, capital gains relief, estate tax reform and the creation of farm risk management savings accounts.

Mr. Chairman, I urge Members on both sides of the aisle who care about the future of farmers and ranchers to support this budget resolution before us today because it is fair and responsible.

In behalf of American agriculture, I would like to extend special thanks to the gentleman from Georgia (Mr. CHAMBLISS), the gentleman from Michigan (Mr. SMITH), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Kentucky (Mr. FLETCHER), the gentleman from Iowa (Mr. NUSSLE), the gentleman from Georgia (Mr. COLLINS) and the gentleman from Texas

(Mr. THORNBERRY) for the great work that they have done on the Committee on the Budget in behalf of the American farmer and rancher.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me once again say that our budget resolution, the House Democratic resolution, provides that same $6 billion a year but it has a special difference. Because this is a 10-year budget and we are running out the allocations for 10 years, we don't quit in 2004, 2005. Their budget stops the funding of the crop insurance program just as it is getting established. It, in effect, says to the agricultural committees, go find the necessary mandatory spending offsets in order to pay for it.

We provide $9 billion in the second 5-year period on top of $6 billion in the first to see that this is a 10-year commitment. The same with the gentleman from Arizona (Mr. STUMP). The gentleman from Arizona (Mr. STUMP), the excellent chairman of the Committee on Veterans' Affairs, sent to our committee a request for $1.9 billion a year, I believe. That is what we put in our budget. The Democratic budget provides what the Republican chairman of the committee requested; $1.9 billion a year for veterans.

Their budget gives a plus-up of $900 million, a billion dollars the first year in fiscal year 2000. But in 2001, 2002, 2003, it disappears. It is nonrecurring. It does not carryover. So it is plussed up a billion and then dropped back down again; dropped so much that over 5 years, their budget is $500 million for veterans below a 1999 freeze level. That is the way the numbers are being distorted out here.

Let me go back to education. In education, the budget of the gentleman from Ohio (Mr. KASICH), which they have touted as being a big plus-up in education, is $2 billion below the President next year; $3.9 billion below the President in 2001; $3.5 billion below the President in 2002; $2.1 billion in 2003.

What they say with ESEA and IDEA is we want to give a bigger allocation but it has to come out of the hide of other higher education programs; the whole function for education and job training. It is very improbable that they are going to be able to shove those other programs aside to make the kind of increases they are not providing because the function that they are providing for education as a whole does not increase over this period of time.

Mr. Chairman, I reserve the balance of my time.

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, the gentleman from South Carolina (Mr. SPRATT) for the last half hour has been complaining about how we have been talking about the President's budget. What did he do? He got up and talked about the President's budget.

In fact, there are three budget plans sitting over on that desk over there. There is only one over here. There is one Republican plan, and one Republican plan that does a good job in these areas, but the gentleman is picking from three different numbers over there. The gentleman has to make up his mind.

I understand the gentleman does not like the President's budget but the gentleman is like a long-tailed cat in a room full of rocking chairs right now running around trying to figure out how to run away from this President's budget. The gentleman has to make up his mind, I would suggest.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) for yielding me this time.

Mr. Chairman, as a member of the Committee on the Budget, I rise today in strong support of the Republican budget resolution, H. Con. Res. 68. This budget prepares our country for the challenges of the 21st Century, and I commend the gentleman from Ohio (Chairman KASICH) and the Members of this committee for putting this altogether.

Over the next 10 years, the Federal Government is projected to run a budget surplus, as we have heard before, of $2.6 trillion. Our budget properly utilizes this windfall to strengthen the retirement security of the American people.

For the first time ever, 100 percent of the Social Security surplus, and maybe I should say that again, for the first time ever, 100 percent of the Social Security surplus will be locked away to strengthen Social Security and Medicare. Over the next decade, this will secure $1.8 trillion, $100 billion more than the President's budget, to keep these two programs strong for current and future retirees. This is historic.

For years, Congress and the President have raided the Social Security trust fund to pay for wasteful government spending. With 77 million baby boomers nearing retirement, it is time to end this dishonest practice.

Our budget also provides the American people with tax relief that they need. Over the next decade, it cuts Federal taxes by $800 billion.

□ 1330

This tax cut, the largest since Ronald Reagan's first term as president, will strengthen working families and keep our economy moving forward.

Finally, this year's budget provides the resources to improve our schools and keep our military strong. If the United States wants the United States to be the world's strongest Nation, we must do a better job of educating our children, and we must ensure that our military forces are the best-trained and the best-equipped in the world. This year's budget takes a giant step forward in accomplishing both of these goals. I urge my colleagues on both sides of the aisle to support it.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in strong support of the Democrat budget plan. It invests in health programs to serve all Americans. Our Republican colleagues talk about their commitment to health, but I challenge them to put their money where their mouths are.

The Democratic budget demonstrates our commitment to improving quality health care and access to health care for all Americans. The Republican plan shows once again their top priority, providing tax breaks for the wealthiest in this country.

We all support groundbreaking research at the National Institutes of Health. I support that effort, and the Republican budget does provide additional funding for the NIH.

But what our colleagues on the other side of the aisle do not seem to understand is that all of the research in the world goes to waste if people do not have access to health care. Their budget would slash funding for other health programs, like the Centers for Disease Control, Ryan White AIDS grants, maternal and child health, all in order to pay for their tax breaks for the wealthiest in this country.

More than 43 million Americans today are without health insurance. They seem to have fallen from our radar screen. The Democratic budget includes measures to expand access to health care. The Republican plan ignores the problem.

Many Americans struggle with no health insurance at all. Millions who do have insurance are fighting their managed care companies to have access to the care they need. The Democratic plan includes the Patients' Bill of Rights, real managed care that would put medical decisions back in the hands of those where it belongs, doctors and their patients.

Mr. Chairman, the Democratic budget alternative recognizes a key reality. If we are to save Medicare and social security for future generations, live within our spending caps, and continue to provide funding for vital health care programs in this country, we cannot afford to give tax breaks to the wealthiest members in this Nation.

I urge my colleagues to support the Democratic plan.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, as we look to the future, and that is what a budget

does, we must evaluate where we are as a Nation. It has become clear to all of us that one of the most important principles that all Americans hold dear is the idea of security: fiscal security for our Nation; financial security for us personally, individually; educational security; security from attack from foreign nations; family security; and retirement security.

We need to take care of our growing aging population, and we must also look out for our young people, securing a solid and stable future for them.

We are at a crossroads today. What will the priorities of our Nation be? Will security be one of them? If we answer yes, then we must support the Republican budget, for our elders, our baby boomers, our Generation Xers, our Y Generations, all are relying on us to save social security and Medicare.

Mr. Chairman, the most responsible way of doing this is by supporting a plan that saves all of the social security surplus. By locking away 100 percent of the social security surplus, 100 percent, we preserve approximately $100 billion more than the President's proposal, more than the President's budget. By establishing this safe deposit box, we prevent a hungry bureaucracy from stealing from social security to pay for other programs, to ensure that retirement money is available for our elders, for our boomers, for our children, for our grandchildren. It is more than the President has offered, and we are doing the same with Medicare.

Speaking of the Democratic alternatives, the President, by comparison, does not have the trust of the Senate on his proposal. Instead of saving all of social security, the President would spend some of it. The Senate voted yesterday 97 to 2 to reject his plan. His plan of a government-run board investing social security funds in the stock market was rejected.

There is a better way. Support the Republican budget.

Mr. SHAYS. Mr. Chairman, I am delighted to yield 2 minutes to my colleague, the gentleman from California (Mr. GARY MILLER).

Mr. GARY MILLER of California. Mr. Chairman, as a member of the Committee on the Budget, I rise to support House Concurrent Resolution 68. Our budget plan is the first ever to lock up 100 percent of social security payroll taxes and interest for the future. This is historic because over 10 years the Federal budget has been taking social security funds to pay for other spending programs.

In the year 2000, the GOP sets aside $137 billion, that is 100 percent of social security monies, for social security. The President pledges 62 percent of that, that is $85 billion, and $52 billion of social security money spent for other programs.

Between the years 2000 and 2009, we set aside $1.8 trillion for social security and Medicare. The President's budget sets aside $1.3 trillion for social security, and earmarks about $345 billion for Medicare. That is $1.645 trillion, over $100 billion less than our budget.

No matter how we add it up, $137 billion is more than $85 billion. No matter how we add it up, $1.8 trillion is more than $1.645 trillion. Two plus two does equal four.

Some on the other side who are using projections on the President's budget will save over 15 years, compared to our budget, over 10 years. That, as the saying goes, two plus two does equal five. No matter how you look at it, we are saving more for social security and Medicare than the President's budget saves over 10 years.

The President is not only missing-in-action on Medicare reform, he cuts Medicare by $11.9 billion. He is using a very strange strategy for claiming the high ground on Medicare. One, he cuts billions from Medicare. Two, he saves less than Republicans for Medicare. Three, he single-handedly stops bipartisan Medicare reform from the Medicare Commission. Four, he leaves us with the status quo. Five, he then claims to be the champion of Medicare.

If we look at the facts, we know that the Committee on the Budget resolution does more to protect social security and Medicare than the President has ever done. Also, anyone who votes for the President's budget is doing nothing short of stealing from social security and cutting Medicare. I urge all my colleagues to vote for the GOP budget.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I rise in strong support of the Democrat alternative. The Democrat alternative is a budget resolution that fights for families, advocates for our children, stands up for our seniors, and is responsive to rural America.

The resolution before us abandons farmers and farm families. Recruiting and training sufficient numbers of qualified teachers is difficult throughout all of America, but it is particularly difficult in rural America. Working for better health care is difficult throughout all America, but the problem is magnified in rural America. The lack of health resources and adequate health providers are harsh realities.

Farm life is hard, and the risk of injury and death is great. Income security is difficult in many parts of the United States, but in rural America, low earnings, slow investment, low economic development, and pockets of poverty are all too often a way of life. That is why we should all make sure we take into account the special needs of our farmers and our farm families.

Small farmers and ranchers are struggling to survive in America. Most are losing money and fighting hard to stay in the farming business. That is why the Democrat alternative increases discretionary spending for agriculture.

The resolution before us cuts discretionary spending for agriculture by $2.3 billion over 5 years. The Democrat alternative includes funding for agriculture research, education, and vital farming services. The resolution before us cuts those services.

The Democrat alternative continues crop insurance spending $14.6 billion more than the Republicans. The Republican resolution before us ends crop insurance in 2005. The Democrat alternative puts into proper perspective the needs of farm families and their communities.

It is an alternative that requires our support. It is an alternative that deserves our support. I urge all of our colleagues, both our Republicans and our Democrats, to support the Democratic alternative.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I am proud to be part of this spirited historic debate today, historic because I believe that this plan before us represents the best news to come out of Washington in a very long time.

One year ago when I announced my run for Congress, I did so because I saw a bleak situation here in Washington: social security expected to be in the red in only 30 years, the tax burden on our families the highest it has been since World War II, and a national debt long overdue.

Today I can proudly tell the folks back home that we are addressing each of those critical challenges. It has also become clear that the minority will do and say anything to obscure these accomplishments.

Mr. Chairman, the proposal before us accomplishes what too many people said for too long was impossible.

Number one, our plan ensures that social security dollars are locked away, to be used only for social security. On the other hand, the President has proposed spending $52 billion of the social security surplus in the next year alone.

Number two, our plan allows working families to keep more of their hard-earned cash, with tax cuts growing only as our surplus grows. On the other hand, the President's budget proposes 80 new tax increases that will raise the tax burden on our families by over $172 billion.

Number three, and perhaps most important, this budget works to pay down our public debt, reducing it by some $1.8 trillion. That is $450 billion more than the President.

Some weeks back the President challenged this Congress. He challenged

this Nation when he unveiled his plan. I want to offer my sincere thanks to the gentleman from Ohio (Chairman KASICH) for his hard work and guidance. The chairman has done well, we have done well, and with this plan, America will do well.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. MINGE. Mr. Chairman, will the gentleman yield?

Mr. POMEROY. I yield to the gentleman from Minnesota.

Mr. MINGE. Mr. Chairman, I would like to make a brief comment with respect to agriculture. I know that everybody has struggled with this budget, but the concern that I have is that we are currently unable to deliver the farm programs that we in Congress have identified as critical.

If we cut the Farm Service Agency any further, we are going to decimate our ability to deal with these programs, and I fear that the budget that the majority is proposing accomplishes just that.

Mr. POMEROY. Mr. Chairman, the words of my colleague, the gentleman from Minnesota, are precisely correct. There is a crisis in agriculture.

Mr. Chairman, these are desperate times on the farm. Therefore, I cannot understand why the majority's budget cuts discretionary spending in agriculture; cuts, in fact, that would amount to a reduction in more than $300 million this year alone.

To project out, the majority's budget would reduce the purchasing power of agriculture, the discretionary money is reduced to the extent that purchasing power would be reduced for the U.S. Department of Agriculture 33 percent over 10 years, 25 percent over 5 years.

The Republican budget is also a sham. I know that my colleague, the gentleman from Georgia, has worked on crop insurance. There is funding for crop insurance for 5 years, and then it goes away altogether.

Looking at this budget, we can only conclude it is a sham. They purport to prop up crop insurance, but only for a few years. Then the money is zeroed out, resulting in loss of the crop insurance program or other deep cuts in other mandatory spending areas critical to propping up farming.

For the life of me, I cannot understand, when we have people that have farmed for generations being forced off their farms this Spring, not just in the area that I represent but across the country, we would have a Republican budget that cuts discretionary spending in agriculture, and then puts forward a crop insurance program but only funds it for a couple of years, 5 years, before the funding goes away altogether.

□ 1245

Let me tell my colleagues something, the Democratic alternative is different. We preserve funding for the discretionary account in agriculture. We are $400 million better next year alone, and we continue the funding for the crop insurance program, not just for 5 years, my friends, but on into the future altogether.

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I wish to remind the gentleman from Minnesota (Mr. MINGE) and the gentleman from North Dakota (Mr. POMEROY), who are my friends, when it comes to agriculture issues, that we are talking about a 5-year budget that we are debating here today. So we fund agriculture for the 5 years of that budget. Next year we will have 5 more years. We will fund crop insurance for the additional out years as they come forward.

When my colleagues talk about cuts, what we are looking at is cuts which include the supplemental on top of the budgeted baseline numbers for last year. When we look at real numbers, there are no cuts. But I would remind my colleagues that the President's budget makes cuts in agriculture to the tune of 15 percent.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise today, Mr. Chairman, as a member of both the House Committee on Budget and the House Committee on Appropriations to say that, yes, this budget proposal is balanced; yes, it locks away all of the Social Security revenues into Social Security for the first time in a generation; yes, we increase veterans' benefits significantly over last year and way above the President's request; yes, we increase education funding above the President's request; yes, we protect Medicare and do not cut Medicare benefits as the President's budget does.

But I want to say that the goose that lays the golden egg called the budget surplus that we are here today to discuss is not us. It is the economy. The economy must be considered as we look at the fiscal discipline that I am here to talk about today as a member of the House Committee on Appropriations.

It is going to be hard later on, no question about it. But should we exert fiscal discipline? Listen. Chairman Greenspan, the guru of the American economy, has told us time and time again that, as we exert some fiscal discipline in this Congress, the economy continues to improve. That is the goose that lays its golden egg. We need to feed that goose, feed that goose by exerting fiscal discipline, holding the growth of Federal Government spending below inflation in the last few years for the first time since 1969. That is the fiscal discipline that we must enter into. This budget does that.

It is going to be a tough year. But let me tell my colleagues, if we show the markets that, here in Washington, we are not going to spend foolishly or blindly any longer, the economy will continue, revenues will continue to sore, the budget surplus will continue to increase, and we will have good discussions here on the House floor of where to invest in the American society as opposed to those discussions we used to have about how to reduce the deficit instead of how to invest the surplus.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 8½ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 9 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from Tennessee (Mr. CLEMENT), and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. CLEMENT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise today in strong opposition to the Republican budget resolution. This resolution ignores the Committee on Veterans' Affairs' recommendation of a $1.9 billion increase for veterans funding. As a matter of fact, it actually decreases veterans funding over the next 10 years by $3 billion. Yes, it increases it the first year, but I think we need to make it very clear, under this budget resolution, the Republican resolution decreases it over the next 10 years by $3 billion.

This is simply wrong. In an era with budget surpluses, it is unconscionable to deny our veterans the funds that they so desperately need.

Veterans hospitals are being consolidated around the country, including Tennessee, due to the lack of sufficient funds. One of Iowa's three major veterans hospitals is threatened with closure. Florida's veterans hospitals are having to lay off employees and close some inpatient services.

I urge my colleagues on both sides of the aisle to oppose this resolution.

Mr. Chairman, I include the following for the RECORD:

THE INDEPENDENT BUDGET,
March 25, 1999.

Hon. JOHN M. SPRATT, Jr.,
Ranking Minority Member, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE SPRATT: On behalf of the Paralyzed Veterans of America (PVA) I am writing to offer our support for your budget alternative to H. Con. Res. 68. Department of Veterans Affairs (VA) health care is facing an emergency—without desperately needed additional dollars the health care system relied upon by sick and disabled veterans will be forced to curtail services, close facilities, and lay off thousands of health

care workers. The Spratt Budget Alternative recognizes the grave condition of VA health care and takes action to provide a remedy.

The Independent Budget has estimated that VA medical care, for fiscal year (FY) 2000, must receive a $3 billion increase over the President's budget submission. H. Con. Res. 68, although providing a $900 million increase over the Administration's budget, an increase which is taken away in FY 2001, does not provide the resources needed by the VA this year, and over the next few years. The Spratt Budget Alternative provides $1.8 billion over the Administration's budget for VA health care, and provides $900 million more than H. Con. Res. 68. In addition, the Spratt Budget Alternative provides over $2 billion more than H. Con. Res. 68 over the next four years, nearly $10 billion more over five years.

The Spratt Budget Alternative provides more of the resources that the VA needs if we are to provide sick and disabled veterans with the health care they have earned and the health care they need.

Sincerely,

AMVETS, Blinded Veterans Association, Disabled American Veterans, Paralyzed Veterans of America, Veterans of Foreign Wars of the United States, Vietnam Veterans of America, Inc.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FILNER), a real fighter for veterans.

Mr. FILNER. Mr. Chairman, this is a shameful budget for our veterans, and veterans across the country are angry. This budget breaks our contract with our Nation's veterans. We promised health care for life. But I will tell my colleagues, those who vote for this Republican resolution, their veterans are going to have to wait for months and months for appointments in a hospital, if it stays open.

We promised to care for the disabled, but the folks in my colleagues' districts are going to have to wait years to have those claims processed. We do virtually nothing for those of our veterans who are on the streets, those who want education, those who want training.

Over the life of this resolution, we have cut veteran benefits by $3 billion. This is shameful. This is unconscionable. I do not know how my colleagues wrote a budget resolution that says to those who have fought for us, who have fought to make this a democracy, who have fought to keep us here in the kind of condition where we have a surplus, say to them, ''Thanks, but no thanks. We are through with you.'' Vote no on this Republican resolution. Protect our Nation's veterans.

Mr. CLEMENT. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. SNYDER) who serves on the Committee on Veterans' Affairs.

Mr. SNYDER. Mr. Chairman, the budget that we are considering today is a huge number to all of us; and we are talking about Social Security, Medicare, defense. A small part of it is the veterans number, but the veterans number is not a small part of the lives of veterans.

This number, the budget number for fiscal year 2000 in the Republican budget is not adequate. The veterans know it. The Committee on Veterans' Affairs, both Republicans and Democrats, know it. The VA hospital doctors and nurses know it.

The only people who apparently do not know that this number was inadequate were the Committee on Budget members who passed this budget number out. Not only is it inadequate for fiscal year 2000, but we are voting on a 10-year budget number.

While this number has $20.2 billion in fiscal year 2000, in 2001 it drops back to $19.1 billion, which is less than the current fiscal year.

I think that veterans' communities and veterans around the country need to know what this long-term budget process does that the Republicans have put on to this House floor today. The number is wrong. It is wrong this year. It is wrong for next year. Vote no on this Republican budget.

Mr. CLEMENT. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. GUTIERREZ), the ranking member on the Committee on Veterans' Affairs' Subcommittee on Health.

Mr. GUTIERREZ. Mr. Chairman, during recent days Members of both parties have shown their concern for our troops deployed overseas. Yet, Republicans have betrayed the men and women who have already served our country, jeopardizing the well-being of our veterans, and ignoring the values for which they fought.

Democrats have tried to fight for a VA budget proposal for fiscal year 2000, but the Republicans, a party still apparently wedded to the idea that the wealthiest Americans deserve another tax break, want to keep their promise to them and break their promise to protect veterans health care. The Republicans continue to put their commitment to their wealthy campaign contributors above America's commitment to our veterans.

Here is what the Republicans have said no to America: no to $475 million more for VA health care, no to $271 million in long-term care initiatives, no to $681 million in the Montgomery G.I. Bill.

Just so America understands, this budget is deplorable for veterans, and remember what they did today. Remember what they did today.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), our distinguished chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Chairman, I thank the gentleman for yielding me this time.

First of all, as a veteran, I want to set the record straight. The President sent a budget up here that said zero, zero increase for veterans, and I thank my Republican colleagues for giving veterans an extra billion dollars.

But I want to talk about the overall budget. I sat on that Committee on Budget for 6 years as a member of the minority. What a waste of time. Let me tell my colleagues, they did everything wrong, and it got us in the mess we are in.

So I am very thankful for this Republican budget today, because they do many things: preserve and protect Social Security and Medicare, they pay down the national debt, they maintain the fiscal restraint of the Balanced Budget Act, they provide tax relief, and they increase support for education and defense. That is what I want to emphasize, increased support for education and defense.

The House resolution provides $65.3 billion in budget authority for discretionary and mandatory spending in education, training, employment, and social services. They outdo the President. His is a 1999 actual. They go up another billion two in education.

Do my colleagues know what they do? They help us do what the gentleman from Michigan (Mr. KILDEE) and I thought we might be able to do in a bipartisan effort in that 6 years on the Committee on Budget. They really put their money where their mouth is, and they put more money, as we increase the surplus, into special education, something my colleagues passed 23 years ago. They said they would send 40 percent of the excess cost back for the 100 percent mandate they sent. They sent 6 percent until I became chairman.

Thanks to the Committee on Budget and the appropriators, we have increased that by more than $2 billion, and they are ready to do more of that. That is what the local folks want to hear. The local folks want to hear that their property taxes do not have to go up, up, up in order to meet our 100 percent mandate in the area of special education.

So I thank the Committee on Budget. I thank them for doing something right, even though, for 6 years, I sat there as a member of the minority while they did everything wrong.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I served on the Committee on Veterans' Affairs for 2½ years, and I learned a lot.

Republicans talk a lot about support for veterans; however, their support ends at the appropriations' door. This Republican budget gives a one-time increase which is not carried over into the next fiscal year. Smoke and mirrors again.

Over a 5-year period, the Republican budget resolution cuts discretionary funding for veterans by hundreds of millions of dollars. Over a 10-year period, the Republican budget resolution

cuts veteran funding by $3 billion below the 1999 level.

In the area of health care, where our veterans are facing a medical emergency, the proposed budget includes several new health care initiatives, but guess what, without providing the necessary funds to support them.

Unless the veterans' health care system receives significant increases in funding, critical services will be cut, health care will be denied, facilities closed, and dedicated employees are out of work.

I have a full-time staff person dedicated to just working on veterans' complaints. Republicans, I want them to know they cannot look veterans in the face and tell them that my colleagues care about them when all my colleagues talk about is flag burning and desecration of the flag.

My colleagues need to be talking about the real issues of whether or not veterans are being taken care of, veterans who have served their times, veterans who my colleagues say they care about, whether or not they can come forward with a budget like this where they are denying them the kind of funding that is so desperately needed.

I ask my colleagues to reject this proposal, to reject the turning of our backs on the veterans who we claim to love so much, and do everything that we can to increase their funding. They have complaints that are not adjudicated. I ask my colleagues to do the right thing for veterans. Reject this Republican budget.

Mr. SHAYS. Mr. Chairman, I yield myself 15 seconds to remind the gentlewoman from California (Ms. WATERS) that we added $1 billion to veterans that the President did not provide.

Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chairman, when I first came to Congress in 1993, the budget debate was a very different one. Under the current President, but a very different majority in Congress, we were faced with deficits as far as the eye could see.

□ 1400

The budget resolution brought before Congress then addressed these problems with a very different set of solutions. That 1993 legislation included the largest tax increase in history, significant increases in Federal spending, and it repeated the mistakes of the past by including continued annual deficits.

When the current majority took over, we inherited the same budgetary problems. Despite the 1993 tax increase, which was sold as the answer to the deficit, in 1995 the new majority still faced an unbalanced Federal ledger, escalating spending and future deficits stretching out as far as the eye could see.

But we proposed a very different set of solutions to those problems. We introduced a balanced budget that reduced Federal spending and provided tax cuts for the American people. As a result of that legislation, today our Nation's budget is balanced. We even have a unified budget positive cash flow, and it appears certain that we will have a real ''on budget'' surplus this year.

The budget resolution under consideration today continues the effort we began in 1995. It is balanced, it preserves the spending caps that we established in the balanced budget agreement of 1997, it ensures that 100 percent of payroll taxes, or $1.8 trillion, are preserved for the future of our retirement program.

It also allows the Congress to give back $800 billion in taxes to American wage earners. That tax relief is still far less than what the President raised through higher Social Security taxes and marginal rates in the 1993 tax increase legislation.

The Joint Committee on Taxation has stated that the President's 1993 tax increase will tax the working people of this country for over $850 billion over the next 10 years.

The budget resolution reported by the Committee on the Budget will balance the budget, it will preserve payroll taxes for the preservation of Social Security, it will hold the line on Federal spending, it will make a downpayment on repealing the President's 1993 tax increases, and it will reduce the public debt.

Mr. Chairman, I urge passage of this important legislation.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I address this body with a great deal of sadness, because last night, by a vote of 224 to 1, we pledged to support the troops. Today's budget breaks that pledge.

On this spot last night I asked Members to support the troops not just at that time but for all times, not only during deployment but during times of training and growing. Someone was not listening when the budget was put together.

The priority should be, is, as far as I am concerned, and will always be to take care of the troops; to take care of the young men and take care of the young women who go in harm's way for our country. This budget does not take into consideration or allow monies for the recommended and promised pay raise or change in reform of the retirement system. We have to do that. We must do that.

We cannot break our word, we cannot break our faith and trust in those young people. We must reject this budget because it does not do what we have promised. Despite some claims that the Republican budget funds the pay raise, the gentleman from Ohio (Mr. KASICH) said it would not.

I am pleased, however, that this morning, Mr. Chairman, the senior leadership of the House Committee on Armed Services, in a hearing, reiterated its strong support. Several of us spoke on both sides of the aisle in support of a military pay raise, and cleared up the confusion by the remarks of the chairman of the Committee on the Budget.

Mr. Chairman, this budget does not do it for the troops.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), and I say to the previous speaker that our budget does do it for the troops, and the gentleman from Texas will illustrate that point.

Mr. THORNBERRY. Mr. Chairman, there is no higher priority in this budget for me than making sure that our troops are taken care of and that there is a pay raise. For some reason, a number of opponents of this budget have come up with a variety of reasons to try to argue that it is not so.

I very much appreciate the gentleman from Missouri because I know his commitment to taking care of the troops is every bit as strong as mine. But what happens, for example, is that in some press accounts questions and answers get misrepresented.

The chairman of the Committee on the Budget, for example, was asked whether the full amount in Senate bill 4 was taken care of in this budget, and the answer to that, of course, is no. But I can tell the gentleman from Missouri, as well as all my colleagues, as well as all of those who are in the armed services, that this budget includes the pay raise for the members of the armed services. And as a member of the committee and a member of the subcommittee which has jurisdiction over that issue, there will be legislation within the next couple of months on this floor to implement that pay raise, as there should be.

I am afraid, Mr. Chairman, that this budget is so strong that some opponents of the budget have to dig pretty deep to come up with some reason to oppose it. It is clear, if we look at the numbers, that there is an extra billion dollars in here for VA; that there is money in here to take care of the crop insurance program; and that there is room in here for tax relief, which is so essential, I think, for the American people.

We have often heard it described that taxes are higher than at any point in the country's history except for the war year of 1944. Look at it another way. Under President Clinton, Federal tax revenue has gone up 52 percent faster than the personal income of this country. And in the last fiscal year it

grew 70 percent faster. So what is happening is the regular middle class folks are getting squeezed. Their income is going up a little bit, but their taxes are going up far faster. They need the tax relief that is included in this budget.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I am very concerned about the budget resolution's promises on increases in defense. We have heard some claims of an increase of $8 billion in budget authority over the President's request, but this resolution provides almost no increase in outlay authority.

Now, I have served for 20 years on the Subcommittee on Defense of the Committee on Appropriations, and I can tell my colleagues that when we are writing an appropriations budget, budget authority but no outlay to support it, we have nothing. The problem is if we do not have adequate outlays, we cannot do the 4.4 percent across-the-board pay raise and we cannot have the fix in the retirement benefits.

So I believe that this budget, that I think was presented with good intent, is fatally flawed. It is not going to do the job that the Joint Chiefs need to have done. It is not going to do the job that all of us on a bipartisan basis who support defense need to have done.

Mr. SHAYS. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman for yielding me this time.

This is really a great budget. Let us take a look at what this budget does. It allows the American people the opportunity to secure their future as we enter a new millennium.

It locks away the entire Social Security Trust Fund, the surplus that we are going to be gaining over the next 10 years, $1.8 trillion. We save it so that we can strengthen and preserve Social Security and, as necessary, Medicare.

We set aside $100 billion more than the President for Social Security and Medicare. We create a safe deposit box. What this means is that we prevent Congress from going and raiding those surpluses and using it for other spending.

We pay down $450 billion of debt held by the public; $450 billion more than the President. We maintain the spending discipline of the balanced budget agreement of 1997.

We allow the American people to secure their future by providing more for defense, by providing more for education, and providing the opportunity to enact historic tax relief.

This is the kind of plan that enables us to build on the success of the last few years and to prepare for the future. It is a wonderful budget to move forward.

The CHAIRMAN. Two hours on congressional budget debate having expired, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK) each will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in the late 1970s a law was enacted called the Humphrey-Hawkins Act, and the purpose of it was to provide, among other things, for this Congress to have oversight over budgetary policy in terms of how it may or may not have a positive, or how it may have a negative effect, for that matter, on the economic performance in our economy.

And so I would just like to use some time, if I may, to take a break from Republicans blaming Democrats and Democrats blaming Republicans, to try to take an overall look at what has transpired to create this wonderful surplus that we have in this fiscal year and the surpluses that we are now able to anticipate in the coming years.

Let me first say that our current expansion is now the longest expansion in modern history during peacetime. I think it is well for all of us to take credit and give each other credit, to the extent that we can. Employment, income and wealth gains are impressive, and we are experiencing the lowest unemployment rates since the 1970s.

Sometimes we all like to exaggerate the impact, as if the world actually revolves around Washington, D.C. But the fact of the matter is that workers all across this country, business people, laborers, all share in being able to take responsibility for what has happened here. And our system itself, our system of free enterprise, has worked well.

Recently, in trying to take credit for some things that happened in our country, the Vice President took some ribbing for claiming that he was the inventor of the Internet, and his strong ties to the rural farmland of northwest Washington, D.C. all drew some chuckles. Well, as a matter of fact, I wish him well, but his comments and other comments suggesting that the administration invented the current economic expansion are just excessive.

Let me try to say what, after much study, the members of the Joint Economic Committee have concluded has happened. Yes, the Republicans can take credit for being the initiators of tax cuts. That started back in the 1980s. And with the exception of 1990, during the Bush administration, and 1993, during the current administration, taxes have been kept quite low. And, yes, we can give ourselves some credit around here for helping to control spending.

Those have been important factors but not, in my view, the primary one. I think I may surprise my colleagues when I try to give at least some credit, and maybe the majority of the credit, for what has happened to an institution that is not directly associated with the Congress of the United States. Of course, all my colleagues know I am referring to the Federal Reserve.

□ 1415

As a matter of fact, the key reasons for the expansion are not generally very well understood, and that is why I want to take this time, under the provisions of Humphrey-Hawkins, to at least express this view for the consideration of my colleagues.

One of the most important explanations for this record-setting and sustained expansion is the anti-inflationary monetary policy being pursued by the Federal Reserve. Pursuing anti-inflation policy or price stability policy in a gradual, sustained manner has worked to lower inflation.

Who would have thought a decade ago that we could stand here today and say to America, inflation is almost zero? That is an impressive accomplishment brought about by the Fed. And interest rates have followed inflation downward and it has fostered economic growth.

This chart here to the left of me shows how inflation and interest rates have come down together. And anyone who tries to deny the positive effects of this on the economy has simply not got it straight. This is an extremely important factor. And I believe that, along with other policies, this has been a major stimulus to the growth that we have seen.

We have observed not only a lower rate of inflation, but also a lower rate of unemployment and healthy economic times all at the same time. As a matter of fact, during the last several years we have gone a long way to diffuse or to disprove an old theory that in the circles of economics is referred to as the Phillips curve.

This second chart demonstrates something that is perhaps not a new phenomenon, and perhaps there were a minority of people who believed that this could happen over time. But throughout recent economic history, there was a common belief among lawmakers and a common belief among some economists, perhaps many economists, that we could not have long-term, sustained economic growth without inflation. This period of economic growth has disproven that theory.

This chart shows that the unemployment rate, which is a by-product, of course, of good economic growth, has gone down, as inflation has, so that we now have historic low rates of unemployment and historic low rates of inflation. And again, we have to look across the street or downtown to the offices that house the members of the Federal Reserve to understand how this happened.

The Federal Reserve has simply pursued policies through monetary policies to gradually squeeze inflation out of our economy. And so, while it is neat for us to be able to say that we have done this through the budgetary process, and we have contributed to it some, and while it is very encouraging that we have been able to over the last two decades reduce the impact of taxes, the fact of the matter is that most economists today agree that this policy of squeezing inflation out of the economy, which has fostered lower interest rates, has been an extremely important factor.

Let me make four points. First, lower inflation works to lower interest rates. We have already demonstrated that here on our charts. Both long-term and short-term interest rates have declined and have done so with this lower inflation and with expectations that there is no inflation around the corner. While long-term rates recently have picked up some, they are not far from their historic lows as compared to interest rates over the last 30 years.

Interest-sensitive sectors of the economy, like housing and investments, have performed exceptionally well during this period because of low interest rates, again brought about by Fed policy on price stability and inflation.

The second point that I would make is that price stability works to calm financial markets and this helps to create long-term growth. Lower inflation fosters less volatility, less uncertainty and, therefore, more stability in financial markets. As a result, market participants tend to become more confident and more willing to invest and take risks and to innovate. And so we see this as an important factor.

Point number three: Lower inflation acts like a tax cut. Anytime we give more money or provide an opportunity for investors to have more money to invest and consumers to have more money to consume and savers have more money to save, we provide economic stimulus which works to create long-term growth. And in this case, lower inflation reduces the rates of interest rates and again we have seen a positive result.

Point number four: Lower inflation enables the price system to work better by reducing the noise and distortions in the pricing system. In other words, expectations of prices tomorrow being about the same as they are today because there is no inflation is an important factor in creating the atmosphere that we need for long-term growth.

So, Mr. Chairman, I wanted to point this out today because, as I sat here waiting for my time to come up, I listened to both sides blaming the other for this or that or the other thing. The fact of the matter is that this Congress, both Houses, the administration, have done some things correctly during the last couple of decades. But during this decade, if one wants to single out one element in our economic structure in Washington, D.C., to give the credit to, we honestly need to look at Fed policy.

Now, I will say one other thing, and that is that this policy of controlling inflation has worked so well that there are some of us who are looking at the possibility of amending the Humphrey-Hawkins act to provide that this be the central feature carried out and the central objective carried out by the Fed. We think it is proof positive that this has worked, and we look forward to hopefully many, many more years of economic growth brought about by this policy.

Mr. Chairman, I reserve the balance of my time.

Mr. STARK. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I come before us this afternoon as the ranking Democratic member on the Joint Economic Committee, fulfilling a requirement outlined in the Full Employment and Balanced Growth Act of 1978 attributed to several of our great colleagues, Mr. Gus Hawkins and Senator Hubert Humphrey, who put the long-term goal of raising U.S. living standards far ahead of any of their short-term political aims. And I rise in strong opposition to the budget resolution before us.

Before I go into details as to how harmful that is, I would like to put this debate in some context, as my senior Republican from the Joint Economic Committee on the House side did just a moment ago.

We have had growth in 1998 close to 4 percent, and the economists are raising their projections for this year every day. Our economy is the envy of the world. The United States is growing two to three times faster than Japan or Germany. The unemployment rate is 4½ percent, the lowest unemployment since 1969. And the unemployment rate has been below 5 percent for almost 2 years.

This is all building up and it is continuing good news. Who would have believed we would have seen us move ahead of Japan in these measurements in our lifetime? Inflation was 1.6 percent in 1998. We would have to go back to the early 1960s to find inflation that low. Furthermore, it has remained low despite falling unemployment, which confounds many of the economists.

The once famous and now forgotten misery index, the combination of unemployment and inflation, the lowest point in 40 years. That is before the gentleman from New Jersey (Mr. SAXTON) and I even got to this place. The economy has generated 15 million new jobs net since 1992 and 2.8 million jobs were added in 1998 alone. The average weekly take-home pay after inflation has increased by 2 percent in 1997 and 1998 after almost 20 years of stagnation. The current expansion is not just a statistical phenomena. It has improved the standard of living for many Americans.

Let us not celebrate, because this economic expansion is not yet shared by all Americans and that is not acceptable to the Democratic Party. One in seven counties in this country have twice the unemployment rate of the rest of the Nation. Some research shows that although there are fewer numbers of people receiving welfare, there is no definition as to what has happened to them. Are they working, or have they merely dropped off our statistical radar screen? And what has happened to their children?

There is still more that we need to know in order to ensure that all Americans can enjoy the quality of life they deserve. When things go well, everybody is taking credit. Somebody said, ''success has a thousand parents and failure is an orphan.'' But it is easy to be entangled in the cause and effect. And one thing is clear: Eliminating the budget deficit has enabled interest rates to fall, which, in turn, is considered one of the major stimulants for our economy.

Our first goal in fiscal 2000 should be to ensure that Social Security and Medicare are financially secure in order to provide health care to those who need it. The Republicans agree to wall off the Social Security Trust Fund, but their budget proposal does not do anything to address the solvency of either Social Security or Medicare. Their proposal calls for a freeze in Medicare's administrative budget over the next 10 years.

We have hearing after hearing about how we have satisfied the Medicare operators so that they can go after fraud and abuse and put these egregious profit-hungry private HMOs and hospital chains that are stealing from the Government out of business. We have the lowest administrative overhead in Medicare of any program in the country, about 2 percent, compared to 10 to 30 percent for private insurers and managed care plans. The latter figure includes overhead and profit. But we cannot continue this good work if we are unwilling in a budget to support the administrators who make it work so well.

Former Speaker Gingrich once said that Medicare's administrative agencies should ''wither on the vine,'' as should the program. Although no longer here, Mr. Gingrich's wishes seem to be with us, as the Republicans attempt to destroy Medicare and its ability to serve the need of America's seniors and disabled.

Let us talk about budget surplus. There is a lot of talk about it, but I did not see one. Once we take Social Security off of the table, as the Republicans suggest, we are left with about $125 billion over the next 5 years. And without

touching the Social Security Trust Fund, I do not think we find a surplus until 2002.

So if we are going to make policy based on the surplus, why do we not wait until we know there is one around and then debate it?

During 1999, defense expenditures were 13 percent greater than all nondefense discretionary spending. I wonder if this really reflects our country's priorities. Republicans go further and add billions to defense, and it calls for a cut in discretionary spending.

Now, I do not happen to think the Pentagon is optional. It certainly is not. But if the Pentagon is not optional, neither is Head Start, public health programs, education, job training, housing, veterans' hospitals, law enforcement, environmental programs, the national parks, community and economic development, rural programs, highways, energy, among a few which are being eliminated or cut severely, if the Republicans do not intend to shove us into the greatest deficit we have had since Ronald Reagan forced us into a deficit by reckless tax cuts and even more reckless military spending on things like Star Wars and other things, which produced nothing but welfare for otherwise unemployable scientists and would-be soldiers of fortune.

I predicted that we would strike a deal to kick people off welfare, and we have. But what we have done is harm the children and the helpless in this country in the Republican effort to grab more tax cuts for 1 or 2 percent of the very rich, and that is not again what the Democratic Party is about.

My Republican colleagues did not vote for the 1993 act. Not one of them voted. They are taking credit for it. But it has not stopped them from bragging about it. Eliminating the deficit was the single largest explanation for the current health of this economy, and we must not jeopardize it again.

I urge my colleagues to oppose this budget resolution, send them back to the table to bring one that will help the economy for the long run and help all Americans.

Mr. Chairman, I include the following for the RECORD:

CRISIS FACING HCFA & MILLIONS OF AMERICANS

The signatories to this statement believe that many of the difficulties that threaten to cripple the Health care Financing Administration (HCFA) stem from an unwillingness of both Congress and the Clinton administration to provide the agency the resources and administrative flexibility necessary to carry out its mammoth assignment. This is not a partisan issue, because both Democrats and Republicans are culpable for the failure to equip HCFA with the human and financial resources it needs to address what threatens to become a management crisis for the agency and thus for millions of Americans who rely on it. This is also not an endorsement of the present or past administrative activities of the agency. Congress and the administration should insist on an agency that operates efficiently and in the public interest.

Over the past decade Congress has directed the agency to implement, administer, and regulate an increasing number of programs that derive from highly complex legislation. While vast new responsibilities have been added to its heavy workload, some of its most capable administrative talent has departed or retired: other employees have been reassigned as a consequence of reductions in force. At the same time, neither Democratic nor Republican administrations have requested administrative budgets of a size that were in any way commensurate with HCFA's growing challenge.

The latest report of the Medicare trustees points out that HCFA's administrative expenses represented only 1 percent of the outlays of the Hospital Insurance trust fund and less than 2 percent of the Supplementary Medical Insurance trust fund. In part, these low percentages reflect the rapid growth of the denominator—Medicare expenditures. But, even accounting for Medicare's growth, no private health insurer, after subtracting its marketing costs and profit, would ever attempt to manage such large and complex insurance programs with so small an administrative budget. Without prompt attention to these issues, HCFA will fall further behind in its implementation of the many significant reforms mandated by the Balanced Budget Act (BBA) of 1997. In the future the agency also has to cope with a demographic revolution that it is ill equipped to accommodate and with changes in medical technology that will increase fiscal pressures on the programs it administers.

As the Bipartisan Commission on the Future of Medicare grapples with the problem of reshaping the Medicare program for the next millennium, it would do well to consider two important reforms concerning HCFA's administration. First, the commission should recommend that Congress and the Clinton administration endow the agency with an administrative capacity that is similar to that found in the private sector. Second, the commission should consider ways in which the micromanagement of the agency by Congress and the Office of Management and Budget could be reduced. Congress and the public would be better served by measuring the agency's efficiency in terms of its administrative outcomes (such as accuracy and speed of reimbursement of various providers), rather than by tightly controlling its administrative processes. Only if HCFA has more administrative resources and greater management flexibility will it be able to cope with the challenges that lie ahead.

The mismatch between the agency's administrative capacity and its political mandate has grown enormously over the 1990s. As the number of beneficiaries, claims, and participating provider organizations; quality and utilization review; and oversight responsibilities have increased geometrically. HCFA has been downsized. When HCFA was created in 1977, Medicare spending totaled $21.5 billion, the number of beneficiaries served was twenty-six million, and the agency had a staff of about 4,000 full-time-equivalent workers. By 1997 Medicare spending had increased almost tenfold to $207 billion, the number of beneficiaries served had grown to thirty-nine million, but the agency's workforce was actually smaller than it had been two decades earlier. The sheer technical complexity of its new policy directives is mind-boggling and requires a new generation of employees with the requisite skills.

HCFA's ability to provide assistance to beneficiaries, monitor the quality of provider services, and protect against fraud and abuse has been increasingly compromised by the failure to provide the agency with adequate administrative resources. Even with the addition of $154 million to its administrative budget that Congress included in its latest budget bill, the likelihood that HCFA can effectively implement all of its varied assignments is remote. The Health Insurance Portability and Accountability Act of 1996 assigns many new regulatory responsibilities to HCFA, but a far larger task is implementing the BBA of 1997. The BBA has more than 300 provisions affecting HCFA programs, including the Medicare+Choice option, which will require complex institutional changes and ambitious efforts to educate beneficiaries.

Medicare spending accounts for more than 11 percent of the U.S. budget. Workable, effective administration has to be a primary consideration in any restructuring proposal. Whether Medicare reform centers on improving the current system, designing a system that relies on market forces to promote efficiency through competition, or moving toward an even more individualized approach to paying for health insurance, Congress and the administration must reexamine the organization, funding, management, and oversight of the Medicare program. During anything less is short-changing the public and leaving HCFA in a state of disrepair.

Stuart M. Butler, Heritage Foundation; Patricia M. Danzon, University of Pennsylvania; Bill Gradison, Health Insurance Association of America; Robert Helms, American Enterprise Institute; Marilyn Moon, Urban Institute; Joseph P. Newhouse, Harvard University; Mark V. Pauly, University of Pennsylvania; Martha Phillips, Concord Coalition; Uwe E. Reinhardt, Princeton University; Robert D. Reischauer, Brookings Institution; William L. Roper, University of North Carolina at Chapel Hill; John Rother, AARP; Leonard D. Schaeffer, WellPoint Health Networks, Inc.; Gail R. Wilensky, Project HOPE.

Mr. Chairman, I reserve the balance of my time.

Mr. SAXTON. Mr. Chairman, I yield 6 minutes to the gentleman from Wisconsin (Mr. RYAN), a new member of the Joint Economic Committee.

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to talk about the economic security of our country, the issue that we are now talking as we debate the Humphrey-Hawkins portion of this.

□ 1430

But as we talk about the economic security of our Nation, we do realize that an economic security for this Nation must put as its foremost goal retirement security, retirement economic security for our seniors. So that is why we have this raging debate down here in the well of the floor of the House of Representatives on how we preserve and protect Social Security.

I would like to draw our attention to the efforts under way to protect and preserve Social Security. We have been

talking about these different plans. We have three plans on this side of the aisle, the President's plan and a couple of different Democrat plans, and the Republican plan on Social Security. Let us assume for a second that this podium I am standing at here is the Social Security trust fund. I have the Social Security kitty right here. For the last 30 years, our FICA taxes have been coming in from our paychecks, real money coming in from our paychecks. We then deposit it in the Social Security trust fund. But what they have been doing over the last 30 years has been raiding that money. They have been taking this money out of the Social Security trust fund and spending it out on other government programs and putting in place of it IOUs, putting IOU after IOU coming off of our FICA taxes into the Social Security trust fund.

Now, we have asked the Comptroller of the United States Government to analyze the President's plan, which virtually resembles the Democrat plan being considered here as a substitute. David Walker, who is the Comptroller General of the United States, took a look at the President's plan and said, ''Although the trust funds will appear to have more resources as a result of the President's proposal, in reality nothing about the program has changed. The proposal does not represent Social Security reform.''

What does that mean? What does it mean when he says, ''Although the trust funds will appear to have more resources as a result of the President's proposal, in reality it does nothing''?

What that means is the President's plan and the Democratic substitute we are talking about here today simply does this: They print up more IOUs and stick it in the Social Security trust fund, more IOUs in the Social Security trust fund. It does nothing to extend the solvency of Social Security. If we take a look at this chart here, here is what we are talking about. The Democratic substitute and the President's plan are double-counting the surpluses. Same old smoke and mirrors, same old gimmicky accounting. We are dedicating all of FICA taxes plus interest to Social Security to pay down publicly held debt.

But the Democratic bills say that they are putting $4.3 trillion to Social Security to extend the solvency. This $4.3 trillion is a sham. They are simply saying $4.3 trillion of IOUs to go into the Social Security trust fund, money that a future Congress and a future President one day will have to come up with to pay for Social Security. But it is not real reform. It is not real reform. And it does not do one thing to save Social Security. What we are doing in our budget is saying, let us stop raiding the Social Security trust fund. We have got to act as a Congress to stop the raid on Social Security.

What we do with our plan on Social Security is this: 100 percent of all payroll taxes plus interest is dedicated solely to Social Security and Medicare. We save that money to strengthen the program until we have a solution by the President and the Congress to fix Social Security on its long-term. But here is what we do that the Democrats are not doing. We are being honest with the number and we are saying it is going to require a supermajority vote in Congress to pass any future budget resolution that attempts to raid Social Security. Because the President will not sign legislation into law preventing the further raid on Social Security, we have got to do it ourselves. We have got to change the rules of Congress to do that.

Mr. Chairman, the ranking member on the Committee on the Budget says that a point of order is meaningless in the House of Representatives. In the U.S. Senate, it is not meaningless. Under our rule and under our budget, the way we change the rules, one United States Senator can go to the floor of the Senate and say, ''I raise a point of order against this budget because it raids Social Security.'' That one United States Senator can therefore require a supermajority vote on any budget plan into the future that attempts to raid Social Security. We are trying to make it as difficult as possible for Congress to continue to raid Social Security. And we are not playing fun and games with the numbers. We are not trying to give retirees the false sense of security that we are extending the solvency of Social Security into the year 2055 as the President is doing. We are not going to print up more phony IOUs and stick them in the Social Security trust fund. What we want to do is put real money toward the Social Security solution, put that into Social Security, that is what we want to do, by buying down our debt, by making sure we are in a better cash position to fix Social Security.

Mr. Chairman, it is important as we go through this debate on how to improve the economic security of our country that we improve the economic security for our Nation's retirees. That is why the Republican budget here today is the only budget that puts away $1.8 trillion toward Social Security and Medicare, more than the President does, but makes sure that Congress will not renege on this deal. It really stops the raid on the trust fund, short of passing a bill by the President, because the President does not want to pass a bill stopping the raid of the Social Security trust fund because the President's budget raids the Social Security trust fund by $341 billion over the next 10 years. We are simply saying, stop the raid on the trust fund, stop dipping into Social Security from now on. We are putting the measures in place to prevent Congress from doing so in the future. On top of it, we are going to pay down the debt so we can make sure we are in a better position to save Social Security.

Mr. STARK. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY), one of the leading members of the Joint Economic Committee, pending which I yield such time as he may consume to the gentleman from South Carolina, ranking member of the Committee on the Budget.

Mr. SPRATT. Mr. Chairman, in response to the last comments, the difference between now and implementation of the President's proposal and the proposal that we have put in the Democratic budget resolution is simply this: We are going to add an additional $1.8 trillion of bonds to the Social Security trust fund over the next 15 years. That means in 2032, when the administrator of the Social Security trust funds would run out of bonds, instead, under our plan, he will still have enough bonds to cash in at the treasury that will take him to 2050.

I have here a letter from Harry C. Ballantyne, Chief Actuary of the Social Security Administration, which says that this will extend the life of the trust fund, the solvency of the trust fund until 2050.

The text of the letter is as follows:

SOCIAL SECURITY,
March 12, 1999.

Hon. RICHARD A. GEPHARDT,
House of Representatives,
Washington, DC

DEAR MR. GEPHARDT: This letter addresses the potential long-range financial effects on the OASDI program of ''locking away'' the annual increases in the Social Security Trust Funds, as proposed by Republican leaders in the Senate and the House on March 10, 1999. The proposal would require that annual increases in the OASI and DI Trust Funds would be used solely to purchase long-term special issue U.S. government bonds. In addition, the proposal would require that the revenue used for the purchase of these bonds would in turn be used solely for the purpose of reducing Federal debt held by the public. Of course, the net change in the Federal debt held by the public in any year would also be affected by the size of any on-budget deficit or surplus for that year.

The proposal would not have any significant effect on the long-range solvency of the OASDI program under the intermediate assumptions of the 1998 Trustees Report. Thus, the estimated long-range actuarial deficit of 2.19 percent of taxable payroll and the year of the combined trust funds' exhaustion (2032) would not change. The first year in which estimated outgo will exceed estimated tax income would not be affected and would therefore remain at 2013.

Any plan that reduces the amount of Federal debt held by the public may make later redemption by the Trust Funds of special issue U.S. government bonds easier.

Sincerely,

HARRY C. BALLANTYNE,
Chief Actuary.

SOCIAL SECURITY,
March 15, 1999.

MEMORANDUM

To: Harry C. Ballantyne, Chief Actuary.
From: Stephen C. Goss, Deputy Chief Actuary.
Subject: Long-Range OASDI Financial Effects of Specified Dollar Transfers to the OASDI Program—Information

This memorandum provides the estimated effect on the OASDI program of transferring specified additional dollar amounts from the General Fund of the Treasury to the OASDI trust funds according to the following schedule. These transfers would be in addition to all revenue that will be received by the OASDI program under present law.

Specified amounts to be transferred to the OASDI trust funds

[Billions of current dollars]

Year:	Amount
2000	$108.5
2001	116.7
2002	123.5
2003	130.1
2004	137.7
2005	156.2
2006	182.8
2007	197.7
2008	207.4
2009	219.6
2010	224.3
2011	226.8
2012	226.9
2013	213.2
2014	203.7

The specified dollar transfer amounts were developed by the Democratic Policy Committee based on estimated budget surplus estimates from the Congressional Budget Office. These amounts represent transfers for fiscal years.

Enactment of a provision to specify the above transfers in dollar amounts would improve the 75-year OASDI actuarial balance by an estimated 1.01 percent of effective taxable payroll, from a deficit of 2.19 percent of payroll under present law to a deficit of 1.18 percent of payroll. The estimated date of exhaustion of the combined OASDI trust funds would become 2050. This is 18 years later than the date of combined trust fund exhaustion projected under present law, which is 2032. These estimated financial effects on the OASDI program are based on the intermediate assumptions of the 1998 Trustees Report.

STEPHEN C. GOSS.

It is the difference between being a secured creditor with your credit collateralized by government bonds, backed by the full faith of the government and being a political supplicant in 2032 when you run out of bonds to draw down and go to the Treasury window to ask for the money to meet benefits. That is a big difference.

Mr. HINCHEY. Mr. Chairman, I would first like to turn my attention to the presentation which was made just a few moments ago by the chairman of the Joint Economic Committee, the gentleman from New Jersey, in which he showed the decline in inflation and job loss since 1992 and 1993. That was an interesting presentation, but what it lacked was the other side of the picture. It focused only on monetary policy. As we know, fiscal policy is intertwined with monetary policy and in this particular case led the monetary policy.

When the President gave his presentation here, the budget resolution in 1993, the Chairman of the Federal Reserve sat up in that chair right in the middle there and gave his imprimatur to what the President was trying to do that year. That budget resolution was in fact responsible for driving down inflation and driving down employment and giving us the extraordinarily successful economy that we currently enjoy. The budget resolution currently before us, however, threatens to end all of that. It threatens to end it by returning to the fiscal irresponsibility which preceded public policy, fiscal policy particularly in our country prior to the passage of that budget resolution in 1993. It does so by pretending to do certain things it does not do, by pretending to protect Social Security, by pretending to protect Medicare and in fact Medicare is going to be in serious jeopardy if this budget resolution passes. It does so, also, by advancing a series of very irresponsible tax cuts which grow out exponentially in future years. Those tax cuts will threaten other essential parts of our budget process which are very important to the American people, things like Head Start, like public health programs, job training, housing, law enforcement, environmental programs, national parks will be put in jeopardy, community and economic development programs will have to be sharply reduced, rural programs, energy, agriculture, biomedical research and others will suffer if this budget resolution passes.

That is why we should defeat this resolution and pass the Democratic alternative.

Mr. SAXTON. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I just wanted to address the issue that we have been talking about here on saving Social Security that the ranking member of the Committee on the Budget was talking about. What their proposal does, and let us be very clear about what this does. It just puts more IOUs in the trust fund. It simply says that from now until the year 2055, we have got IOUs in there, that one day a future Congress and a future President when they get around to it will honor these IOUs to save Social Security. The letter from the Social Security Administration essentially admits just that.

So the plan that the President has offered and that the Democrat substitutes offer does not give us real reform of Social Security. It simply says more IOUs in the Social Security trust fund. What we need is real money, from our FICA taxes, going to pay down debt so we are in a better position of fixing Social Security and improving its solvency.

Mr. SAXTON. Mr. Chairman, I indicated in my opening statement here that there were some factors that were important in terms of how our economy has performed. One of the factors is certainly the way we have been able to control spending. The spending controller who is standing to my left, the chairman of the Committee on the Budget, is as responsible for that as anyone.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, I just would like to make a comment. The gentleman from New Jersey has been very accurate in his ability to be able to explain why this economy does so well. With the export mentality of the United States, allowing our economy to be globalized, to be in a mentality that every market has a potential for us, to be able to develop and to bring about the production of more goods in this country has certainly been one of the key components to our economic growth.

In addition to that, of course, has been the development of technology that has allowed our workers to be far more productive. I think the gentleman would agree that within the period of the last couple of weeks, the most welcome news has been not just the news about the economic growth but clearly the fact that it is reflected by very low inflation that comes from rising productivity.

One of the things we have tried to achieve in this country is the ability to have noninflationary growth. So now we have the best of all worlds, which is a strong economy, strong economic growth with low inflation that is accompanied by probably the single best ingredient of predictor to the future in terms of this economy, and that is high productivity. One of the things we also know, however, is that we certainly do not want to do anything to retard the ability of this economy to grow by letting government become too big and, in fact, this budget which allows us to preserve the Social Security and Medicare surpluses to be used to transform Social Security and Medicare for many of the baby boomers who are in this Chamber today.

We know that if we can be, in fact, progressive in the use of Social Security and Medicare, it will not only guarantee a strong program for the baby boomers and their children while preserving the program for our current seniors but at the same time by developing the proper Social Security program, it will not only serve to strengthen the Social Security program but we believe at the end of the day will increase the national savings rate. That will again lead to the continuation of low interest rates which can lead to even better technological development.

One of the major reasons why this party wants to get the on-budget surplus out of town and into the pocket of everyday Americans is not just because we want to run the country from the bottom up, so that our doorkeeper can have more control over his future, so that the future can be his so that he has more control in terms of determining his own destiny, but there is another issue about this and, that is, the last thing this party wants to do is to take the proceeds of a strengthened economy and a budget surplus to create a bigger government.

□ 1445

We came here not just to balance a budget, but to take power, money and influence from this town, sharpen the actions of the Federal Government, but get the power from here into the hands of Americans. If we were to then take the surplus and use it to grow government, it would be a boomerang effect that we would live to regret. We believe that a government that is smaller, the people that are empowered, is a key to a successful economy.

Mr. STARK. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY), a member of the Joint Economic Committee.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman for yielding this time for me and for his leadership.

For the first time in decades we are working in the black. I believe the President put it best in his State of the Union speech when he said:

''Our fiscal discipline gives us an unprecedented opportunity to address a remarkable and needy new challenge, the aging of America.''

In other words, protecting Social Security and Medicare, providing income and health care to the elderly who need it must be a high priority.

The majority's budget resolution, however, completely ignores Medicare, and it provides only false promises of protecting Social Security. The majority's budget fails to protect the elderly. It puts into jeopardy the surpluses and the economic benefits we have worked so hard to gain by balancing the budget.

I was elected in 1992 and came to Congress when we faced a $290 billion deficit. I never believed that the major debate before Congress today would be over what to do with the surplus. When I ran for Congress in 1992, Federal aid to New York City under Reagan and Bush for 12 years, it had been cut by 62 percent. Under President Clinton, aid to New York City has continually risen. In 1992, the unemployment rate was 7.5 percent. Today it is 4.4. In 1992, inflation rate was at 2.9 percent. Today it is at a phenomenal 1.6 percent. The so-called misery index, the combination of unemployment and inflation, was 10 percent in 1992 when President Clinton and I were elected. Today it is at a 30-year low of 6.1 percent. Since 1992, this economy has generated 18 million new jobs, and workers' average weekly take-home pay after inflation has increased by more than 2 percent in 1997 and 1998. And, added to that, we balanced the budget.

Mr. Chairman, I would like to put the rest of my comments into the RECORD and say we should not reverse course and go back to the 1980's that grew the deficits. Let us follow the program we are on. Vote against the Republican resolution and for the Democratic one.

The current economic expansion is not just a statistical phenomenon, it has improved living standards for most Americans.

These are all economic events which occurred since I arrived here.

And I believe that the 1993 budget which introduced fiscal discipline—a budget which cut the deficit by $52 billion that first fiscal year—put us on the path of what is now a $70 billion surplus—and it is growing.

And I just want to remind us all that the first budget which put us on this path was passed without a single Republican vote.

We balanced the budget, but the Majority's Budget Resolution before us today reverses course.

We all like tax cuts, but this budget resolutions cuts taxes. This is the same formula used in the 1980s. The result was astronomical deficits from which we have just begun to recover.

Are we willing to return to the days of deficits as far as the eye can see in order to finance the tax cuts?

The costs and consequences of the Republican tax cuts increase as the years go by.

It postpones the question of how to finance them into some point in the future.

But we must take responsibility for our actions today and not postpone the hard decisions to another time, far in the future when it may be too late.

Instead we must continue to pay down the debt and reap the benefits of having a budget in surplus.

This is the path which will pay off for us in the future.

A report by the Congressional Research Service examines the surplus options.

It concludes that maintaining the surpluses and reducing the debt ''are likely to contribute more than tax reduction to capital formation as well as to the government's fiscal position. Debt reduction [begins] when surpluses occur and would end when they end.''

(And we must rely on real surpluses—not offsets—like the one some of my colleagues are trying to create by the supposed selling of Governor's Island—for an inflated price to people who would misuse it.)

Mr. Chairman, let us take the wise path and continue the surpluses, reduce the debt, protect Social Security and save Medicare.

Let us take that path and not the path toward a new era of deficits that will be the result of this Budget Resolution.

We learned that their method was wrong and the sound economic policy of the past six years is what will keep the economy on track.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I just want to rise in support of this budget resolution because I think it makes a lot of sense for a couple of different reasons.

One of the reasons I think would simply be that it recognizes debt is debt, and it was interesting my colleague from South Carolina got into a discussion with my colleague from Wisconsin on, well, as my colleagues know, does the President's proposal save Social Security by moving actuarial insolvency out to 2055 versus not, and I think to a degree those are academic conversations because I think what we have to stay focused on is the promise of Social Security. And the fact is we have got 70 million baby boomers who begin to march off toward retirement around 2012, and whether we have marketable security, nonmarketable security on the budget debt versus off the budget debt is irrelevant in that it is a drain on the resources of the Federal Government and has to be addressed at that time.

So, one, this recognizes that debt is debt.

Two, I think it has honest accounting in place. If we were to walk down the street; I mean it really does wall off Social Security in a way that has to be done. Do we want to set aside a hundred percent of Social Security for Social Security, which is incidentally what the President said two State of the Unions ago, or do we want to wall off 62 percent of Social Security for Social Security? Most of the folks I talk to back home say let us save a hundred percent of Social Security for Social Security because if I am taxed on something, I want that tax to go toward that thing that I am being taxed on, and in this case it is Social Security.

I say honest accounting because if we were to go down the street and see a family that had to borrow, as my colleagues know, to put gas in the car or food on the table, we would say that family was not running a surplus. In the business world if we borrowed against our pension fund assets to pay for the current operations of the company, we would go to jail based on federal law, and yet that is what we have been doing in Washington.

Mr. Chairman, that is why I think it is so important to set aside a hundred percent of the Social Security for Social Security.

I think that this budget is also important in the way that it recognizes spending caps. I mean can one have a Power Ranger toy and a Obe Wan Kinobe toy at the same time? My 6-year-old would say yes. We go in the toy store, and he wants both. And in Washington we seem to always want both, and I think what is so important

about the spending caps that this budget keeps in place is that it recognizes that we cannot have the Obe Wan Kinobe toy and the Power Ranger toy at the same time. At times we do have to make hard and difficult choices, but nonetheless choices.

Finally, I think what this budget recognizes that is so important is that right now we are at a post World War II high in terms of the amount of money that has been coming into Washington, D.C. This budget does something about that.

Mr. STARK. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. MINGE), but pending that I yield 1 minute to the distinguished gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

Mr. SPRATT. Mr. Chairman, to my friend from South Carolina: What the President has proposed and what we are proposing even more emphatically is that the Social Security surpluses, in our case a hundred percent of those surpluses, first be taken and used solely to buy down public debt. In return for the receipt of those excess payroll taxes the Treasury will issue, as is customary, a bond backed by the full faith and credit of the United States Government to the Social Security trustees. Then, dollar for dollar of debt reduction, the Treasury will issue another bond partly to Social Security, partly to Medicare. Over a period of 15 years, Mr. Chairman, it will double the amount of the trust fund.

So, the key factor is that, as we build up the assets of the Social Security Retirement Trust Fund and the Medicare Trust Fund in this manner, we are also paying down the debt of the United States so that when those trust funds come due in 2032, the Social Security Administration will be able to go to the Treasury window, the Treasury will be in better shape than ever financially to pay those funds.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. MINGE) for 2 minutes.

Mr. MINGE. Mr. Chairman, I thank the gentleman from California for having yielded this time to me.

This day is probably a day of budget overload. There is more debate on what is the budget, what should the budget be, what are the implications of different budgets, whose is best, whose is worse, whether they are accurately characterized or caricatured, and it is with some reluctance that I raise the spectre of yet another budget.

I have been working with a group of moderate to conservative Democrats called the Blue Dog Coalition, and we, too, have developed a budget proposal. We feel that our humble budget proposal is one that is not as partisan, as spirited, as some of the others that are being discussed today, and we are not here to say that our colleagues have irresponsible budget proposals. Like the Republican budget proposal and the Democratic budget proposal, we are committed to saving a hundred percent of the Social Security surplus for savings for the Social Security Trust Fund to reduce the debt. I think that is a common theme in the discussions today. We ought to rejoice in that.

The next issue that has become quite contentious, where there certainly is far from any agreement, is what do we do with the operating surplus in the budget?

We have fortunately achieved the time, maybe we can say it is the millennium, when the Federal budget is anticipated to show a surplus even without the Social Security Trust Fund. It is a remarkable achievement. Our group is suggesting that rather than devoting this surplus to tax reduction, devoting the surplus to new program initiatives or to other ways of spending or investing it, that we split the surplus into three parts, that we devote 50 percent of it to reducing the national debt, and I submit in the first 5 years this is very similar to the Democratic proposal.

In this respect the Blue Dog proposal and the Democratic proposal are very similar, and the Republican proposal would suggest that this 50 percent ought to be used for tax reduction.

Going on, the next 25 percent, we urge that we set that money aside and invest it in priority programs: health care, education, veterans, defense, agriculture, the priority programs that Congress would agree on; and third, to take the last 25 percent and devote that to tax reduction, be the continuation of tax credits that are expiring, targeted tax credits, whatever type of initiatives we agree upon here.

I would like to emphasize that this is our proposal, and later on this afternoon we will deal with it in greater detail. But this represents a moderate way of trying to bring some consensus here in Congress as to what we should do on behalf of the American people.

Mr. STARK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, in his opening remarks the chairman of the Committee on the Budget got up and said that this was about risk taking, this was about a budget that would allow people to take risks to keep more of their money and to take risk. Unfortunately, the people that are at risk in this budget are the people who seek a better education for their children, veterans who seek better health care, communities that seek to lower class sizes, the elderly that want to make sure that Medicare is secure. Those are the people who are taking the risk in the Republican budget. They want to pretend as though, if they give back a tax cut, that everything will happen and everything will turn out all right, and that is the risk, is giving back the tax cut.

No, the risk for America is in paying for that tax cut because, as we see in this budget, student loans for higher education, Pell grants for higher education all need to be cut to make room for that. The hundred thousand teachers to try to lower class sizes needs to be cut to make room for that. In fact, what we see is an across-the-board cut in education at a time when the people in this country are telling us that they recognize the kind of reinvestment that this Nation, our States, our local communities need to make in education so that our young people can compete in a worldwide economy. Those are the people at risk.

Once again what the Republicans have done is shifted the risk of their budget priorities to those who can least afford it, those who have the least ability to make up for their mistakes, those who are trying to the best of their ability to move forward in American society, in American economy.

That is where the risk is in their budget, those are the programs that are targeted, those are the programs that are cut, those are the programs that are reduced, all to make way for a tax cut that they hope for people who have simply none of the worries, none of these everyday worries, that American families have on a daily basis about themselves, their jobs and their children's education.

□ 1500

Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am going to conclude the contribution to the discussion of the Joint Economic Committee today by saying this: I laid out very carefully, I think, a case in which I believe very deeply, and that is that Fed has been responsible and successfully so in giving us an economy in which there is an inflation rate of darn near zero.

I think that that is primarily responsible for the growth that we have seen, along with other items that I also pointed out.

However, one of the speakers from the other side, following my presentation, suggested that the tax increase that occurred in 1993 was somehow responsible for lowering inflation and lowering interest rates. In fact, the facts do not bear that out in any way, shape or form.

I would just like to say to my friends on the other side of the aisle that when the tax increase occurred, which is now, of course, referred to as the budget arrangement that created this expansion, which I think is false, but when that tax increase occurred in 1993, it went into effect, the vertical line here indicates the time period during which that tax increase went into

effect, interest rates actually spiked upward, not downward, as one of the previous speakers indicated.

The spike upward is indicated here on the chart by the red line. As well as the Federal funds rate also went up, as indicated by the yellow line, and the discount rate went up, as indicated by the black line. So when individuals try to make the case that somehow the tax increase that took place in 1993 had the effect of lowering interest rates, quite the opposite is true. For the following 12 or 13 months after the tax increase went into effect, interest rates went up, not down.

So I think it is somewhat, I must say, misleading, to be kind, to make the claim that somehow the President's tax increase had a positive effect on economic growth.

I do not want to shift the entire credit to the Federal Reserve. I think they did a good job. I think they have squeezed and squeezed and squeezed on targeting inflation and have successfully gotten it out of our system.

It is true that restraint in government spending has played a part. As a matter of fact, in 1992, our government consumed 22 percent of GDP. Today our government consumes 19½ percent of GDP. I think that is good and good for growth.

I believe that lower marginal tax rates that remain in place today, in spite of the increases in 1990 and 1993, are good and provide a positive effect on growth. The marginal rates are lower today than they were in the fifties or the sixties or the seventies.

Investment has also worked to expand capacity. Business has been encouraged to invest and, of course, global competition and freer trade have also played a role in fostering growth.

This is the economic report of the President, and incidentally, I think it is very appropriate that the cover is red, which claimed that the tax increase in 1993 produced lower interest rates. This book does not even mention, does not even mention, the role of the Fed, when the facts claim quite conversely that the tax increase also created an increase in interest rates across the board.

I am very pleased to have been able to manage this time on behalf of the Joint Economic Committee. I hope it has been a contribution to the understanding that we all have as to what happened to the economy.

Mr. Chairman, I yield the balance of my time to the gentleman from Iowa (Mr. NUSSLE) to control.

The CHAIRMAN. Without objection, the gentleman from Iowa is recognized for 2½ minutes.

There was no objection.

Mr. STARK. Mr. Chairman, I ask unanimous consent to yield the balance of my time and its control to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SPRATT. Mr. Chairman, I inquire as to the balance of the time remaining on this side.

The CHAIRMAN. The gentleman from South Carolina has 11½ minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for yielding me this time.

Mr. Chairman, it is time for Congress to recognize that uncontrolled sprawling development is an economic disaster that wastes human resources and uses human and financial capital in inefficient and wasteful ways.

Our Democratic proposal contains a livability agenda that does not promote Federal planning or zoning but embraces local control, providing Federal vision with tools to municipalities and counties and States to better prepare themselves for the 21st Century.

The Democratic budget puts greater power, more money and enhanced decision-making authority in local hands, to fight sprawl, clean up the environment and protect the legacy of our land.

Some of the tools in this livability agenda include the proposed Better America Bonds, which would allow State and local governments to borrow up to $10 billion to preserve green space, protect water quality and reclaim brown fields.

The regional connections initiative will promote regional smart growth strategies across local jurisdictional lines. The community Federal information partnership will provide communities with grants for easy-to-use information to develop strategies for local growth; and the lands legacy initiative will provide $1 billion to significantly expand Federal efforts to save America's natural treasures and provide new resources for State and communities to protect local green spaces.

Mr. Chairman, it is wasteful and inefficient and harmful to our economy to permit sprawling, unmanaged growth, to sit in traffic jams, to pave over good farmland instead of reclaiming and reusing brown fields.

We must save the American landscape. We must provide future generations with livable communities. We owe it to America to support the democratic proposal.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in opposition to the Republican budget resolution and in strong support of the Democratic alternative.

Mr. Chairman, under the very able leadership of the gentleman from South Carolina (Mr. SPRATT), the ranking member of the committee, the Democrats want to keep prosperity on track and protect the American family.

The proposal of the gentleman from South Carolina (Mr. SPRATT) would build upon past Democratic efforts and ensure continued fiscal responsibility while protecting many valuable Federal programs.

The Democratic plan would save 100 percent of the Social Security surplus and 62 percent of the total estimated unified budget surplus for Social Security, ensuring the Social Security trust fund remains solvent for many years to come.

Our plan also transfers 15 percent of these surpluses to shoring up Medicare, extending its solvency for at least a decade to grant us the time we need to fix and to develop and implement a bipartisan fix for this valuable social program.

Mr. Chairman, education, one of the most crucial underpinnings of our great country, is barely given lip service under the Republican proposal.

Many of my colleagues may ask why the Federal Government needs to become involved in school innovation and construction issues which are historically local concerns? The simple answer is that the problem has grown so large that localities and States alone do not have the resources or the programs to address the overwhelming needs.

For instance, a recent survey by the Division of School Facilities in New York City concluded that in my district alone 19 new schools were needed to alleviate overcrowding. Additionally, to bring schools in the 7th Congressional District of New York up to standards deemed fair by school facility engineers, New York City would have to fund $218.65 million in exterior modernization projects and $53.8 million in interior modernization projects.

Mr. Chairman, if we support the working men and women of this country and if we support our Nation's children, we must oppose this budget resolution and support the Democratic alternative.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget.

Mr. Chairman, let me thank the chairman of the Committee on the Budget for giving us this opportunity to face Americans and define for them what kind of country we would like to be.

I had the pleasure of organizing the Congressional Children's Caucus, a group of about 60 Members who have committed to promoting children first in the national agenda. We look forward to hearing from Mrs. Tipper Gore,

the wife of the vice president, on the issues of mental health services for children.

Keeping that in mind, I am very concerned with the budget as proposed by the majority leadership, because our children must face the challenges of competing in a global environment and the new millennium. We have got to invest in children. This budget does not.

Children cannot learn if they are hungry, tired and improperly prepared. The majority's budget proposal reduces domestic spending in programs aimed at protecting the interests of children.

Allow me to call the roll. A program of which many Members of this House have testified that they graduated from, Head Start, is being cut $501 million, a 10 percent cut; the WIC program that provides for women, infants and children, being cut $425 million; Job Corps, which has allowed many inner city and rural community youth to find an opportunity out of the seat of degradation, cut $141 million; child care, there is not a time that I go home to my district when women and men, parents who say give me the ability to work, provide child care and help me provide child care for my children, sometimes one-third of their income, $119 million; the summer youth program, where a mother gave me the good news of her young person who had graduated through the summer youth program, now gainfully employed, cut some $109 million; community services block, cut $54 million; runaway and homeless youth, which I confront all the time in our community, cut $4.7 million; Native American Head Start, cut $3.8 million; child abuse, $2.2 million; abandoned infants assistance, $1.3 million.

Mr. Chairman, I can only say oppose this majority leadership budget. Realize that our children are our best investment. Let us support the Democratic alternative and invest in our children.

Mr. Chairman, I rise in opposition to FY 2000 Budget Resolution offered by the Majority's Leadership. I come in the spirit of Hershey and bipartisanism. I come to request a budget that protects the Social Security Trust Fund for America's citizens. I rise to request a budget that will protect the Medicare Trust Fund.

We must authorize a budget that will protect the Social Security Trust Fund. While women tend to collect benefits over a longer period than men because of a greater life expectancy; women on average receive lower monthly social security benefits since they have lower earnings and are more likely to be widowed or unmarried in retirement. The Majority's budget proposal does not protect women or children or the Social Security Trust Fund. Under this budget proposal—programs directed toward improving the quality of life for women and children, are the first programs to be reduced and cut—in order to give a tax break to the wealthy.

The majority is suggesting that their budget proposal will save 100% of the social security surplus but 0% of that money goes to the Social Security Trust Fund and 0% goes towards strengthening Medicare. This simply is not true! Domestic programs are not a priority in this budget resolution offered by the Majority.

We must authorize a budget that will appropriate financial resources to reduce the average classroom size to promote a learning environment and to modernize public schools. Educating America's children should be our number one priority. Our children must be prepared to face the challenges of competing in a global environment and the new millenium. Children can not learn if they are hungry, tired and improperly prepared. The Majority's budget proposal reduces domestic spending and programs aimed at protecting the interest of our children. $425.1 million would be slashed from the WIC budget, Head Start would be cut by approximately $501.4 million and LIHEAP funding would be reduced by $109 million. Nevertheless, the Majority's budget resolution reserves $800 billion for tax cuts.

We must authorize a budget that will protect and extend the Medicare Trust Fund. This budget must ensure that patients will have access to high quality healthcare by guaranteeing important protections such as access to the specialists, coverage for emergency medical services and affording prescriptions for seniors. The Majority's budget proposal leaves the Medicare Trust Fund in a precarious position and its future in question. The Congressional Budget Office has estimated that there will be a federal surplus of about $2.6 trillion over the next 10 years. We must authorize a budget that will ensure the economic viability of Social Security, Medicare and our national defense.

We must authorize a budget that will protect America's families. Families first—America first—Children first—we must authorize financial resources to assist in expanding after-school programs. Furthermore, we must enact legislation that will increase the minimum wage and improve the quality of life for all Americans. The Majority's budget proposal does not safeguard the interest of our Children. The Summer Youth Employment program's funding will be cut by over $94.9 million, the Community Services Block Grant Program slashed by over $54.5 million—we must prioritize families, women and children in the FY 2000 budget.

We must authorize a budget that will provide law enforcement officers and agencies with modern technology directed at reducing crime. We must allocate financial resources to help communities put additional law enforcement officers on the street. We must authorize a budget that will protect our most valued and venerable citizens, children and seniors.

We must authorize a budget that will redirect additional income to America's families. Congress must empower families to save for their retirement and provide for quality care for older family members. We must enact legislation that will protect women, children and America's families. Congress must put families first!

We must authorize a budget that will safeguard the financial viability of American's veterans. The Spratt Amendment will add an additional $9 Billion for veterans. We must pass a budget that will appropriate an additional $3 Billion for agriculture over the next five years. We must pass a budget that will allocate $10 Billion for education and $18 Billion more for healthcare.

We must support a budget that protects America's families, seniors and children. I urge you to vote "no" on the bill and "yes" on the Democratic substitute.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Chairman, the Spratt Democratic budget extends the life of Social Security and Medicare. The Republican budget does not. Do not be fooled. This same Democratic Party that created Social Security and Medicare is the same party to trust when it comes to strengthening Social Security and Medicare.

Under the Democratic plan, the Social Security trust fund would have 50 percent more dollars in it than under the Republican plan. There is a $1.3 trillion set-aside in the Democratic plan, more for Social Security than in the Republican plan; $1.3 trillion.

For Medicare, the Republican plan does not do anything at all. The Republican plan does not add one penny of money to extend the life of Medicare or to strengthen it. The Democratic plan for Medicare will triple the amount of money put into Medicare, a move that will extend the life of Medicare until 2020. For all those who care about Social Security and Medicare and who want Social Security and Medicare to be there for our generation and our children's generation, there is only one responsible choice: The Democratic budget.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for yielding me this time.

Mr. Chairman, I rise against the Republican budget and in support of the Democratic alternative. The Republican Party, unfortunately, has always been hostile to Medicare. My senior citizens need Medicare, and that is why the Democratic plan strengthens Medicare.

When I talk to senior citizens in my district, they tell me that Medicare is just as important to them as Social Security. When I speak with my mother, who is my best advisor, she tells me that Medicare needs to be enhanced.

The President has proposed a prescription drug component. I believe that that is what we should have. The Republican resolution, it does not provide a long-term care benefit, nor prescription drug benefit under Medicare.

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We need to make sure that our seniors do not choose between food and drugs. The Republican budget has no problem in proposing a $775 billion tax break for the rich, for the wealthiest of Americans.

We cannot continue to play politics with our seniors' health. The Democratic plan strengthens social security and strengthens Medicare. The Republican plan leaves out Medicare. Medicare ought to be on the table. The prescription drug component ought to be part and parcel of the mix. Long-term care is very, very important. Senior citizens in this country need help. The Democratic plan provides that help, the Republican plan does not.

Let us work on a budget resolution that enhances Medicare, not hurts it. We cannot ignore the problem.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in strong opposition to the Republican budget. The majority attack on education, seniors, and this Nation's most vulnerable is becoming an annual rite of passage for the Republican Party. Just recently the stock market broke 10,000, the highest it has ever been. Despite this wealth, however, we are here inflicting pain.

What kind of message are we sending to our children when we cut funding for education by $1.2 billion, essentially crippling Head Start and undercutting Pell Grants? What are we saying to public housing residents when this budget would put 1 million of them out on the street? Where are the compassionate conservatives now?

What is worse about this budget is that it does nothing to ensure the solvency of social security and Medicare, all in the name of cutting taxes for the wealthiest families in this country.

This budget asks too high a price of poor Americans, and breaks the promise of a better tomorrow for our children, elderly, and working poor. I urge my colleagues to oppose this budget and support the Democratic alternative.

Mr. NUSSLE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentlewoman who just spoke mentioned how in our budget plan there are tax cuts for the rich. I have read it. It does not say that in here one place.

I had a speaker come up here today and said how we cut funds for the Ryan White AIDS research. I will jump off the Capitol dome if Members can find the words ''Ryan White'' in here. Look for it, it is not in here. How do they say that? How do they get away with that? Do they feel no shame, getting to the floor of the House and saying Ryan White AIDS research is cut in here? Find it for me. I will wager with them. I will be glad to do that. They cannot find it.

The other interesting thing about this is that they come to the floor and they say how they want to put money into veterans, they want to save social security, they do not want Medicare cuts.

Why did Members not make those arguments to the President? The President's plan does all of those things. Instead of making those arguments down at the Rose Garden, down with the President, at the last minute they rush in here with two, not one but two, alternatives to the President's plan.

Why are Members running away from the President? Why are they running away from the person who stood here before the Nation at the State of the Union and said how he is going to keep education as a priority, how he is going to keep making sure that Medicare and social security are a priority? Why are Members running from that plan?

I have a feeling here in the next portion of this debate we are going to get a little bit of insight into why the Democrats, instead of supporting the President, instead of even adopting a portion of his plan, have written their own in a hurry to rush in here and try and save themselves from the polls that are going south on them.

I think we are going to find out here in just a little bit, as the gentleman from Oklahoma, the gentleman from Minnesota, the gentleman from Arizona, are going to point out to us, why the President's plan has so many people running from it, and particularly people from his own party; people who we would think would at least find a few things in the budget that they could agree with.

But instead, they are saying, no, we do not want to do what the President does for social security, we are running from that; we don't want to have Medicare cuts like the President, we are running from that; we don't want to increase taxes like the President does, we are running from that; we don't want to keep the priority low on education, we are running from that; we don't want veterans' hospitals to close, we are running from that.

They are running and running and running. Mr. Chairman, they can run but they cannot hide. We are about to show them why.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, 6 years ago the President sent us a budget on February 17 which passed this House by 2 votes. Opponents on the other side of the aisle said it would cut the economy off at the knees and mushroom the deficit. Six years later, the economy is running strong and the deficit has dropped from $290 billion to a $70 billion surplus. That is the finest tribute we can pay to the Humphrey-Hawkins debate.

Mr. STARK. Mr. Chairman, I rise today in opposition to both the GOP budget proposal as well as the Democratic alternative. Both budgets call for enormous increases in defense spending over the next six to ten years. I cannot vote for these exorbitant increases in defense spending—anywhere between $112–134 billion—when the fate of Social Security and Medicare remains questionable.

The Democratic Budget Resolution, by using the President's plan for defense spending, endangers already vulnerable programs by needlessly puffing up the military. The Democratic resolution calls for over $9 billion in undistributed cuts by the year 2000. The question is—where do we find it? Shall we do away with the Department of Agriculture and the Department of Energy? Which severely underfunded federal program will we raid first? Come the year 2000, programs that are already suffering—like federal childcare and job training programs—will be sitting ducks.

Proponents of increasing military spending claim that this money is needed to replace aging weapons systems, improve the military's readiness and training, and to attract and retain more people in the armed services through better pay benefits. Since 1996, the Congressional majority has added nearly $30 billion beyond the Pentagon's request to help with military readiness. Three-quarters of this went to pork projects in key members' districts. The proposals before us today would commit more than $1.8 trillion to the military over the next six years. There is no justification for increasing military spending by this amount.

These budgets propose to squander scarce resources in order to appease the defense industry and procure weapons systems not seen since the Reagan era. The U.S. alone spends more than twice that of all of its potential aggressors combined. That means Russia, China, Iraq, North Korea, Syria, Libya and Cuba combined don't even spend half of what the U.S. spends for defense.

The U.S. spends up to $35 billion per year maintaining 6,000 nuclear weapons on hair trigger alert. The Soviet Union is no longer a threat to the U.S. The U.S. is more threatened by the technicians and technology in Russia falling into the hands of rogue states. However, yesterday, in the Supplemental Appropriations bill, my colleagues chose to reduce the funding to purchase and store the enriched plutonium and uranium used to make nuclear weapons in Russia.

The budgets before us include spending for a National Missile Defense (NMD) system on top of the billions already wasted on a futile deployment. Spending just a fraction of what the U.S. has spent, and plans to spend, on NMD could do far more to reduce the danger of missile attacks and weapons proliferation if used on verifiable arms control and disarmament.

We are marching down the wrong path. Instead of making this a more livable and peaceful world for our children, we are proposing cuts in necessary programs for life while increasing spending on weapons of destruction. I urge my colleagues to join me in opposing these egregious budget proposals.

Mr. PORTMAN. Mr. Chairman, I rise in support of the fiscally responsible Republican budget plan that protects Social Security and Medicare while providing needed tax relief.

President Clinton has called on Congress to use part of the so-called budget ''surplus'' to protect Social Security, strengthen Medicare and finance a number of new spending projects. But when we hear President Clinton and other Washington politicians talk about this great ''surplus'' we have to remember

where it comes from—the Social Security Trust Fund. The federal government borrows money from this Trust Fund—about $99 billion last year—to finance other government spending and to mask what is, in reality, a budget deficit. In fact, if we had taken the Social Trust Fund surplus out of the federal last year, we would have been $30 billion short of a balanced budget.

For the next couple of years it is expected that most of the so-called surplus will be due to the Social Trust Fund, which all of us pay into in the form of payroll taxes. Then, based on current economic projects, real surpluses from the non-Social Security portion of the budget will begin to grow as taxpayers pay more than the government needs to finance its operations.

I commend my friend and colleague from Ohio, JOHN KASICH, the members of the Budget Committee and the Republican Leadership for proposing a sensible, long-overdue change to the way the Trust Fund is treated. The Republican budget stops using the Trust Fund to mask the real size of the deficit and, instead, preserves it for Social Security. This new approach to the surplus is more honest and more fiscally responsible. It also results in more surplus being preserved for Social Security than the President has proposed.

Our plan builds a wall around the Social Trust Fund—creating a ''lock box'' that preserves 100% of the ''surplus'' for Social Security's needs. By stopping Congress and the White House from spending the Social Trust Fund, we protect current and future retirees. That's why the American Association of Retired Persons (AARP) has given the Republican plan its endorsement.

President Clinton's budget also calls for using 15% of the so-called ''surplus'' for Medicare. But in short term, he actually proposes to borrow money from the Social Trust Fund to shore up Medicare, while at the same time cutting almost $9 billion from Medicare to pay for new government spending. This scheme is a classic example of robbing Peter to pay Paul. It also means, when the Medicare Trust Fund runs out of money in 2009, taxpayers will foot the bill.

The Republican plan also takes steps to pay down the national debt and uses honest numbers—not shady Washington accounting—to address Medicare's financial challenges. Finally, while President Clinton's budget proposal calls for $100 in new taxes at a time when tax revenues are at an historic high, our plan provides tax relief beginning in 2000 that grows substantially over the next ten years to reduce the tax burden on America's families.

With this new plan, we can finally stop raiding the Social Trust Fund to pay for more government spending. Let's hope Congress rejects the old ways as represented in the President's budget, and passes an honest plan to protect Social Security, preserve Medicare and let Americans keep more of what they earn.

Mr. SANDLIN. Mr. Chairman, one of my priorities when I came to Congress two years ago was to bring good East Texas fiscal responsibility to Washington. We made great strides in balancing the budget over the past two years, and we must not stray from this path. That is why I rise tonight, in the name of fiscal responsibility and on behalf of hard-working East Texas families, in strong support of both the Democratic and Blue Dog budget resolutions.

I support tax relief. In fact, I was one of only 19 Democrats to vote for last year's tax relief bill. Both of these budget alternatives provide for tax relief for working Americans. I would prefer to see even more tax relief, but it is important to remember that our nation still has a $5 trillion debt. The best thing we can do with projected surpluses would be to pay down the federal debt, which would reduce interest rates for families and small businesses, prepare for the retirement of the baby boom generation, and slash the interest payments of the federal government.

We can't fund a larger tax cut until projected surpluses have actually materialized and until we fulfill our commitment to preserve Social Security and Medicare. Instead, we must pay down the debt, honor our promise to our nation's seniors, and provide for targeted tax cuts, and both the Blue Dog and Democratic alternative budget resolutions do just that.

Furthermore, both these budget alternatives spend money wisely on priority areas. We can fulfill our commitment to reduce class size and hire 1000,000 new teachers. We can spend more on education to repair our crumbling schools and expand after-school learning programs in rural areas. We can provide for the health care needs of the men and women who have fought on the battlefield and risked their lives for all Americans. We can help East Texas agricultural producers and fund crop insurance reform that will provide some meaningful protections for farmers against those things that are out of their control. Finally, we can spend more for our nation's defense, improving our nation's military readiness and increasing military pay.

These are good budget alternatives that preserve Social Security and Medicare, pay down the federal debt, and spend money where it needs to be spent. These budget alternatives have been drafted with the fiscal responsibility I've spent the last two years fighting for. I urge my colleagues to support them and pass a budget that is good for American families.

Ms. STABENOW. Mr. Chairman, I rise today to express my grave concern regarding the proposed veterans' budget for Fiscal Year 2000. Currently veterans are facing a medical emergency. Unless the veteran health care system receives significant increases in funding, critical services will be cut, health care will be denied, facilities closed, and dedicated employees will be out of work.

The Republican budget provides a modest $900 million increase in funding. However, this increase is a one-time addition that is not carried over to the next fiscal year. The Republican budget actually proposes to decrease funding for veterans. In fact, over five years, the budget resolution cuts funding for veterans by $300 million. And over ten years, their resolution cuts veterans' funding by $3 billion below the 1999 level.

During consideration of this budget, while in committee and on the House floor, the majority refused an attempt to increase veterans' funding. This important issue, which affects millions, deserves the change to be considered. Representative CLEMENT'S proposed amendment to the budget would increase veterans' benefits by $1.9 billion over last year's request, and by $1 billion above the Republican proposal. Specifically, this increase would provide: $100 million more for mental health care to reverse the trend of eliminating psychiatric, substance abuse and other effective mental health programs; $271 million more for long-term care initiatives to increase options for elderly and disabled veterans; and $681 million more for the Montgomery GI Bill to increase coverage for tuition, fees and stipends to service members who are enlisted for at least three years. Over 10 years, the budget proposal offered by Democrats would provide over $40 billion more for veterans' programs. I support this amendment and am very upset that we were prevented from providing an increase to such an underfunded and important program.

It is our duty to provide the care and service promised to our heroes, and the proposed Republican budget fails to give veterans the benefits they need and deserve. For the fourth consecutive year, the Veterans Administration budget has been essentially stagnant. This pattern has to end. To refuse consideration of an increase in funding for veterans who have given so much to their country is an outrage.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of this budget resolution.

This budget, contrary to the President's proposal, is a responsible approach to funding the Federal government without turning our backs on our 1997 Balanced Budget Agreement, an agreement that means so much to the American public and to our nation's economic future.

And perhaps more than ever, this budget is about providing security for America's future. We can continue to set the course for a sound Federal fiscal policy and a strong economy, or we can set up our children for a future of paying our debts—the President's budget saddles our children with more national debt, more taxes, fewer educational opportunities, a bigger government and shaky retirement prospects.

As we vote to pass this budget, I say to my colleagues who have joined the President in criticism of our efforts, for a moment, take a step back from the podium, and imagine you are not immersed here in the politics of our nation's capital.

For a moment, think of yourself not standing before your colleagues in debate, but rather, being with your constituents at a town meeting.

Would you still argue to enact the President's budget, the largest in our nation's history, a budget which grows the size of our government and breathes more life into a bureaucracy we've been struggling to contain? Or do you think your constituents would rather know that you have voted for a Federal budget that keeps our government in check and may possibly even shrink that once sprawling bureaucracy?

Could you speak passionately to them about the need to pass the President's budget which only devotes 62 percent of our projected budget surpluses to preserving and protecting Social Security and allows him to spend $146 billion of the Social Security surplus over five years.

Or might you inspire more confidence from your constituents if you told them the budget you want locks away $100 billion more than the President to strengthen Social Security and Medicare, a total of $1.8 trillion over a decade, with the guarantee that Washington can't touch the Social Security surplus—your constituents' payroll taxes—ever?

Again, the families you represent may want to know whether you support the President's budget, or our Congressional budget plan that will pay down the national debt by $450 billion more than the President over the next ten years.

The hard-working Americans you represent might be interested to know whether you voted for tax increases or tax cuts. The President's budget raises taxes by $172 billion in the next decade, but our budget provides $800 billion in tax relief for the same period.

Would the veterans of your District salute you for passing the President's flat-lined VA budget which raises serious questions about the quality of care our veterans receive in VA medical facilities, or do America's heroes of the past deserve the $1.1 billion increase we gave them in our budget proposal?

To the young men and women in uniform who now serve our nation—what would you tell them? Could you look a young enlisted man or woman in the eye, one of our brave Americans who has joined NATO forces in Kosovo, and tell them to do their job even though you voted for the President's budget which falls $8 billion short of the budget we propose for our nation's defense?

Improving the education of our young people is not only important to all of us, it is a critical element of our nation's ability to remain competitive in the 21st Century. For America's children, do you vote party or conscience? On your next school visit, do you tell the students you voted for the President's budget which cuts special education funding, or do you teach them that principle is above politics, and you voted for our budget which increases education funding $1.2 billion more than President Clinton proposes. It includes more funding for Pell grants, and more flexibility for states to decide how best to spend this funding. Our budget, $22 billion total for education, will improve the quality of elementary, secondary, and special education. Parents and children with special needs may question your vote for the President's budget because it amounts to a cut in Federal special education funding. Our budget contains a $1 billion increase for Federal funding of the Individuals with Disabilities Education Act. While this is not the full funding I and 75 of my House colleagues from both sides of the aisle requested, it is a step in the right direction. In my state of New Jersey alone, if the Federal government would keep its promise to pay 40 percent of the costs associated with providing special education, $300 million at the state level would become available each year—real money that could be used to hire more teachers, build more classrooms or reduce local property tax rates.

Our budget proposal provides security for American people and their future—retirement security, fiscal security, education security, national security and economic security. But it won't be easy to achieve these important goals, and is closing. I offer a word of caution.

Keeping within the confines of our balanced budget is our ultimate goal, and the Appropriations Committee works hard to balance the needs of our nation and our government while doing so. As a Member of this Committee, I can tell my colleagues that there will be sacrifices. We must understand this at the outset and prepare ourselves for the tough choices with which we all will be confronted. When the time comes, we will need to ask ourselves, ''is a future of peace, prosperity, achievement and financial security for our children worth the sacrifice and effort today?'' The answer is always ''yes.'' We will need to remember this in the months ahead.

Mr. LEVIN. Mr. Chairman, I rise in strong opposition to the Republican budget resolution. This budget is a blueprint for another budgetary train wreck.

The Majority's budget is irresponsible. It is simply wrong to move ahead with a $778 billion tax cut before taking action to assure the long-term financial health of Social Security and Medicare. The budget surplus gives us a unique opportunity to address these programs and we must not squander it. We should save the entire surplus until we've taken care of Social Security and Medicare.

No one believes the House can approve the appropriation bills that would be drawn from this budget template. Do we want a repeat of last year's budgetary derailment when Congress was unable to complete action on eight of the thirteen regular appropriation bills? But that's exactly where we're headed with the Majority's budget resolution.

Under the resolution, non-defense discretionary appropriations would be cut by $46.4 billion next year, a full 16 percent below this year's funding level. Which programs does the Majority propose to cut? Energy assistance for the elderly? Maternal and child health care? Head Start? Law enforcement? The GOP budget resolution doesn't give any specifics.

The Republican budget also does nothing to shore up Medicare. All of us know that Medicare is projected to run short of funds in just eight more years. If Medicare's solvency is the price for the GOP's tax cuts, that price is too high.

I will support the Democratic substitute that will be offered by Representative SPRATT. The Spratt substitute is a responsible alternative to the budgetary gridlock that will surely follow adoption of the Majority's budget resolution. The Spratt substitute fulfills our obligations to Social Security and Medicare. It reserves 100 percent of the Social Security surplus for Social Security and extends Medicare's solvency until 2020.

I want to speak to the issue of legal immigrants. The Spratt substitute also restores vital benefits for legal immigrants that were wrongly taken away under the 1996 welfare law. I led the fight last year to restore food stamp eligibility to the children of legal immigrants as well as elderly legal immigrants who entered the country before enactment of the 1996 welfare bill. The Spratt substitute would permit states to cover legal immigrant pregnant women and children with Medicaid, restore SSI eligibility for legal immigrants who entered the country after August 22, 1996 and were subsequently disabled, and would assure food stamps to legal immigrants who were residents as of August 22, 1996 and are over the age of 65. This is a step in the right direction.

I urge my colleagues to reject this irresponsible budget resolution and support the Spratt substitute.

Ms. LEE. Mr. Chairman. I rise to oppose the priorities as expressed in this budget.

I strongly oppose this Republican budget because its priorities are wrong. A substantial number of us, five and a half million, are ill-housed. 42 million of us are without health care coverage. Our schools need more teaches and better-trained teachers; our school buildings need to be rehabilitated.

If we maintain the caps on discretionary spending, as proposed in this Republican budget, as well as increase the military budget, and give about $780 billion in tax cuts, the result will be to squeeze out essential programs that affect the daily well-being of a significant sector of our society.

The Republican Budget does not adequately protect our elderly. One of our most important programs, Social Security, has kept one of every two elderly Americans from falling into poverty. Social Security must be extended and protected. Likewise, Medicare is widely recognized and appreciated as an essential program by all of us because of its benefit to the elderly and the families of the elderly. Medicare must be extended and protected.

The Republican budget allocates, over a ten-year period, just $1.77 trillion to extend Social Security, half of the Democrats' proposal, which calls for $3.4 trillion. The Democrats' much greater investment in Social Security is essential to ensure its security.

The difference in budgetary priorities is even greater with Medicare. The Republican budget, over a ten-year period, sets $14 billion for Part A, compared with the Democrats' proposal to invest $397 billion in Medicare, an investment 28 times, greater than the Republicans' inadequate propositions.

This Republican budget does not protect and invest in our children. It ignores the needs of our children.

The retention of the budget cap, coupled with the $18.1 billion increase in defense spending, means that Republicans cut Head Start by $501 million; Republicans cut by $425 million, they cut Job Corps by $142 million; they cut child care funding by $120 million; they cut low-income heating assistance by $109 million; they cut summer youth employment by $95 million; they cut homeless youth programs by $4.7 million; they cut abandoned infants assistance by $1.3 million.

These are the programs that will suffer deep cuts if this Republican budget is approved. Of course, there is no money in this Republican bill for more and better-trained teachers in America's classroom.

This budget is not a responsible, adult budget because it fails to take care of the basic needs of the nation's families. I urge my colleagues to vote against it.

Mr. LUTHER. Mr. Chairman, I rise with many concerns about the majority's budget resolution before us today. Because of the strong economy and prudent fiscal policies of the past few years, we are on track towards achieving our first non-social security budget surplus in a generation. When I first came to Congress in 1995, even the thought of achieving an on-budget surplus by the year 2000 or 2001 seemed completely unrealistic.

That is why I believe we must not waste this historic opportunity to ensure the long-term solvency of the social security system which will be threatened due to the large number of baby-boomers who will begin retiring in the next 10–15 years. While the majority's plan ensures that money dedicated to the social security program should go to the program, this so-called ''lock box'' approach does nothing more than ensure that the system will go broke on schedule. A more responsible approach would be to dedicate surplus funds to the social security system in preparation for the increased number of retirees early in the next century.

I am also disappointed that the majority's plan does nothing to reduce the federal debt. The proposal uses nearly all of the projected surplus for a yet to be specified $778 billion tax cut that relies on future revenue projections. Economists have repeatedly stated that reductions in the public debt would result in lower interest rates which leads to increased economic growth and opportunities for all American families.

This proposal represents the type of budget gimmickry that has made the American people cynical about the entire federal budget process. I believe the American people understand they aren't being told the full truth when they hear proposals such as this which claim to cut taxes, dramatically increase defense spending, protect social security and stay within the 1997 budget caps. Believe me, they are smart enough to realize that schemes like this just don't add up. We were elected to make the tough choices necessary to keep our fiscal house in order. I believe the American people deserve better than this type of smoke-and-mirrors budgeting that relies solely on future unreliable projections.

Therefore, I urge my colleagues to reject this proposal and seize this rare opportunity to dedicate the surplus to protecting the long term solvency of social security and to paying down the federal debt.

Mr. VISCLOSKY. Mr. Chairman, I wish to explain my priorities as we debate the budget resolution for FY 2000.

I am a cosponsor of a Constitutional Amendment to Balance the Budget and have introduced budget enforcement legislation in the past. As such, I am pleased that we balanced the nation's budget in FY 1998. However, we should not be complacent.

Before we talk of new spending or new tax cuts, we should keep our eye on one goal, and that is maintaining a balanced budget: a balanced budget for our current fiscal year and for FY 2000. Moreover, we should recognize that trust fund surpluses from Social Security, Medicare, the Highway Trust Fund and other federal trust funds totaled $150 billion last year and masked our true situation by making our budgetary position appear more favorable than it really was. Hence, I feel our second priority should be to really balance the budget without the use of any trust fund surpluses.

Thereafter, I believe that we should begin to pay down the national debt, which, according to the Congressional Budget Office, has reached an all-time high of $5.5 trillion. By using all the surplus to pay down the debt, we as taxpayers would save a significant amount of money in future interest payments. Today those payments total $231 billion. For every $1 billion in debt that we can retire, we save an average of $70 million in annual interest payments. This savings would benefit every American regardless of their economic status and I believe it represents the best tax cut we can give to the American people. Furthermore, this debt retirement would provide us with more flexibility in addressing how best to secure Medicare and Social Security for future generations while maintaining our ability to also invest in solid programs that can make our economy more productive.

Several budget resolutions have been introduced which take different approaches to maintaining a surplus and allocating our financial resources. I favor the resolution proposed by a coalition of conservative Democrats, since it provides the most fiscally sound approach. It would reserve 100% of the Social Security surplus for the Social Security Trust Fund. It also pays down more debt than any other proposal before the House, thereby providing for lower interest payments in the future and more flexibility to address unforeseen problems. Conservative projections indicate that this budget would save us $113 billion in interest payments on our debt over the next five years.

Although I am primarily concerned about maintaining fiscal discipline and believe a tax cut could be detrimental to sustaining a balanced budget, the tax cut provided for in this proposal is minimal and can be targeted towards the hard-working middle class families who need it most.

Mr. Chairman, I close by adding that maintaining the public trust is the single most important issue we face today. I ask my colleagues on both sides of the aisle to weigh the impact that the budget resolution will have on future generations.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to give my enthusiastic endorsement for the Democratic Substitute to the Budget Resolution offered by the Ranking Member on the Budget Committee, JOHN SPRATT.

This substitute takes a responsible approach to government. It takes the surplus from this year, and reinvests it back into Social Security and Medicare. However, what is important is the manner in which this is accomplished. Unlike the Republican Budget Resolution, this amendment takes those surplus funds and directly deposits the money into the Social Security Trust Fund and the Medicare Trust Fund. The Republicans cannot tell you they are doing that—because they are not. They swear to put 100% of the surplus aside, but they do not guarantee the American people what they will do with that surplus once the smoke clears. On the other hand, this substitute puts its money where its mouth is—back into the accounts that will extend the life of Social Security for another 18 years, and Medicare another 12.

And the Democratic budget extends these programs without a loss of benefits for the people who rely upon them. Earlier this week, I met with several groups of seniors in my district in Houston. Without exception, the most pressing concern of theirs as it related to the budget was the loss of benefits. Under the Democratic Resolution, their concerns are answered—but we cannot say the same under the Republican plan, because it set forth how Medicare and Social Security funds will be spent. We can close the door on the Republican plan of Social Security privatization today if we pass this substitute—and I urge all of you to support it.

The Democratic proposal also does more to reduce the debt than the Republican plan. This budget contains out-year debt reduction that totals over 474 billion dollars over fifteen years. The Republicans cannot tell you the same. In fact, if they can pass their budget, you will much more likely see tax cuts than debt reduction.

However, that does not mean that the Democratic budget does not contain tax cuts, because it does. Indeed, the Democratic substitute contains targeted tax cuts of the sort that bring the most relief to the American family. Those tax cuts adjust the marriage penalty, help pay for child and healthcare, and extend work opportunity credits. Do we need anything more than this? I believe that these are the tax cuts that the American people have been waiting for, and I am happy to support this budget so we can bring it to them.

This substitute simply does more for children and families than the budget offered by the Republicans. It contains funding for important programs like Women, Infants and Children (WIC), Temporary Assistance for Needy Families (TANF), Job Corps, and Head Start that are ignored in the Republican plan. At the same time, it provides a bedrock foundation so we can rebuild our schools and reduce class sizes across the country. In addition, the Democratic plan includes the funds necessary to hire 100,000 skilled new teachers so our children will be prepared for the 21st Century.

The Democratic substitute also follows the lead of the President by increasing the funding for the Department of Defense and the Veterans' Administration. These increases go above and beyond what the Republican budget offers—by including higher-than-baseline pay raises for our service members and a repeal of the Retired Pay Repeal Act (REDUX).

I urge each of my colleagues to do what is right and vote for a balanced budget, for our seniors, for our future, and for the Democratic substitute.

Mr. PACKARD. Mr. Chairman, I would like to rise today in proud support of the Republican Fiscal Year 2000 Budget. Once again my colleagues and I will continue to give American citizens tax relief while paying down the national debt and protecting Social Security.

The simple fact is that the American people are over-taxed. President Clinton's budget calls for $100 billion in tax increases, while our budget offers $800 billion in tax relief over ten years. The truth is a surplus is nothing more than an overpayment by America's taxpayers. It does not belong to Washington and we should return it in the form of tax relief. In addition, our budget will continue to re-pay the debt by placing over $1.8 trillion towards the debt over the next decade. That's $450 billion more than the President's budget.

While the President talks about saving Social Security for the next generation, his budget actually spends 42% of the Social Security Surplus. The Republican budget will lock up

every penny of the Social Security Surplus over the next ten years. The American public has made it clear that Washington has no right to spend away a surplus, which does not belong to them.

Mr. Chairman, I'm tired of Washington having their hands in the pockets of the American taxpayer. Let's pass this historic budget for the new millennium and provide a better and more prosperous future for all Americans.

Mr. BLUMENAUER. Mr. Chairman, I am opposed to the Republican budget resolution because I believe it emphasizes exactly the wrong priorities for America's future and does little to make our communities more livable. By approving this document, we are ignoring the negative effects this budget would inflict on the health of our communities, our infrastructure, and our economy for the next decade.

If I had my way, I would place more priority on paying down the debt, saving Social Security and Medicare, avoid costly new tax cuts and unnecessary. Unfocused defense spending, and develop a capital budget to account for infrastructure investments for a more livable future. However, this budget resolution doesn't extend the solvency of those trust funds by a single day, and instead of paying down the debt, offers tax cuts that primarily benefit those who need help the least. It also calls for unfocused increases in some aspects of our military spending without assurances that any of this spending will increase our overall security. An example of this is the call for new ''Star Wars'' spending, an unproven system on which we've already spent over $60 billion in research with nothing to show for it.

It fails to give America's communities the tools they need to improve their quality of life. The ''Building Livable Communities'' initiatives embodied in the Administration's budget offered increased choices for citizens in the areas of transportation, housing, regional planning, open space preservation, education, and crime control. The Democratic alternative recognizes the importance of these initiatives through a Sense of the House resolution. I believe we have a responsibility to do all we can to have the federal government be a better partner with communities and citizens in their efforts to improve very basic components of everyday life—getting to work and school safely, ensuring the quality of the water we drink and the air we breathe, and having economic opportunities for the future.

It should also be noted that long-term budget projections are nearly always miscalculated, and have been overly optimistic by over $200 billion on average over the last 15 years. Even small errors and changes in the economic picture can drastically alter what the government collects and spends. A forecasting error of as little as 2% can alter the budget balance by as much as $70 billion annually. Future military conflicts, slower economic growth, stock market fluctuations, decisions by the Federal Reserve, currency values, natural disasters, and any number of other variables can also radically alter what the government spends and takes in.

Therefore it is unwise to push massive tax cuts years down the line, when it is impossible to know what our economic situation will be. Only by remaining fiscally cautious now and investing in America's infrastructure can we make this a budget that helps make our communities more livable.

This proposed budget would be a disaster if it were implemented. It siphons nearly a trillion dollars into tax cuts paid for with painful and unnecessary budget cuts, while ignoring key investments that need to be made in education, Social Security, and health care. The good news is that it won't be adopted in this form because even the Republicans have no intention of implementing it. The bad news is that it is a license to avoid responsible budgeting. I urge my colleagues to vote no and instead strive to produce a budget that promotes livable communities and fiscal stability.

Mr. VENTO. Mr. Chairman, I rise today in strong opposition to the GOP's Budget Resolution. Again, the Republicans have sent to the House floor a resolution which abandons older Americans needs by ignoring the Medicare challenge, fails to protect satisfactorily and extend the solvency of the Social Security Trust Funds, shortchanges important health care benefits and services earned by our Nation's veterans, creates an illusionary increase in education spending, drastically cuts important funding and investment in our Earth's natural resources and before the budget surplus is realized, proposes to expend it with a $779 billion 10-year tax expenditure that will grow even larger and larger with time and could eventually eliminate the projected on-budget surplus by dipping into the Social Security Insurance revenues.

Republicans are quick to defend this budget by declaring credit for spending increases for such programs as defense and education without ever specifying the severe cuts necessary to meet their overall spending totals. In this resolution, the GOP would underfund much-needed people programs by $27 billion for fiscal year 2000. This is completely unrealistic as it all but ensures a confrontation and guarantees yet another disastrous appropriations fight this fall. Modest increases in elementary and secondary education are proposed while a significant reduction is exacted from post-secondary education.

This resolution fails to save the surplus for Social Security Insurance. The GOP proposed ''lock-box'' initiative claims to save all of the Social Security Insurance surplus to pay down government debt. The facts are clear: this proposal stipulates that the surplus could be used to set up private individual retirement accounts as a substitute for Social Security Insurance. This represents a serious threat to the future solvency of the most successful domestic program ever established. What kind of message are we sending to the baby boomers soon to retire and our older Americans who are guaranteed a defined Social Security Insurance benefit? If the resources already committed to Social Security beneficiaries under current law are diverted to private accounts, benefits will eventually have to be cut. Or, workers will be taxed double to pay for current beneficiaries insurance and again to divert to such individual accounts. In addition, the GOP's ''lock-box'' proposal would not ensure that the debt held by the public is reduced. Overall, all this proposal does is ensure that Social Security goes broke on schedule and not extend its solvency by one day. Advocates may well speculate that the intent is to create a crisis with Social Security benefits to justify radical privatization schemes.

While Social Security Insurance benefits are projected to be in problems by 2032, Medicare is projected to run short of funds by 2008. Given this Medicare pressing and more urgent problem, our efforts should be more focused on the stability and solvency of this much-needed Medicare program. The GOP's insistence of $779 billion in tax cuts over 10 years would surely come at the expense of Medicare. The Administration initiated a proposal to reserve 15 percent of projected budget surpluses to address and close the long-term funding gap of the Medicare program. By ignoring Medicare, the Republicans have decided to provide a huge tax expenditure and a significant defense spending increase. Frankly, the GOP budget lyrics do not match the music and is unable to face up to the facts. The GOP budget sets in place a political document which is unworkable and unfair.

The Administration has indicated a willingness not to ''recoup'' the Federal share of the recent tobacco settlements if there are safeguards which ensure that Federal contributions are used for public health and awareness programs. The Republican resolution assumes the Federal Government relinquishes both the right to recoup funds from the multi-State tobacco settlement as well as the authority to direct the States how to use those funds. Frankly, I believe that the national dollars recovered ought to be directed to health care concerns, not a rebate. These are Federal funds and we have a responsibility to exact accountability.

Under the Republican resolution, discretionary veterans programs are funded at $20.2 billion. While this represents less than a $1 billion increase over last year's funding levels and a one-time addition. Over five years, the GOP resolution would cut veterans' funding by $300 billion below the 1999 freeze level. This is completely unacceptable. After years of inadequate funding levels, many VA employees and veteran service organizations in my State of Minnesota have joined a national consensus to push for a substantial funding increase for the VA, especially for the health care function. This budget does far too little in 2000 and beyond to address the understaffed VA medical centers across the nation and the hard working, underpaid VA employee's that provide veterans the health care and other benefits and services they have earned. We can not overlook this today. According to the Independent Budget group, comprised of most of the major veterans service groups recommended an additional $3 billion more than the Administration's VA proposal. In this budget resolution, the GOP has ignored such concerns and requests. A substantial increase is critically needed to avoid deep cuts in VA's medical care budget. We owe our veterans adequate health care and services that we promised to them.

The Republicans boast that their budget blueprint has a strong commitment to education, which time and again has been promoted by the American people as a top priority for federal tax dollars. And we can all see that this resolution does increase funding for elementary and secondary education. However, in taking a closer look it is apparent that

this is a true case of robbing college student Peter to pay grade schooler Paul; in order to showcase the $1.2 billion increase over the President's request for primary and secordary education funding, this budget severely shorchanges all other education programs. Deep cuts in higher education initiatives, such as Pell Grants and Work Study, and reductions in funding for programs which help preschoolers, such as Head Start, is extremely shortsighted. Education is a continuous journey, therefore, the idea of focusing entirely on K–12 and ignoring the needs of students who are preparing to enter school or those who wish to continue on to higher education opportunities is shallow and illusionary. A pea and shell game without the pea. Additionally, even with the increase in funding for elementary and secondary programs, this resolution leaves no room for full funding of special education programs, unless other programs for these grade levels are cut. In addition, the Republicans have decided to do nothing on the President's and a majority of Congress's initiative of hiring 100,000 more teachers and reducing class size that will provide our young people the much needed attention and focus they deserve to succeed in school and in life.

Many of the environmental programs that our state and local governments rely on, such as grants to wastewater and drinking water plants, will receive unacceptable cuts in funding as a result of the Republican budget. America's greatest natural treasures, our National Parks, Forests, and the like, will continue their severe backslide in maintenance and upkeep. And despite Interior's efforts to cure these ills with what little money they have secured, employees will still be fired and furloughed in an effort to stay within the spending caps as proposed by the Republican majority. Many in Congress have seen a grand vision for the future in preserving greenspace, and making life for everyone in the Union more in tune with the land in which they reside as seen in the President's proposed Lands Legacy Initiative. Despite overwhelming support for this exciting program, the majority has failed to fund any initiative with this objective. We've heard the arguments against this program, that there is too much of a maintenance backlog in our parks to further expand them, but the GOP budget blueprint has come full circle—the GOP budget has nothing for maintenance conservation and restoration of our national treasures and nothing new for the preservation of America's remaining greenspace. Such a greenspace that we are losing each passing day. Apparently only useful as rhetoric to shoot down the President's land legacy initiative.

According to HUD's estimations, the Republican budget has a negative impact on several important housing programs. The reduction of 6.8% in outlays in FY 2000 for the section 8 voucher and project-based programs means 195,000 fewer households, or 478,000 fewer individuals, will be served. In addition, the reduction in outlays for public housing will result in under-funding 86,700 units, or 201,000 needy individuals.

If these reduction initiatives are enacted, HUD projects that $1,335 billion (83%) of HOME program's FY 1999 budget authority would have to be rescinded and the Congress would be unable to appropriate any budget authority to the program in FY 2000. HUD assumes that in FY 1999, 78,000 families, or 177,000 individuals, will be assisted by HOME funds. If we were to rescind this budget authority for HOME, however, not one of the families or individuals would be served.

Again, the Republican budget fails to provide for the growing number of homeless or near-homeless individuals. If funds are reduced as under this GOP resolution, HUD projects that $975 million (96%) of last years funding levels would have to be rescinded. Such a reduction would freeze dollars for future investment and spending for our homeless populations. This would result in a loss of 10,000 beds in transitional housing and 7,125 permanent beds for the disabled who are homeless.

Because of the extremely slow spend-out rates in these programs, Congress would have to halt current funding and all carry-over budget authority from previous years to meet the Republicans outlay reduction target. In FY 1999, HUD expects to develop 11,300 housing units (8,000 elderly and 3,300 disabled). All of those units would be lost. Furthermore, if outlays are reduced 6.8% in FY 2000 as required under this budget, HUD projects that $125 million of the programs' current funding levels would have to be rescinded. Again, this leaves Congress without the resources to address and meet future spending needs. This would result in eliminating aid to 42,000 persons in FY 1999 and 79,000 persons in FY 2000. As a result of this totally inadequate GOP resolution, the number of persons who would lose housing assistance is estimated to be almost 1 million Americans.

The inaction on restoring and protecting the solvency of Medicare and the Social Security Insurance systems, ignoring special and higher-education programs and reduction in class room size initiatives, shortchanging our veterans health care, all but eliminating public housing funding to needy persons, abandoning our existing commitment to much needed environmental cleanup and protection efforts of our natural resources all result from one overriding GOP priority: passing a huge package of tax expenditures. Once again, the GOP has insisted to increase an allready over budgeted defense department and provide an untimely $779 billion tax expenditure that will in reality raid the Social Security and Medicare Trust Funds. This budget does not provide adequate investment in people programs and truly undermines our existing federal commitments by underfunding much needed resources and programs by $27 billion in fiscal year 2000.

I urge all Members to vote no on this GOP budget resolution that comes up way short of meeting the needs and investments in people programs.

Mr. COYNE. Mr. Chairman, I rise today in opposition to the Republican budget resolution that is before us today.

This budget sets the wrong priorities for Congress. It proposes a massive tax cut, substantial cuts in domestic spending programs, and no significant action on Social Security and Medicare—whereas I believe that Congress should be taking action now to preserve Social Security and Medicare, to address the difficult problems our nation still faces, and to invest in education and other programs that will improve all Americans' quality of life in the future.

Mr. Chairman, Americans have much for which to be grateful. The economy is growing, unemployment is down, and real incomes for working families are increasing—ableit at too slow a rate. We all know, though, that these good times cannot last indefinitely. At some point, the economy will stall. At some point there will be a recession. And in a few years, the Baby Boom generation will start to retire—and place a heavy new burden on programs like Social Security, Medicare, and Medicaid.

Many of the Republicans in Congress are saying that now is the time for the American people to relax and enjoy the fruits of our labors. Well, no one denies that the American people work hard and deserve a break. And no one wants to turn down a tax cut. But our debate today should not focus on what we deserve, or even on what we would like to do; that would be irresponsible. Rather, today's debate should focus on what we ought to do.

Today, twenty years of deficit spending are over, and budget surpluses are projected for at least the next ten years. But our fiscal troubles are not at an end. At best, we have only a dozen or so years of projected surpluses before dramatic increases in outlays for Social Security and Medicare—to pay for the Baby Boomers' retirement—submerge the federal budget again in a sea of red ink. A good economist will tell you that we cannot even be certain that the projected surpluses will materialize at all. So I say, let's prepare for the hard times ahead—not celebrate prematurely.

What steps should we take to prepare for the future challenges that we can already anticipate? What can we do to ensure that future Americans can face the prospect of retirement with pleasant anticipation and without fear? What can we do to ensure that all Americans have access to safe, affordable health care? And what can we do to promote our country's future economic growth and provide a better standard of living for all Americans?

I believe that Congress should be taking this opportunity to restore the solvency of Social Security and Medicare, and to invest in education, infrastructure and research that will increase our productivity and improve our standards of living. Consequently, I oppose the resolution before us today.

I oppose this budget resolution because I believe that it would devastate dozens of important federal programs, programs like educational assistance, veterans' programs, crime-fighting programs, scientific and biomedical research programs, public works projects, and anti-poverty programs.

I oppose this budget because it does nothing to help the Americans who, even in these boom times, are struggling just to keep their heads above water.

I oppose this budget because it fails to invest in the programs and projects that would make America more productive and more competitive in the global economy.

I oppose this budget because it would provide unwise and irresponsible tax cuts which would be paid for with a surplus that has not yet materialized—and which in fact, may never materialize.

I oppose this budget because it does nothing to save Medicare from insolvency.

And finally, I oppose this budget resolution because it does nothing to save Social Security.

Mr. Chairman, I urge my colleagues to reject this short-sighted, self-indulgent budget—and to work together to draft a prudent, fiscally conservative budget that addresses the American people's future needs, not just someone's misguided desires.

Mr. MCGOVERN. Mr. Chairman, I rise against the cuts in higher education in the Republican budget resolution. While some of us are working to extend the opportunity for higher education through vital programs like Pell Grants, the Republicans have introduced a budget which cuts all non-elementary and secondary education, training and social service programs by $16.6 billion over the next 5 years. Over the next ten years, the Republicans call for a 12.2% across the board cut for these same programs. This at a time when increasing tuition costs are burdening families nationwide.

At a time of anticipated future surpluses and significant increases in military spending already underway, it is critical that federal funding for education take its place as a national priority. Making college more affordable is one of the most important investments we can make in our country's future prosperity. This year, the maximum Pell Grant award will provide funding that only covers 35% of the average costs of attendance at a four-year state college. For a four-year private college, the Pell Grant barely covers 13% of average annual costs. Yet the Republicans want to further deny access to higher education by cutting this important program. Support access to higher education.

Vote no on the GOP budget resolution.

Mr. COSTELLO. Mr. Chairman, I rise today in strong opposition of the rule to H. Con. Res. 68 which blocks a vote on Representative CLEMENT's amendment to increase funding for veterans health care.

The Republican Leadership's FY 2000 Budget fails miserably to protect our Nation's veterans. While their budget resolution provides a $900 million increase in budget authority for veterans, this is a ONE time addition. Over the next 5 years, the Majority's budget resolution cuts discretionary spending for veterans by $300 million. Over 10 years, veterans funding will be cut by $3 billion below this year's funding levels. The Republican leadership should be ashamed to submit a budget which slashes funding for the men and women who fought for our freedom.

This Republican-led Congress has flat-lined the veterans budget for the last 4 years. As our veterans continue aging, they face more medical emergencies. Unless funding for veterans' health care is significantly increased services will be cut and health care will be denied.

Mr. Chairman, how can you propose several new health care initiatives without providing the necessary funds to support them? The message you send to our veterans when the promises made to them are broken is that the sacrifices they made for our country are meaningless. Representative CLEMENT's amendment would have increased the Veterans Affairs budget by $1 billion over the Republican increase of $900 million. This amendment was supported by the Veterans of Foreign War, Disabled American Veterans, Paralyzed Veterans of America and the American Legion.

Give our nation's veterans what they deserve. I urge my colleagues to oppose the rule and the Republican budget.

Mrs. ROUKEMA. Mr. Chairman, I rise today in support H. Con. Res. 68, the Budget Resolution. This resolution continues the hard work of balancing the budget and putting our fiscal house in order that we began in 1997.

PRIORITIES

The priorities that we should establish in this new ''age of surplus.'' Those are providing retirement security by saving Social Security and Medicare, paying down the debt, and reforming the tax code. These reforms are essential for our future. At the same time, we must be realistic and fair about maintaining adequate support for all domestic programs, most specifically education and health care.

SOCIAL SECURITY

Of primary concern is Social Security. As we all know Social Security is the most popular and important program in the nation's history. It touches almost every family in America. This budget saves ALL of the Social Security Trust Fund surplus for Social Security. That is close to $1.8 TRILLION over the next ten years. But this money must be made SAFE! Upon passage of a Conference Report on a joint budget resolution passed by both the House and Senate, we should act immediately to create a real lock box that through law saves the Social Security Trust Fund surplus. This money will be used to strengthen and secure Social Security and Medicare when bipartisan reform legislation beginning signed into law. We must protect Social Security through law not legislative shadow boxing. When it comes to Social Security, this program must be sacrificed to tax cuts or extra spending. I look forward to the day when we engage in the debate on reform with the knowledge that every cent in the Social Security Trust Fund is safe.

PAYING DOWN THE DEBT

Priority must be given to paying down the debt. The National debt is currently over $5.6 TRILLION. The debt has increased by $95 BILLION in FY 1999 alone. In 1998 we have spent about 15% of all federal revenues just on interest on the debt. That is money NOT spent on our children, on education, or health care. It is money that goes into the fiscal black hole created by our continued indebtedness. We must reduce the debt in order to spend less money on interest payments and more on our future. We must make the commitment to debt reduction. It is immoral for us to continue to write checks that our children will have to cash.

TAX REFORM

Tax reform not necessarily tax cuts must be a priority over the next ten years but as I said before not at the sacrifice of Social Security. Tax reform creates a fairer, flatter, and simpler tax code that results in a lower tax burden for all Americans. Tax reform includes eliminating the marriage penalty, rewarding savings and investment so families can send their kids to school, buy a home, or start a business, and does not punish their success. A significant portion of the non-Social Security surplus must be returned to American families because they know how to spend money better than most in Washington.

BLUEPRINT FOR THE FUTURE

It is important to remember that this Resolution is a blueprint. It is not the endstate but the beginning of a process of what I hope is thoughtful debate on America's future. It is our responsibility, in this Congress, to ensure the visibility of worthy federal programs and to create a strong and vibrant economy in which our children and grandchildren can thrive, succeed, and enjoy the promise of what America has to offer.

There are going to be difficult decisions ahead. To stay within the budget caps will not be easy. In some cases, I believe that we should revisit those caps through the appropriations process to address priority spending investments in education, health care, and veterans. While we should not turn the surplus into a spending spree, we must be sensitive to fair treatment for all domestic programs affecting families—our children as well as our families.

The next decade will be the best opportunity for us to give our children the future we hope for them. We must be wise, judicious, and fair when it comes to spending the surplus. We must not count our surplus eggs before they hatch and we can not squander this opportunity. We must set priorities. We owe that to our children.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today to strongly oppose this amendment. This budget contains a net tax increase over the next five years, a time in which we are realizing surpluses.

This tax increase comes largely from one source: regressive, excise taxes leveled on those least able to afford them. Americans are overtaxed. The government does not need more of our money to carry out its spending plans, lengthening the era of big government. Contrary to what we have been told, this era is far from over.

Nearly have of these new taxes, $35 billion worth, come from a 200-percent tax increase on tobacco products, 55 cents on a pack of cigarettes. This tax increase hurts hard-working family tobacco farmers in my district and all of Kentucky. These taxes will take away the livelihood of these working families, who depend on their tobacco crops to pay for their farms, their homes and their children's education.

But this excise tax increase issue is not confined to states with tobacco farmers. It has a negative impact no matter what your opinion is on the use of tobacco products. This huge tax increase in all states falls most heavily on those least able to afford it.

Who will pay these new regressive excise taxes? Working families who earn $30,000 or less will pick up nearly half the tab, even though they account for just 16 percent of total national family income. According to the Federal Trade Commission, legal adults purchase 98 percent of all cigarettes. New regressive taxes on these adult products are not acceptable in this budget.

This administration has stated it wants to help bring prosperity back to the family farm.

So do I. But I do not understand how taxing our family farmers out of business will achieve this goal. I urge all of my colleagues to join with me and oppose all attempts by this administration to finance its big-government budget on the backs of tobacco farmers and other working families.

Mr. CROWLEY. Mr. Chairman, I rise in strong opposition to the Republican's budget resolution. I am truly disappointed that the Majority has not put forth a more reasonable, workable proposal that could garner true bipartisan support.

Mr. Chairman, at a time when this Congress has a unique opportunity to build upon the economic success of recent years under the leadership of President Clinton, we are presented with a document that is political in its origin and regressive in its policies. At this crucial juncture in our Nation's history, we are being asked to look backwards, not forward. Rather than working together to develop and implement an economic policy for the new millennium, we are presented with a back room, cut-and-paste deal that simply can not deliver on its promises and would set us on a course which can only result in further escalating the astronomical national debt run-up during the 1980s.

Mr. Chairman, we have been down this road before and it is a dead-end. We cannot afford to take this route again.

Mr. Chairman, we should be working together to set our Nation's economic policy on a path that will ensure continued surpluses while saving Social Security, strengthening Medicare, and paying-down our debt. We have the ability to achieve a balanced budget for years to come, while still providing for the needs of our country—education, health care, and Social Security. We should not, indeed, must not, pass-up this once in a lifetime opportunity to establish a sound and lasting budgetary policy.

Unfortunately, the document before us today falls far short of these worthwhile and obtainable goals. The proposal borders on being reckless in its approach to our budgetary needs and disingenuous in its promises. Indeed, some have even referred to this measure as the ''meat ax'' approach to budgeting.

Mr. Chairman, we are presented with unrealistic spending levels, under-funding almost every major program in order to once again provide tax relief for the most well-off in our society. I seriously doubt that many of my colleagues on the other side of the aisle realistically believe that the requirements of this proposal can be met.

Under the Republican plan, Medicare and Social Security are left unprotected. We all know that Medicare will become insolvent in 2008 and Social Security will become insolvent in 2032, if this Congress does not enact meaningful, sensible reform in the near future. This budget proposal fails to address this looming problem and seriously weakens our ability to face the economic challenges of the next century.

At a time when we should be moving forward, looking to the future, this proposal hearkens back to the days of isolationism and poor houses. I ask my friends in the Majority, where is their oft-touted commitment to the war on drugs, to fighting crime and making our streets safe, to education, to health care, to the environment and our natural resources, to science and technology, to our men and women in the armed services, and to the so many other vital programs which seek to take care of the less fortunate and ensure a better life for the American middle class? Where is their commitment to a balanced budget and paying-down the debt?

Mr. Chairman, under the very able leadership of Ranking Member SPRATT, the Democrats want to keep prosperity on track and protect the American family. Our plan would preserve 62 percent of the total estimated budget surplus for Social Security, ensuring the Social Security Trust Fund remains solvent for many decades to come. Our plan also transfer 15 percent of these surpluses to shoring-up Medicare, extending its solvency for at least a decade to grant us the time we will need to develop and implement a bipartisan fix for this valuable social program.

Education, one of the most crucial underpinnings of our great country is barely paid lip-service under this proposal. Many of my colleagues may ask why the Federal Government needs to become involved in school renovation and construction issues, which are historically local concerns. The simple answer is that the problem has grown so large that localities and States alone do not have the resources or the programs to address their overwhelming needs. For instance, a recent survey by the Division of School Facilities in New York City concluded that, in my district alone, 19 new schools were needed to alleviate overcrowding. Additionally, to bring schools in the Seventh Congressional District of New York up to standards deemed ''fair'' by school facilities' engineers, New York City would have to fund $218.65 million in exterior modernization projects and $53.18 million in interior modernization projects.

Mr. Chairman, this budget does not ring true. It has a harsh sound that is indicative of it being out of tune with our current economic conditions and good government. I urge my colleagues to vote against this proposal. If you support the working men and women of this country, if you support our Nation's children, you must oppose this budget resolution and support the Democratic alternative.

Ms. PELOSI. Mr. Chairman, our Federal budget should be a statement of our national values. How we spend our money should reflect what is important to us. The budget should address our current needs and capitalize on opportunities in the future.

The budget should recognize the strength of our country, not only in terms of our military might, but also measure our strength in terms of the health, education, and well-being of American families.

I cannot think of two better measures of a budget than its attention to educating our children and improving the health status of all Americans. This budget turns away from both these urgent priorities, putting tax cuts ahead of all else.

The preschool education program Head Start is one example. Head Start is one of our success stories. It offers early education and nutrition services to lower income children and it has been proven effective. Within 10 years, this budget would decimate Head Start, cutting funding by nearly one-third. One hundred thousand low-income children would lose Head Start services.

The Republican budget chooses a tax cut over Head Start funding.

In the area of health, the Republican budget is just as short-sighted. This country faces many challenges in health care. Forty-four million Americans are living without health insurance. And at the same time, we face tremendous opportunities to improve and extend lives with health research. It is our obligation to act on these challenges and opportunities. This Republican budget turns away from them.

The budget proposal cuts discretionary health spending by 31 percent over 10 years without spelling out what will be cut. Will it be health promotion at the Centers for Disease Control? Health care for the uninsured at the Health Resources and Services Administration? Health research at the National Institutes of Health? The answer is that all these vital areas would suffer under the Republican budget, and that would have a direct impact on the health status of people across the country.

This budget also ignores Medicare, calling for unspecified Medicare ''reforms,'' and proposing no tangible resources to shore up the health care program on which tens of millions of seniors depend.

The Republican budget chooses a tax cut over health care and health research. This Republican budget is dangerously out of step with our values. It is short-sighted and it makes its biggest cuts where the poor will feel them most directly. I urge my colleagues to oppose the Republican budget resolution.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the amendment printed in part 1 of House Report 106–77 is adopted and the concurrent resolution, as amended, is considered as having been read for amendment under the 5-minute rule.

The text of House Concurrent Resolution 68, as amended by the amendment printed in part 1 of House Report 106–77, is as 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 CONGRESS.—It is the sense of 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.

(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 amount 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 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 CONGRESS.—It is the sense of 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 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 CONGRESS.—It is the sense of 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 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 CONGRESS ON IMPROVING ACCESS TO HEALTH CARE INSURANCE.—It is the sense of 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 CONGRESS ON ACCESS TO HOME HEALTH CARE.—It is the sense of 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 CONGRESS ON PROVIDING HONOR GUARD SERVICES FOR VETERANS' FUNERALS.

It is the sense of 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 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 CONGRESS.—It is the sense of 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.

The CHAIRMAN. No further amendment is in order except the amendments printed in part 2 of that report. Each amendment may be offered only in the order printed in the report, may be offered only by the Member designated in the report, shall be considered read, shall be debatable for 40 minutes, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

After conclusion of consideration of the concurrent resolution for amendment, there shall be a final period of general debate which shall not exceed 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

It is now in order to consider amendment No. 1 printed in part 2 of House Report 106–77.

AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 1 in the nature of a substitute printed in part 2 of House Report 106–77 offered by Mr. Coburn:

Strike all after the resolving clause and insert the following:

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 2004 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2000 through 2004:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,406,000,000,000.
Fiscal year 2001: $1,445,300,000,000.
Fiscal year 2002: $1,507,900,000,000.
Fiscal year 2003: $1,562,800,000,000.
Fiscal year 2004: $1,631,800,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $11,000,000,000.
Fiscal year 2001: $10,600,000,000.
Fiscal year 2002: $10,600,000,000.
Fiscal year 2003: $10,000,000,000.
Fiscal year 2004: $9,500,000,000.

(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: $1,549,400,000,000.
Fiscal year 2001: $1,588,700,000,000.
Fiscal year 2002: $1,648,100,000,000.
Fiscal year 2003: $1,717,900,000,000.
Fiscal year 2004: $1,798,500,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,535,200,000,000.
Fiscal year 2001: $1,564,800,000,000.
Fiscal year 2002: $1,634,600,000,000.
Fiscal year 2003: $1,702,000,000,000.
Fiscal year 2004: $1,780,600,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2000: $129,200,000,000.
Fiscal year 2001: $119,500,000,000.
Fiscal year 2002: $126,700,000,000.
Fiscal year 2003: $139,200,000,000.
Fiscal year 2004: $148,800,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,778,400,000,000.
Fiscal year 2001: $5,999,300,000,000.
Fiscal year 2002: $6,242,400,000,000.
Fiscal year 2003: $6,497,800,000,000.
Fiscal year 2004: $6,764,500,000,000.

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 2004 for each major functional category are:

(1) National Defense (050):
Fiscal year 2000:
(A) New budget authority, $280,500,000,000.
(B) Outlays, $283,300,000,000.
Fiscal year 2001:
(A) New budget authority, $300,200,000,000.
(B) Outlays, $285,000,000,000.
Fiscal year 2002:
(A) New budget authority, $302,000,000,000.
(B) Outlays, $293,700,000,000.
Fiscal year 2003:
(A) New budget authority, $312,400,000,000.
(B) Outlays, $303,800,000,000.
Fiscal year 2004:
(A) New budget authority, $321,200,000,000.
(B) Outlays, $313,800,000,000.

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $16,100,000,000.
(B) Outlays, $16,700,000,000.
Fiscal year 2001:
(A) New budget authority, $16,400,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2002:
(A) New budget authority, $15,500,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2003:
(A) New budget authority, $17,400,000,000.
(B) Outlays, $17,400,000,000.
Fiscal year 2004:
(A) New budget authority, $18,600,000,000.
(B) Outlays, $17,600,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $19,300,000,000.
(B) Outlays, $18,800,000,000.
Fiscal year 2001:
(A) New budget authority, $19,500,000,000.
(B) Outlays, $19,100,000,000.
Fiscal year 2002:
(A) New budget authority, $19,400,000,000.
(B) Outlays, $19,300,000,000.
Fiscal year 2003:
(A) New budget authority, $19,400,000,000.
(B) Outlays, $19,100,000,000.
Fiscal year 2004:
(A) New budget authority, $19,400,000,000.
(B) Outlays, $19,200,000,000.

(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $1,200,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2001:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $−600,000,000.
Fiscal year 2002:
(A) New budget authority, $1,100,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2003:
(A) New budget authority, $1,100,000,000.
(B) Outlays, $0.
Fiscal year 2004:
(A) New budget authority, $800,000,000.
(B) Outlays, $−200,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $24,600,000,000.
(B) Outlays, $24,100,000,000.
Fiscal year 2001:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $24,200,000,000.
Fiscal year 2002:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $24,000,000,000.
Fiscal year 2003:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $24,100,000,000.
Fiscal year 2004:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $24,000,000,000.

(6) Agriculture (350):
Fiscal year 2000:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $13,600,000,000.
Fiscal year 2001:
(A) New budget authority, $13,000,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2002:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $9,500,000,000.
Fiscal year 2003:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $9,800,000,000.
Fiscal year 2004:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,000,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $11,100,000,000.
(B) Outlays, $5,800,000,000.
Fiscal year 2001:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $6,900,000,000.
Fiscal year 2002:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2003:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $11,900,000,000.
Fiscal year 2004:
(A) New budget authority, $15,000,000,000.
(B) Outlays, $11,500,000,000.

(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $54,200,000,000.
(B) Outlays, $48,100,000,000.
Fiscal year 2001:
(A) New budget authority, $545,500,000,000.
(B) Outlays, $50,400,000,000.
Fiscal year 2002:
(A) New budget authority, $55,600,000,000
(B) Outlays, $50,700,000,000.
Fiscal year 2003:
(A) New budget authority, $57,800,000,000.
(B) Outlays, $52,700,000,000.
Fiscal year 2004:
(A) New budget authority, $59,000,000,000.
(B) Outlays, $53,800,000,000.

(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $11,900,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2001:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2002:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2003:
(A) New budget authority, $9,200,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2004:
(A) New budget authority, $9,200,000,000.
(B) Outlays, $9,700,000,000.

(10) Elementary and Secondary Education, and Vocational Education (501):
Fiscal year 2000:
(A) New budget authority, $20,800,000,000.
(B) Outlays, $20,000,000,000.
Fiscal year 2001:
(A) New budget authority, $22,700,000,000.
(B) Outlays, $21,900,000,000.
Fiscal year 2002:
(A) New budget authority, $22,700,000,000.
(B) Outlays, $22,700,000,000.
Fiscal year 2003:
(A) New budget authority, $22,700,000,000.
(B) Outlays, $22,800,000,000.
Fiscal year 2004:
(A) New budget authority, $22,700,000,000.
(B) Outlays, $22,800,000,000.

(11) Higher Education, Training, Employment, and Social Services (500, except for 501):
Fiscal year 2000:
(A) New budget authority, $46,600,000,000.
(B) Outlays, $44,300,000,000.
Fiscal year 2001:
(A) New budget authority, $46,600,000,000.
(B) Outlays, $46,800,000,000.
Fiscal year 2002:

(A) New budget authority, $46,200,000,000.
(B) Outlays, $46,400,000,000.
Fiscal year 2003:
(A) New budget authority, $47,700,000,000.
(B) Outlays, $47,700,000,000.
Fiscal year 2004:
(A) New budget authority, $48,100,000,000.
(B) Outlays, $47,700,000,000.
(12) Health (550):
Fiscal year 2000:
(A) New budget authority, $157,700,000,000.
(B) Outlays, $153,600,000,000.
Fiscal year 2001:
(A) New budget authority, $166,800,000,000.
(B) Outlays, $165,400,000,000.
Fiscal year 2002:
(A) New budget authority, $176,300,000,000.
(B) Outlays, $177,200,000,000.
Fiscal year 2003:
(A) New budget authority, $188,400,000,000.
(B) Outlays, $189,400,000,000.
Fiscal year 2004:
(A) New budget authority, $202,000,000,000.
(B) Outlays, $202,800,000,000.
(13) Medicare (570):
Fiscal year 2000:
(A) New budget authority, $207,300,000,000.
(B) Outlays, $207,300,000,000.
Fiscal year 2001:
(A) New budget authority, $220,000,000,000.
(B) Outlays, $220,100,000,000.
Fiscal year 2002:
(A) New budget authority, $228,800,000,000.
(B) Outlays, $228,400,000,000.
Fiscal year 2003:
(A) New budget authority, $248,900,000,000.
(B) Outlays, $249,000,000,000.
Fiscal year 2004:
(A) New budget authority, $266,700,000,000.
(B) Outlays, $266,900,000,000.
(14) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $256,600,000,000.
(B) Outlays, $259,000,000,000.
Fiscal year 2001:
(A) New budget authority, $268,800,000,000.
(B) Outlays, $271,800,000,000.
Fiscal year 2002:
(A) New budget authority, $282,100,000,000.
(B) Outlays, $285,300,000,000.
Fiscal year 2003:
(A) New budget authority, $291,100,000,000.
(B) Outlays, $295,100,000,000.
Fiscal year 2004:
(A) New budget authority, $301,700,000,000.
(B) Outlays, $304,000,000,000.
(15) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $99,000,000,000.
(B) Outlays, $99,100,000,000.
Fiscal year 2001:
(A) New budget authority, $84,900,000,000.
(B) Outlays, $84,800,000,000.
Fiscal year 2002:
(A) New budget authority, $107,200,000,000.
(B) Outlays, $107,200,000,000.
Fiscal year 2003:
(A) New budget authority, $106,700,000,000.
(B) Outlays, $106,600,000,000.
Fiscal year 2004:
(A) New budget authority, $126,000,000,000.
(B) Outlays, $126,000,000,000.
(16) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $43,800,000,000.
(B) Outlays, $43,900,000,000.
Fiscal year 2001:
(A) New budget authority, $44,400,000,000.
(B) Outlays, $44,900,000,000.
Fiscal year 2002:
(A) New budget authority, $45,000,000,000.
(B) Outlays, $45,300,000,000.
Fiscal year 2003:
(A) New budget authority, $45,500,000,000.
(B) Outlays, $45,900,000,000.
Fiscal year 2004:
(A) New budget authority, $45,900,000,000.
(B) Outlays, $46,300,000,000.
(17) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $26,600,000,000.
(B) Outlays, $26,600,000,000.
Fiscal year 2001:
(A) New budget authority, $27,000,000,000.
(B) Outlays, $27,200,000,000.
Fiscal year 2002:
(A) New budget authority, $27,200,000,000.
(B) Outlays, $27,100,000,000.
Fiscal year 2003:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $27,000,000,000.
Fiscal year 2004:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $27,000,000,000.
(18) General Government (800):
Fiscal year 2000:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $14,900,000,000.
Fiscal year 2001:
(A) New budget authority, $14,600,000,000.
(B) Outlays, $14,700,000,000.
Fiscal year 2002:
(A) New budget authority, $14,300,000,000.
(B) Outlays, $14,400,000,000.
Fiscal year 2003:
(A) New budget authority, $14,400,000,000.
(B) Outlays, $14,300,000,000.
Fiscal year 2004:
(A) New budget authority, $14,400,000,000.
(B) Outlays, $14,400,000,000.
(19) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $278,100,000,000.
(B) Outlays, $278,100,000,000.
Fiscal year 2001:
(A) New budget authority, $279,500,000,000.
(B) Outlays, $279,500,000,000.
Fiscal year 2002:
(A) New budget authority, $282,000,000,000.
(B) Outlays, $282,000,000,000.
Fiscal year 2003:
(A) New budget authority, $286,400,000,000.
(B) Outlays, $286,400,000,000.
Fiscal year 2004:
(A) New budget authority, $291,900,000,000.
(B) Outlays, $291,900,000,000.
(20) Allowances (920):
Fiscal year 2000:
(A) New budget authority, $0.
(B) Outlays, $1,400,000,000.
Fiscal year 2001:
(A) New budget authority, $3,000,000,000.
(B) Outlays, $2,300,000,000.
Fiscal year 2002:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2003:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $7,000,000,000.
Fiscal year 2004:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $9,900,000,000.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, $−35,000,000,000.
(B) Outlays, $−35,000,000,000.
Fiscal year 2001:
(A) New budget authority, $−39,400,000,000.
(B) Outlays, $−39,400,000,000.
Fiscal year 2002:
(A) New budget authority, $−43,100,000,000.
(B) Outlays, $−43,100,000,000.
Fiscal year 2003:
(A) New budget authority, $−38,200,000,000.
(B) Outlays, $−38,200,000,000.
Fiscal year 2004:
(A) New budget authority, $−38,500,000,000.
(B) Outlays, $−38,500,000,000.

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 for that committee is not less than: $1,406,000,000,000 in revenues for fiscal year 2000 and $7,553,900,000,000 in revenues for fiscal years 2000 through 2004.

PARLIAMENTARY INQUIRY

Mr. SPRATT. Mr. Chairman, I rise to raise a parliamentary point of order.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SPRATT. Mr. Chairman, do the rules of the House require that an offeror of the amendment be a supporter and proponent of the amendment that he offers and proposes to the House?

The CHAIRMAN. House Resolution 131 explicitly makes it in order for the gentleman from Oklahoma to offer this amendment. The Chair does not assess the attitude of the gentleman from Oklahoma toward the proposition.

Mr. SPRATT. Would it be in order to ask if the gentleman does indeed support this, or if he is offering it for dilatory purposes?

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. COBURN. To speak in favor of my amendment, Mr. Chairman.

The CHAIRMAN. Pursuant to the rule, the gentleman from Oklahoma (Mr. COBURN) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the reason I am offering this amendment is because millions of dollars and nearly 1,000 people in the executive branch spent time preparing this budget. The President spoke in his State of the Union speech. He outlined the plans that he would submit.

The reason I am offering this budget is because it is fair to the President to debate his issues. It is ironic that nobody from his party would submit his budget.

There is no question I have great disagreements with many aspects of the budget, but the American people deserve to hear his budget outlined as scored by the CBO, as every other budget that will be presented on this floor, and what it actually says, because it is my contention that the budget that is presented does not go along with what the President said in his State of the Union speech. I hope through this discussion and with the ranking member of the Committee on the Budget, that we will find out where that is.

There is no intention to deceive anybody. It is an honest and sincere desire to make sure that this budget is considered. But I think it is also implicit on us to use the same scoring mechanisms, assuming all the assumptions in his budget, that we would do that.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from South Carolina (Mr. SPRATT) is recognized for 20 minutes in opposition to the amendment.

PARLIAMENTARY INQUIRY.

Mr. NUSSLE. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. Would the gentleman from Iowa (Mr. NUSSLE) state his parliamentary inquiry?

Mr. NUSSLE. Yes. Is the gentleman who has claimed the time in opposition to this amendment opposed to the amendment?

The CHAIRMAN. The Chair has already established that he is in opposition to the amendment. He is entitled to 20 minutes of debate.

The gentleman from South Carolina (Mr. SPRATT) is recognized.

Mr. SPRATT. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I would first like to say that we have a letter from Jacob J. Lew, director of the Office of Management and Budget, saying that he is informed that the gentleman from Oklahoma (Mr. COBURN) will be offering a substitute to the budget resolution today.

This amendment is being characterized as the President's budget. The Administration has not been consulted in the development of this amendment. It is our understanding that it is based on a set of assumptions that is quite different from those presented in the President's budget. Therefore, we do not support the amendment.

While we are talking about the President's budget, though, and drawing comparisons and contrasts, let me take just a minute to point out a very significant difference between the Republican budget and the President's budget.

The President sent up early this year a request to increase defense by $84 billion over the next 6 years, $68 billion of which would fall in the next 5 years. As Members can see, the President has proposed a pretty robust defense budget starting this year and continuing through the 10-year time frame of the budget to the point where it reaches nearly $385 billion.

Let me point out two factors in the Republican budget which really work against the claim, undercut the claim, that their budget is supportive of national defense.

First of all, in the first 5 years of their budget they offer $29 billion more than the President, $29.6 billion in budget authority. Members can only use budget authority, as the gentleman from Washington (Mr. DICKS) earlier said, if it has outlays to back it up. Outlays are money we can spend.

In giving spending authority to the Pentagon, their budget in the first 5 years matches the $30 billion increase in defense spending budget authority. With only $5.2 billion, only one-sixth of the money they are putting up can actually be used in this period of time. So in the first 5 years, while they sort of beat their breast and say, look what we are doing for defense over and above the President, in truth, they pull this punch by not providing the outlays to back it up.

In the second period of time this chart very graphically shows what happens to their defense budget and where they put their preferences. Because in the year 2004 their defense budget peaks, and thereafter it is the black line on this chart, it is flat as a pancake. It never increases in the next 5 years more than $1 billion.

What is wrong with that? That is the period when the procurement holiday is over. That is the period when the F–22 and the V–22 and the joint strike fighter and missile defense and everything else is going to be procured. That is when we need the money more than ever.

What happens in the Republican budget? It bottoms out. Why does it bottom out? Because when they were forced to choose between national defense and tax cuts, they opted clearly for tax cuts, so much so that they plotted an out year budget that is totally unrealistic.

I asked the gentleman from Texas (Mr. ARMEY) on the floor the other day, when he came to speak in support of missile defense, how in the world was he going to pay for it? Because that is the time frame when he would be deploying missile defense, putting the satellites in space, the ground interceptors in place.

He said, I can say that our numbers are real. That is the thing that worries me, this is a real number. Their tax cut will make impossible any increase in defense in those years to do the things they say and purport they want to do for national defense. Their budget is a disaster for national defense compared to the President's budget.

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our staff was in contact with one Elizabeth Gore and outlined our plans. She had no objections to the assumptions that we made on that.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I think it is important that we have this debate. As the gentleman from Oklahoma mentioned, the President and his team spent literally $1 million putting their budget together. I think it deserves careful consideration by the Members of this body.

□ 1530

First of all, I want to point out a chart we have used all day, and I think it is important because there are clear distinctions and differences between our plan and the President's plan.

We believe that every penny of Social Security taxes should go only for Social Security. There is a difference there between us and the President. If my colleagues look at the difference in the plan, and again these are not our numbers, these are from the Congressional Budget Office, we secure $1.8 trillion for Medicare and Social Security over the next 10 years. The President is somewhere in the neighborhood of $1.65 trillion.

I want to give some credit to the gentleman from South Carolina (Mr. SPRATT), the Democrats and the Blue Dog budget. In fact, in some respects, we should feel honored because, in many respects, their budget looks a lot more like our budget than it does the President's budget.

But one of the biggest differences between the various budget plans that are being offered here today is we believe that, once we have saved Social Security, once we have said that every penny of Social Security taxes will only go for Social Security, and then, secondly, we say we are going to live by the spending caps that we and the White House agreed to. I was there for the bill signing, and I think the gentleman from South Carolina (Mr. SPRATT) was there as well. It was a glorious day out on the White House lawn. We said we are going to live by these spending caps, and we are going to keep our word even if the President does not.

The President has in his budget exceeded the spending caps by about $30 billion. Again, to the credit of the gentleman from South Carolina (Mr. SPRATT) and the Blue Dogs, I think they do a better job of living by those spending caps.

But I think the biggest difference between our budget, the Blue Dog budget, and more importantly the President's budget is the President imposes about $45.8 billion, depending on whose scoring we use, but over the next 5 years, we are looking somewhere in the neighborhood of $46 billion in new taxes.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on Budget, for doing a yeoman's job today.

Mr. Chairman, the Coburn alternative is a sham, and the Republican budget is a failure. It fails our future retirees, it fails our veterans, it fails our families, and it fails our children and their education.

The Republican budget increases military spending, yet fails to itemize

veterans' pay and retirement benefits and at the same time cuts funding for Head Start and after-school programs.

What is worse, now the Republicans are failing to use the projected $2.8 trillion surplus to extend the solvency of Social Security by even one day. Instead, the Republicans' plan gambles with the guarantee we have made to our seniors, our women, and our families by proposing tax cuts for the wealthiest in the Nation.

Do not forget, the Republican budget fails to use one red cent for Medicare, which benefits mainly the middle income folks and retirees in this Nation.

A responsible budget will save Social Security and Medicare, invest in our children and their education, support our veterans and our farmers, and give targeted tax relief to working Americans. The Republican budget fails in all of these areas and must be defeated.

Vote against the Coburn amendment. Vote against the Republican budget. Vote for the Democratic alternative.

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just make mention of the fact that, in this budget, there are no specific targeted tax cuts for anyone. To continue to speak on this House floor about tax cuts for rich people, which is not our intention in the first place, but to say that is erroneous.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, the Constitution was established to provide for the common defense. However, at a time when the threat of rogue nations with nuclear weapons remain strong and the administration has ordered an unprecedented number of deployments, our troops and military are not as well equipped or as well provided for as yesterday.

Consider: For the first time in decades, we are failing to meet recruitment goals. For example, in 1998, the Navy missed its recruiting goals by 12 percent. Additionally, there is a 13½ percent wage gap between civilian and military pay. In fact, many military families need the assistance of food stamps just to survive.

My colleagues may be pondering this weakened state of U.S. military forces and feel alarmed about our current level of national security, but there is hope. The same President who has overseen this tremendous decline in our military has proposed a solution to undo the devastation.

First, the President proposes defense spending over the next 6 years, which is as much as $70 billion below the Defense Chiefs' requirements to maintain our current level of national security.

Second, the President realizes that the U.S. House, which declared that the U.S. should deploy a national missile defense system to protect our Nation and troops, is mistaken. That must be why he would rescind $230 million in funding for the development of a national missile defense.

To improve the financial condition of our military families, the President has slashed military construction funding, including money for military family housing, by $3.1 billion.

For those of my colleagues who desire to improve national security by inadequately funding our armed services, by stealing pledged funds from our national missile defense program, and by severely reducing construction for our military and its families, I urge their support for the Clinton-Gore budget.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Chairman, I thank the gentleman from South Carolina for yielding me this time.

There has been a lot of complaints about the President's budget and how it treats the National Institutes of Health. As members of the committee know, I have been the author in the past of an amendment to double the size of our commitment to medical research through the National Institutes of Health. In fact, the committee defeated the amendment last year. They defeated it this year. In fact, the Republican controlled committee at one point, and the Republican House, wanted to cut the NIH by 5 percent.

Let us talk about the Republican budget that is before us today. If my colleagues look at what they have in the health function, they tell us in the very little detail they give us about their budget that they are going to double the size of the National Institutes of Health, but they actually cut the level below the baseline in the health function, which means that we are going to have to choose between community health centers, between WIC, Women and Infant Children programs. We are going to have to decide between nutrition programs and the NIH.

That is the problem with the Republican budget. They do not tell us where the cuts come from. They lock in $1 trillion tax cut on surpluses that we do not know whether they are going to come true or not. They bust the caps because they know that $28 billion in nondefense discretionary cuts they want to make just are not there. That is the problem with the budget.

So we can engage in theatrics today of writing up a budget that is not going to be given any real consideration because we do not want to look at the truth behind the majority's budget.

At the end of the day, we all know sometime in August or September or October we will get down to business and write a real budget. But a two-page budget like that that was put before the Committee on Budget with no detail, and the chairman, a good friend of mine, saying my Members do not want to talk about where we are going to make the cuts right now, is not a real budget.

The Republicans' budget is not a real budget. It does not increase NIH. If we were to follow this budget, we would be cutting community health centers, we would be cutting WIC, nutrition, all those programs that a bipartisan majority of Members of this body have supported in the past.

We can engage in theatrics, but at the end of the day, we are going to have to write a real budget like the Democratic budget.

Mr. COBURN. Mr. Chairman, may I inquire as to the time remaining on both sides?

The CHAIRMAN. The gentleman from Oklahoma (Mr. COBURN) has 14 minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 12 minutes remaining.

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to make a note that, last year, NIH was increased 14.5 percent in our budget. I would also like to make a note that WIC is not in the category that the gentleman from Texas (Mr. BENTSEN) just referred to and is not at risk at all under this budget.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I find there is much to disagree with in the Clinton budget, but I want to focus on two areas just in the 60 seconds that I have.

First of all, when the President's budget came before the Committee on Veterans' Affairs of which I serve and I am chairman of the Subcommittee on Health, the gentleman from Illinois (Mr. EVANS), the ranking member, said it was a pack of cards, house of cards. He recognized as well as all of the Republicans and Democrats that basically it was underfunded.

The second point is that, not only was it underfunded, but the whole budget process in terms of where they thought they would get the money to pay for the items they were talking about was not really there. Smoke and mirrors.

So the Republicans on the Committee on Veterans' Affairs supported increasing the amount of money for veterans, and we proposed an almost $2 billion increase. The Democrats on this side said they want to do $3 billion. We thought it out, and we decided that the compromise was $2 billion. We put forth that, and we passed it out of our committee. It passed with bipartisan support. There were about four Democrats who voted for the Republican position.

So I think the gentleman from Arizona (Chairman STUMP) and others were courageous in their attempt to increase the veterans budget, and I am glad we did.

Mr. Chairman. I want to compliment my colleague from Ohio, Chairman KASICH, for bringing his FY 2000 budget resolution to the floor today.

Thomas Jefferson stated:

The same prudence which in private life would forbid our paying our own money for unexplained projects, forbids it in the dispensation of the public money.

These words still hold today.

I support the Kasich budget because it does what I believe needs to be done. It establishes a "safe deposit box" so that Social Security funds cannot be raided, it provides for debt reduction, controls spending while increasing defense spending, and provides much-needed tax relief. Furthermore, it increases funding for education and provides an increase of more than 1 billion for veterans health care over the President's budget.

I am troubled by the President's FY 2000 budget because it would increase domestic spending by $200 billion, increase taxes by over $100 billion, it would create 120 new government programs, and it would break the spending caps put in place in the Balanced Budget Act of 1997. Ironically, the President, who talks a good game when it comes to education, has proposed cutting special education (title VI block grants) by $375 million.

Mr. Chairman, I believe that passage of the President's budget would erode all the hard work and effort it has taken to cut wasteful spending and reduce the size of government.

While I find there is much to disagree with in the President's budget, I want to focus on two areas in his proposal that I find particularly intolerable.

As a veteran I find the administration's budget to be short of support for our Nation's men and women who served their country in time of need.

The President's budget is a mockery and I believe that he must be held accountable for sending us such a woefully inadequate VA budget, especially as it relates to VA medical care.

As chairman of the Veterans Subcommittee on Health, I know all too well how difficult it is to meet the health care needs of our Nation's veterans. In fact, when VA Secretary Togo West presented the administration's budget, I suggested that he might want to resubmit a new one because the one he was submitting seeks no funding increase for VA medical care above the 1999 baseline level. That makes our job even more difficult.

The President's budget doesn't address how the VA will find the money to pay for fixed cost increases of $870 million for inflation and salaries, at least $135 million in new costs for hepatitis, and estimated $250 million to meet emergency care obligations, increased medication and prosthetics of $150 million, and a shortfall of $100 million in medical collections. I have long believed that these third party payer collections should be a supplement to and not instead of guaranteed health care dollars.

The other area of concern I have is with how the President deals with Social Security. During the last election we heard a lot about saving Social Security. The President criticized Congress for not doing enough to save the Social Security program. He pledged to and I quote, "save Social Security first" and to dedicate 100 percent of the surplus for that purpose.

However, as is so often the case, what he says and what he does are sometimes at odds. The budget he presented to Congress uses not 100 percent of the surplus for Social Security. Not 90 percent, not 80 percent, not 70, but 60 percent of future surpluses would go to the trust fund. Now, Mr. President, which is it all of the surplus, 60 percent of the surplus, or will you change your mind again at some future date.

I don't think we should play politics with the budget, especially when it comes to our Nation's veterans and seniors. They made our country what it is today and I, for one believe we owe them a debt of gratitude. Smoke and mirrors to pay for your new programs is one thing, but breaking a pledge we made with these individuals is another.

I'm committed to making sure that our Nation's veterans and our seniors are treated with the dignity they deserve.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Chairman, I think we have to start off with a simple question; and that is, how do we get $778 billion worth of tax cuts if we do not have someplace to look at in the budget?

So I am reminded, probably back in 1995, that we are back at the same issue. We are hitting the very same people that lose every time; that is the veterans, that is the elderly, the children, and the disabled. The facts are there.

I just heard the gentleman from Florida (Mr. STEARNS). We are putting $3 billion in. They are adding $1 billion. But the fact of the matter is ours keeps the money in there, and theirs would actually cut veterans over the next 5 years.

I want to know what happened to the promise to our veterans. I simply cannot believe, also, that we are looking at low income women and children and the disabled. We are going to cut, and 1 million low-income women, infants and children would lose nutrition assistance. In Florida, we found that to be the most successful program to have healthy children.

We do welfare reform. These people have to have places to take their children. What happens? We are looking at the fact of cutting, and 50,000 low-income children will lose their child care assistance under the Child Care and Development Block Grant.

But here is one that absolutely I do not get. I spend half of my time in the district with people that come in to talk to me that are trying to apply for SSI. They want to cut administrative expenses. Let me tell my colleagues, it is taking 2, 3, 4 years for these folks already to get their claims done. These people are losing their homes. Their children cannot go to college. We ought not to be slashing administrative expenses in this area. We ought to be bolstering this area. Then on top of that, we are going to cut and reduce Meals On Wheels, congregate dining sites.

Then I just hope that my colleagues can go home and talk to their constituents about this budget.

Mr. COBURN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I would like to speak about a feature of the budget being offered by the Blue Dog Coalition and the budget that is being offered at this point by the majority.

The budget being offered by the majority, which is the President's budget, is using the Social Security surplus twice and claiming that this extends the life of the Social Security system to the year 2050. I am surprised that the majority would offer that type of a budget. I understand this is the President's budget. I must say that this is a point at which the Blue Dog Coalition disagrees with the President.

We feel that, if we are going to reform the Social Security system, it is incumbent upon us to do so on a forthright fashion, recognizing we have some very difficult decisions to make, and not assuming that we can extend the life of that system by simply giving it a pipeline into the general funds.

For this reason, we would like to urge that there be bipartisan support of the Blue Dog budget as opposed to the budget that is currently being advocated.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from South Carolina for yielding me this time, and I thank him for his outstanding leadership as we debate the budget.

This has been a very good debate because I think it highlights the differences between the two parties, and it gives the American people an opportunity to make some very fundamental choices.

On the one hand, the Democrats are saying that there are some very real and large problems in this country that need attention, problems like Social Security and extending the solvency of the Social Security program, problems like Medicare, extending solvency there, and problems like education, which needs our serious national attention.

On the other hand, the Republicans offer us the panacea of tax cuts, tax cuts that largely go to the wealthy. What happens in the Republican budget is this, the poor and the middle class count their tax breaks in terms of tens and hundreds. The wealthy count their tax breaks in terms of 10,000s.

These tax breaks that they talk about do not add to the solvency of Social Security by one day. They do not add to the solvency of Medicare by one

day, nor do they address any of the education problems we have in this country. These tax cuts do not give us a single teacher. They do not give us a single additional classroom.

□ 1545

POINT OF ORDER

Mr. SAM JOHNSON of Texas. Point of Order, Mr. Chairman.

The CHAIRMAN pro tempore (Mr. FOSSELLA). The gentleman will state his point of order.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I believe the speaker is off the subject at this time, and I do not believe that is proper.

The CHAIRMAN pro tempore. Will the gentleman repeat the point of order?

Mr. SAM JOHNSON of Texas. Sure. The gentleman is talking off subject.

The CHAIRMAN pro tempore. The gentleman from Maryland (Mr. WYNN) will speak to the amendment pending.

Mr. WYNN. Mr. Chairman, I am not sure I understand the objection. I think it is more the gentleman does not like what I am saying as opposed to the relevancy of what I am saying.

The CHAIRMAN pro tempore. The Chair will remind all Members that they will speak to the amendment pending.

Mr. WYNN. Mr. Chairman, could the Chair specify what is the objection of the gentleman to the statement I am making?

The CHAIRMAN pro tempore. The gentleman must maintain a nexus to the budget amendment pending and the President's budget overall.

Mr. WYNN. Mr. Chairman, the point I was making is that in the context of debate on national policy, there must be areas of comparison and contrast. I was attempting to establish a contrast between the Democratic approach and the Republican approach.

They have now brought up a straw man and claimed this is what they are advocating, when actually they wanted to use the President's budget as a vehicle upon which to punch, a vehicle that we Democrats are not talking about. We Democrats are talking about a specific vehicle which I am in fact addressing, a vehicle that addresses Medicare, Social Security and education.

Now, I do not see how that is not relevant, but I can see how it might be disturbing to my Republican colleagues. The point is we have an important opportunity today to make a choice: a Republican approach that wants to hit a straw man and produce tax benefits for the very wealthy; or a Democratic approach that is fundamentally sound and addresses the key problems of America today.

I think we ought to opt for the Democratic approach.

Mr. COBURN. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I would like to point out that the gentleman who just spoke said we are not talking about the Clinton-Gore, the President's, budget. Quite frankly, he candidly said we do not want to talk about the Clinton-Gore budget. In reality, this is the Clinton-Gore budget and it is, in fact, what we are offering at this time on the floor.

Our position is this deserves to be discussed and to be debated. Millions of dollars were spent to develop this budget. If the Democrats do not want to offer it, we want to offer it and at least have some discussion of what is in it. So I understand the gentleman's embarrassment about not wanting to talk about the President's budget, but the facts are the facts.

So let us talk about that budget. My colleague, the gentleman from Minnesota (Mr. MINGE), on the other side, pointed out that the President's budget double counts the Social Security surplus and actually spends that amount of money twice. Let us talk about what the Republican budget versus the Clinton-Gore budget does with Social Security.

We save, as my colleagues understand, I hope, by now, 100 percent of that surplus. Beyond that, the President, by contrast, as scored by CBO, spends $158 billion of that surplus. I do not know how anyone can tell the American people they are saving it when they are spending $158 billion of it.

The second point I want to make is that one of my colleagues who just spoke on the other side said, well, I think the Republicans are ultimately going to bury the budget caps, after all, I do not think they are really going to live within the budget that they proposed.

I simply want to make the point that he can speculate all he wants about the Republican budget. In point of fact, this chart right here shows quite clearly the Republican budget on the floor today does not break the budget cap. We entered into negotiations in 1997, and we set statutory spending caps. Our budget on the floor today does not break those caps.

So my colleagues can speculate, but the fact is the President's budget does break the caps by $31 billion.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, there is a good bit of rhetoric being spoken here today. I think our Republican friends would understandably like to do anything other than compare straightforwardly the Democratic alternative and the Republican alternative that are before us today.

The facts are that in at least five critical aspects the Democratic product is vastly superior, and I do not think really anyone has challenged that effectively today.

First, the Democratic alternative extends Social Security solvency until 2050 and Medicare solvency to 2020. The Republican budget does not extend that one day.

POINT OF ORDER

Mr. COBURN. Point of order, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. COBURN. I believe the discussion is to be focused on the amendment at hand. The amendment at hand is the President's budget.

The CHAIRMAN pro tempore. The Chair will remind Members that the President's budget is pending, however the President's budget extends to everything affecting the United States budget.

Mr. PRICE of North Carolina. Absolutely. Every item that I am addressing is touched on by all these budget proposals. Again, parliamentary maneuvers, anything to avoid a direct comparison of the Democratic and Republican alternatives that are before us.

The second point of comparison: Over 10 years the Democratic budget pays down $146 billion more in public debt than the Republican budget.

Third point of comparison, education. Over 5 years, $10 billion more in the Democratic alternative for education, making it possible to reduce class size, to bring on 100,000 new teachers; making it possible to get our children out of trailers. And I speak as someone from a district where thousands of children are going to school in hundreds of trailers. In low-income areas, in high-growth areas, we simply must give our children the modernized facilities, the good equipment they deserve.

The fourth area of difference, tax cuts. The Democratic budget provides for targeted tax cuts; long-term care tax credits, child care tax credits, research and experimentation tax credits, and tax credits to let local school authorities get ahead of the curve in issuing school bonds.

Fifth, Veterans and veterans' health care. We discussed that earlier today. The Republican budget makes a show of boosting veterans' health care, does it in the first year only, and then actually cuts, cuts, veterans' health care $400 million below the freeze level over the next 5 years.

We could go on and on. There is no question the Democratic budget is fiscally responsible. There is no question it is targeted at areas of urgent national needs. It is far superior to the majority proposal, and I urge its adoption.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair will acknowledge that the

amendment pending is the amendment offered by the gentleman from Oklahoma (Mr. COBURN), and in the future will refrain from characterizing it as the President's amendment.

Mr. COBURN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, it is clear the Democrat Members of this body do not want to talk about the President's budget proposal, because the President's budget proposal is the proposal to increase taxes on the American people.

POINT OF ORDER

Mr. SPRATT. Point of Order, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. SPRATT. The Chair just stated it should be referred to as the Coburn resolution rather than as the President's budget.

The CHAIRMAN pro tempore. The Members may debate the content of the amendment.

Mr. ARMEY. Mr. Chairman, it is no wonder that the proposal that is presented by the gentleman from Oklahoma (Mr. COBURN) that was presented to Congress on behalf of the White House——

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. ARMEY) will suspend for one moment, please.

The Chair will clarify his statement. The Chair will refrain from referring to the amendment of the gentleman from Oklahoma (Mr. COBURN) as the President's budget, however, the Members have every right to do so.

Mr. ARMEY. The President of the United States is proud to say that he is trying to set money aside for Social Security and Medicare and, yes, he does try, but he tries with some reservation because of his commitment to increase taxes and spending.

The fact is the Republicans set more money aside for Social Security and Medicare than the President does in his budget. After these funds are set aside, we discover that the American people will still, over the next decade, on average, pay over $5,000 in increased taxes beyond that which is necessary. We in the Republican Party believe we ought to give that money back to the people who earned it in the first place, but the President and the Democrats do not want to do that.

In fact, in a recent speech in Buffalo, President Clinton told us that we could, he says, ''We could give it all back to you and hope you might spend it right, but,'' but he does not believe the American people can do that. We, however, believe the President should understand that we can spend our own money that we earn wisely and that he should not take more than what is necessary. So, after we set aside more money for Social Security and for Medicare than the President does, we think we ought to have a tax reduction.

The President says let us raise taxes, 80 different taxes, for a net of $52 billion over 5 years. And then, on top of everything else, the President raises taxes on whom? As this chart shows, precisely on the least income-earning Americans in the country. That is to say, the President wants to build government so badly that he is willing to hold back part of the payroll taxes of our young working Americans, who pay for the retirement security of America's seniors, so the President can instead use it for new government programs. And, in addition to that, levy $52 billion worth of increased taxes on the poorest of these working Americans.

I must say, I must say, given this inability to in fact save Social Security taxes for Social Security, to in fact restrain the growth of government, in the face of all the liberal demands of his constituency, and to in fact cut taxes instead of raising them as he does, and indeed raising them on the poorest of Americans, given the President's inability to do something other than these compulsive things, it is no wonder my colleagues on the Democrat side of the aisle do not want to talk about the President's budget. I would not want to either.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman for yielding me this time.

I think my friend the majority leader is a little bit confused. The President has identified some revenue adjustments. The difference is the Republicans, through their Committee on the Budget Chair, admit that the Republicans are going to have them but they are not laying out what they are in terms of the offsets and the pre-increases.

I think, however, the more fundamental point is that they have it precisely wrong in terms of, unlike the President's proposal, they do not give tools to our communities to help them build more livable communities. Their budget fails to give the tools that communities need to help improve the quality of life, like the administration's budget does when it offers increased choices for citizens in areas of transportation, housing, regional planning, open space preservation, education and crime control. The Democratic alternative recognizes the importance of these initiatives.

The proposal from the Republicans would be a disaster, if there was any chance that it would ever be implemented. It siphons off nearly $1 trillion in tax cuts and pays for them with unnecessary and painful budget cuts, while ignoring key investments that are needed to make communities more liveable.

The good news is that it will not be adopted in this form, because even the Republicans have no intention of implementing it. The bad news is it is simply a license to avoid responsible budgeting.

I urge my colleagues to vote ''no'' and, instead, strive to produce a budget that promotes livable communities and fiscal stability.

Mr. COBURN. Mr. Chairman, may I inquire of the time on each side?

The CHAIRMAN pro tempore. The gentleman from Oklahoma (Mr. COBURN) has 8¼ minutes, and the gentleman from South Carolina (Mr. SPRATT) has 4½ minutes remaining.

Mr. COBURN. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, listening to my colleague talk about tools to build livable communities, I would point out in the Clinton-Gore budget some things they do for tools for livable communities.

The Clinton-Gore budget cuts State and local law enforcement assistance by $758 million. It reduces funding for State prison grants from $729 million to only $75 million.

□ 1600

It eliminates local law enforcement block grants. And here is a great one. On January 28, 1999, Vice President AL GORE announced the Department of Justice would provide $28 million to help law enforcement agencies hire more police officers, the Community Oriented Police Services, COPS. Three days later, on February 3, President Clinton's budget, the budget we are debating right now, cut funding for COPS by $155 million. It does not seem to me that that is going to create more livable communities.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I rise against the Coburn amendment.

It is very often in these debates we have a great number of charts and a great deal of interpretation on what we are going to call the budget and how we are going to contour its label. But, in fact, there are certain fundamental differences that I think all Americans are starting to see in this debate.

One is that the President and those of us on the Democratic side of the aisle believe that Medicare is an important Federal program that aids many seniors and it should be shored up, it should be expanded, and we should cover prescription drugs. That is what we believe. That is not what the opponents believe.

We believe that schools are important, education is important, teachers

are important, new construction for overcrowded schools. That is what we believe. This is what is in our value systems. That is what we believe the other side will not speak about because it is not what they believe.

We believe that it is important to pay down, to retire some of our Federal debt because every dollar that we pay into interest are dollars we cannot spend for all of the things that all of us here support, whether it be tax cuts, whether it be defense, whether it be education or anything else. These are fundamental dividing lines between us.

And they can hold up charts all they like, but we will never see the sponsors of this amendment talk about those three fundamental issues. It makes us wonder, do they not realize that these are the issues that motivate Americans?

Right now seniors pay more out of their own pocket than when the Medicare program was created in the 1960s, more today than at that time we declared a health care emergency. That is a shame and we should reverse that.

Mr. COBURN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think it is very important that the gentleman raised the Medicare issue. Because, in fact, the statements of the President in his State of the Union do not match the budget, and that is one of the reasons his budget needs to be compared to.

As a physician who cares for Medicare patients, let me tell my colleagues what the President's budget does for Medicare. It freezes inpatient hospital payments. That is the first thing it does. So what that is going to do is shift the cost for everybody that is not Medicare, raise their cost for health care. So it is an indirect tax on everybody else in the country.

The second thing it does is it reduces laboratory services payments. They are all making a ton of money. It reduces prices paid for durable medical equipment, which has already been reduced by about 50 percent over the last 5 years. It imposes $194 million next year, $970 million over 5 years, and $1.94 billion over 10 years in new user fees on Medicare.

We cannot get doctors to care for a lot of our Medicare patients. Now we are going to charge them something every year if they are going to be a Medicare provider. We now are having trouble getting HMO firms to give care under the Medicare Plus Choice Plan. He has a charge, a tax on everybody that is a provider in a Medicare Plus Choice Plan.

So as we go through the things that the President said he wants to help save Medicare, in fact it is very, very different from that.

There is a total cut of $3.3 billion in Medicare, according to the CBO, over the next 10 years. This next year $1 billion is cut from Medicare by President Clinton through these and other things. That is not to mention the reduction in drug payments. The whole Medicare Commission failed over the fight over prescription drug benefits. And yet in his budget that he submits, which I am submitting so we can debate it, he cuts the Medicare prescription benefit that is out there. He cuts the drug payment for cancer drugs to keep people alive that are on Medicare.

So it is important that we talk about what is really in the President's budget. I understand why it was not offered, but it is still very important that we discuss what is in the budget.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Let me simply make clear that that is not in our budget, not in the Spratt substitute.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I wonder why there is such a desire to discuss the President's budget when it is not before us. I know there is no merit. I gather there is great delight in discussing irrelevant things. I cannot imagine why we would do that.

Let me tell my colleagues why I support the Democrat alternative. The Democrat alternative stands up for families, stands up for children, stands up for seniors, stands up for rural communities. It indeed cuts taxes. But it does not do what the Republican budget does. Now that is before us. The Republican budget is before us, and it cuts taxes using the greatest amount of resources to give the least amount of benefit to taxes.

We target our tax cut to make sure that we respect child care needs, we respect long-term care in terms of needing health care for our seniors. All of those are part of our targeted tax reduction. What we do in our spending and what we do in our tax laws says a lot about who we are. Our priorities for spending, our tax policy says to the world what things are important.

I submit to my colleagues that the Republican budget says it does not care for children, it does not care for schoolchildren in the way that it should, it does not care for seniors in the way it proposes to do, it does not care for rural families in the way that they claim they do.

Indeed, my colleagues should support the Democrat alternative, which does what it says, and not discuss the President's budget, which is not relevant in this discussion.

Mr. COBURN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, what is amazing to me is that despite the record high taxes on the American people and unprecedented surpluses, what does the President's budget propose? More taxes, over $100 billion in new taxes and fees. And what does he propose to do with these new taxes? More big government programs and more spending.

Now, usually I try to illustrate my points with legible charts. But I am afraid that the only way I could fit all of the President's new taxes and fees and all of his new spending programs was to do it on these charts. I ask my colleagues to do the best they can to read them.

But the point is, how does the President pay for all of this new spending? He spends over $100 billion of the Social Security surplus during the next 5 years, eliminates or underfunds programs like special education and NIH research, reduces Medicare payments, and again proposes over $100 billion in new taxes and fees.

In conclusion, I just want to urge my colleagues to vote against the President's budget, vote against the new spending and new programs made possible by raiding Social Security and raising taxes.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. SABO) who wishes to rise and speak in support of the President's budget, who was the chairman of the Committee on the Budget when the Deficit Reduction Act of 1993 was passed which has brought us to this point.

The CHAIRMAN pro tempore (Mr. FOSSELLA). The gentleman from Minnesota (Mr. SABO) is recognized for 1½ minutes.

Mr. SABO. Mr. Chairman, I thank the ranking member for yielding me the time.

First let me say that I think the most irresponsible budget that I have ever seen on this House floor by a majority is what we have before us today.

Secondly, I am going to vote for this misinterpretation of the President's budget for one fundamental reason. I have differences with it and many things. He is over-optimistic about what we can do in the year 2000. The budgets that we have are unrealistic for dealing with any legitimate need. But the President did put forward before us a realistic proposal to deal with the funding of Social Security and Medicare.

His program adds significantly to the reserves of the Social Security trust fund. Yes, he does. He adds significantly to the reserves for Medicare. It does not solve the problems in total, but it is an important beginning step to deal with them.

The Republican proposal adds penny zero to the Social Security trust fund, adds penny zero to the Medicare trust fund.

The President is on the right track. And as a symbolic vote for the real leadership that he has provided, I will vote for this misinterpretation of his budget.

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just add that the GAO reports the President's proposal to strengthen the hospital insurance program is more perceived than real. In reality, nothing about the program has changed.

Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DEMINT).

Mr. DeMINT. Mr. Chairman, as a new Member of Congress, it is refreshing today to hear some honesty. I have heard the Members of the President's own party call his budget a straw dog that we are embarrassed to even talk about.

It is embarrassing when the President talks about saving Social Security yet continues to spend the Social Security Trust Fund. It is embarrassing when he talks about saving Medicare when he cuts the Medicare budget. It is embarrassing when he raises taxes and makes promises he cannot keep.

Now, I know this does not represent the values of my colleagues. It does not represent our values. We need to call this budget what it is. Vote it down and move on to some honest debate with their budget and ours on the table.

Mr. COBURN. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Oklahoma (Mr. COBURN) has 3¼ minutes remaining. The time of the gentleman from South Carolina (Mr. SPRATT) has expired.

Mr. COBURN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Chairman, it is easy to understand why most of my colleagues do not want to vote for this President's budget. As a veteran, I have looked at it. And the President flat-lines benefits for veterans. The Republican budget actually increases it by $1 billion.

Let me just tell my colleagues a few things. The President's budget busts the spending caps by $30 billion. We hold them. The President's budget raids Social Security money for more and more spending. Our budget protects Social Security and Medicare. The President's budget cuts $11 billion in Medicare, cuts the Republican budget. The Republican budget protects Medicare. The President's budget raises taxes by $172 billion.

To quote President Reagan, ''There they go again, spending more money.'' In fact, the President has said Congress should not even consider providing tax relief for 15 years. Let us not let that happen. Vote this budget down.

Mr. COBURN. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I thank the gentleman very much for yielding me this time.

We have a very hard time in agriculture today, and the fix that we need is some type of revenue insurance, some way of farmers insuring their risk. The Secretary of Agriculture came before our Subcommittee on Appropriations and said, ''We cannot do it on the cheap to fix this problem.''

Well, let us look at the President's budget. What does he have for crop insurance to fix the problem? A big fat goose egg. What does the Republican budget have in it? $6 billion to help our farmers. And also, in the President's budget, the livestock producers are going to have their taxes increased by $504 million right out of their hides.

Mr. COBURN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Oklahoma (Mr. COBURN) has 1¾ minutes remaining.

Mr. COBURN. Mr. Chairman, it is important that the President's proposals be put forward. It is important to contrast what was stated in the State of the Union with the actual numbers coming through in his budget. It is important for us to give his budget a comparison to the other budgets on this floor. It is important for us all to remember that, while he is saying he is saving Medicare, he cuts it $1 billion this year, $11 billion over the next 5 years. While it is important that he says he is saving Social Security, he spends all but 58 percent of it this next year and all but 62 percent of it the next 4 years.

Vice President GORE, in the Clinton-Gore budget, one of the things that he said in his book, and I quote from Earth and Balance, ''Look at the budget where we are borrowing a billion dollars every 24 hours and in the process endangering the future of our children. Yet nobody is doing anything about it.''

Well, I would propose to my colleagues that the Clinton-Gore budget does nothing about that, that in fact it increases the debt on our children $1.5 trillion between now and the year 2005.

□ 1615

It runs a budget deficit of $663 billion over the next 5 years. The budget of the majority runs a surplus.

If this vision for America is appealing to my colleagues, higher taxes, more debt for our grandchildren, stealing money from Social Security, cuts in Medicare, then I would encourage them to support my resolution which is the Clinton-Gore budget and vote for it. But if they want to begin easing the debt burden on our grandchildren, save 100 percent of the Social Security trust fund surplus and actually increase spending for Medicare, then I encourage them to oppose my amendment.

The CHAIRMAN pro tempore (Mr. FOSSELLA). The question is on the amendment in the nature of a substitute offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 2, noes 426, answered ''present'' 1, not voting 4, as follows:

[Roll No. 74]

AYES—2

Rush
Sabo

NOES—426

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach

Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (1NM)
Upton
Velázquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Filner

NOT VOTING—4

Burton
Owens
Pelosi
Stupak

□ 1635

Ms. HOOLEY of Oregon, and Messrs. METCALF, CLYBURN, COOKSEY and Mrs. NORTHUP changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BURTON of Indiana. Mr. Chairman, I was unavoidably detained for rollcall No. 74. Had I been present, I would have voted "no".

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in part 2 of House Report 106–77.

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MINGE

Mr. MINGE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 2 in the nature of a substitute printed in part 2 of House Report 106–77 offered by Mr. MINGE:

Strike all after the resolving clause and insert the following:

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 2004 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2000 through 2004:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,405,900,000,000.
Fiscal year 2001: $1,441,600,000,000.
Fiscal year 2002: $1,496,500,000,000.
Fiscal year 2003: $1,551,100,000,000.
Fiscal year 2004: $1,613,600,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: −$0.
Fiscal year 2001: −$3,900,000,000.
Fiscal year 2002: −$11,500,000,000.
Fiscal year 2003: −$11,900,000,000.
Fiscal year 2004: −$14,300,000,000.

(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: $1,418,785,000,000.
Fiscal year 2001: $1,316,307,000,000.
Fiscal year 2002: $1,493,021,000,000.
Fiscal year 2003: $1,546,516,000,000.
Fiscal year 2004: $1,608,848,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,405,000,000,000.
Fiscal year 2001: $1,436,400,000,000.
Fiscal year 2002: $1,468,250,000,000.
Fiscal year 2003: $1,527,400,000,000.
Fiscal year 2004: $1,583,300,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2000: −$900,000,000.
Fiscal year 2001: −$5,200,000,000.
Fiscal year 2002: −$28,250,000,000.
Fiscal year 2003: −$23,700,000,000.
Fiscal year 2004: −$30,300,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,620,000,000,000.
Fiscal year 2001: $5,704,800,000,000.
Fiscal year 2002: $5,763,000,000,000.
Fiscal year 2003: $5,802,400,000,000.
Fiscal year 2004: $5,828,600,000,000.

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 2004 for each major functional category are:

(1) National Defense (050):
Fiscal year 2000:
(A) New budget authority, $281,773,000,000.
(B) Outlays, $274,595,000,000.
Fiscal year 2001:
(A) New budget authority, $305,158,000,000.
(B) Outlays, $285,949,000,000.
Fiscal year 2002:
(A) New budget authority, $308,046,000,000.
(B) Outlays, $297,646,000,000.
Fiscal year 2003:
(A) New budget authority, $314,507,000,000.
(B) Outlays, $306,937,000,000.
Fiscal year 2004:
(A) New budget authority, $316,033,000,000.
(B) Outlays, $316,593,000,000.

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $10,746,000,000.
(B) Outlays, $14,052,000,000.
Fiscal year 2001:
(A) New budget authority, $10,651,000,000.
(B) Outlays, $15,111,000,000.
Fiscal year 2002:
(A) New budget authority, $9,765,000,000.
(B) Outlays, $14,381,000,000.
Fiscal year 2003:
(A) New budget authority, $11,550,000,000.
(B) Outlays, $13,623,000,000.
Fiscal year 2004:
(A) New budget authority, $13,483,000,000.
(B) Outlays, $13,323,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $17,977,000,000.
(B) Outlays, $18,257,000,000.
Fiscal year 2001:
(A) New budget authority, $17,968,000,000.
(B) Outlays, $17,865,000,000.
Fiscal year 2002:
(A) New budget authority, $17,934,000,000.
(B) Outlays, $17,865,000,000.
Fiscal year 2003:
(A) New budget authority, $17,934,000,000.
(B) Outlays, $17,743,000,000.
Fiscal year 2004:
(A) New budget authority, $18,208,000,000.
(B) Outlays, $18,682,000,000.

(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $33,000,000.
(B) Outlays, −$618,000,000.
Fiscal year 2001:
(A) New budget authority, −$141,000,000.
(B) Outlays, −$1,937,000,000.
Fiscal year 2002:
(A) New budget authority, −$152,000,000.
(B) Outlays, −$1,178,000,000.
Fiscal year 2003:
(A) New budget authority, −$76,000,000.
(B) Outlays, $1,282,000,000.
Fiscal year 2004:
(A) New budget authority, −$315,000,000.
(B) Outlays, −$1,419,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $22,809,000,000.
(B) Outlays, $22,669,000,000.
Fiscal year 2001:
(A) New budget authority, $22,529,000,000.
(B) Outlays, $22,057,000,000.
Fiscal year 2002:
(A) New budget authority, $22,463,000,000.
(B) Outlays, $21,391,000,000.
Fiscal year 2003:
(A) New budget authority, $22,484,000,000.
(B) Outlays, $22,555,000,000.
Fiscal year 2004:
(A) New budget authority, $23,470,000,000.
(B) Outlays, $23,483,000,000.

(6) Agriculture (350):
Fiscal year 2000:

(A) New budget authority, $16,340,000,000.
(B) Outlays, $14,251,000,000.
Fiscal year 2001:
(A) New budget authority, $14,294,000,000.
(B) Outlays, $12,884,000,000.
Fiscal year 2002:
(A) New budget authority, $12,764,000,000.
(B) Outlays, $10,893,000,000.
Fiscal year 2003:
(A) New budget authority, $13,233,000,000.
(B) Outlays, $11,304,000,000.
Fiscal year 2004:
(A) New budget authority, $13,501,000,000.
(B) Outlays, $11,851,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $9,848,000,000.
(B) Outlays, $6,103,000,000.
Fiscal year 2001:
(A) New budget authority, $10,573,000,000.
(B) Outlays, $5,711,000,000.
Fiscal year 2002:
(A) New budget authority, $14,410,000,000.
(B) Outlays, $10,166,000,000.
Fiscal year 2003:
(A) New budget authority, $14,540,000,000.
(B) Outlays, $10,872,000,000.
Fiscal year 2004:
(A) New budget authority, $13,874,000,000.
(B) Outlays, $10,438,000,000.
(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $51,744,000,000.
(B) Outlays, $45,846,000,000.
Fiscal year 2001:
(A) New budget authority, $50,992,000,000.
(B) Outlays, $47,718,000,000.
Fiscal year 2002:
(A) New budget authority, $50,807,000,000.
(B) Outlays, $47,278,000,000.
Fiscal year 2003:
(A) New budget authority, $52,248,000,000.
(B) Outlays, $46,806,000,000.
Fiscal year 2004:
(A) New budget authority, $52,278,000,000.
(B) Outlays, $46,298,000,000.
(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $7,407,000,000.
(B) Outlays, $10,642,000,000.
Fiscal year 2001:
(A) New budget authority, $5,355,000,000.
(B) Outlays, $9,111,000,000.
Fiscal year 2002:
(A) New budget authority, $4,288,000,000.
(B) Outlays, $7,081,000,000.
Fiscal year 2003:
(A) New budget authority, $5,650,000,000.
(B) Outlays, $6,067,000,000.
Fiscal year 2004:
(A) New budget authority, $5,620,000,000.
(B) Outlays, $5,475,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2000:
(A) New budget authority, $65,302,000,000.
(B) Outlays, $63,557,000,000.
Fiscal year 2001:
(A) New budget authority, $67,338,000,000.
(B) Outlays, $65,496,000,000.
Fiscal year 2002:
(A) New budget authority, $68,386,000,000.
(B) Outlays, $66,107,000,000.
Fiscal year 2003:
(A) New budget authority, $71,053,000,000.
(B) Outlays, $68,375,000,000.
Fiscal year 2004:
(A) New budget authority, $73,543,000,000.
(B) Outlays, $70,833,000,000.
(11) Health (550):
Fiscal year 2000:
(A) New budget authority, $156,176,000,000.
(B) Outlays, $152,988,000,000.
Fiscal year 2001:
(A) New budget authority, $165,200,000,000.
(B) Outlays, $163,179,000,000.
Fiscal year 2002:
(A) New budget authority, $174,521,000,000.
(B) Outlays, $174,884,000,000.
Fiscal year 2003:
(A) New budget authority, $186,343,000,000.
(B) Outlays, $186,830,000,000.
Fiscal year 2004:
(A) New budget authority, $201,010,000,000.
(B) Outlays, $201,317,000,000.
(12) Medicare (570):
Fiscal year 2000:
(A) New budget authority, $208,663,000,000.
(B) Outlays, $208,707,000,000.
Fiscal year 2001:
(A) New budget authority, $222,115,000,000.
(B) Outlays, $222,269,000,000.
Fiscal year 2002:
(A) New budget authority, $230,604,000,000.
(B) Outlays, $230,239,000,000.
Fiscal year 2003:
(A) New budget authority, $250,754,000,000.
(B) Outlays, $250,888,000,000.
Fiscal year 2004:
(A) New budget authority, $268,569,000,000.
(B) Outlays, $268,755,000,000.
(13) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $246,479,000,000.
(B) Outlays, $248,070,000,000.
Fiscal year 2001:
(A) New budget authority, $248,192,000,000.
(B) Outlays, $257,020,000,000.
Fiscal year 2002:
(A) New budget authority, $264,339,000,000.
(B) Outlays, $266,555,000,000.
Fiscal year 2003:
(A) New budget authority, $276,831,000,000.
(B) Outlays, $276,147,000,000.
Fiscal year 2004:
(A) New budget authority, $285,569,000,000.
(B) Outlays, $285,429,000,000.
(14) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $14,455,000,000.
(B) Outlays, $14,556,000,000.
Fiscal year 2001:
(A) New budget authority, $14,134,000,000.
(B) Outlays, $14,034,000,000.
Fiscal year 2002:
(A) New budget authority, $16,249,000,000.
(B) Outlays, $16,149,000,000.
Fiscal year 2003:
(A) New budget authority, $16,335,000,000.
(B) Outlays, $16,235,000,000.
Fiscal year 2004:
(A) New budget authority, $17,123,000,000.
(B) Outlays, $17,023,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $45,536,000,000.
(B) Outlays, $45,693,000,000.
Fiscal year 2001:
(A) New budget authority, $46,289,000,000.
(B) Outlays, $46,632,000,000.
Fiscal year 2002:
(A) New budget authority, $47,236,000,000.
(B) Outlays, $47,517,000,000.
Fiscal year 2003:
(A) New budget authority, $47,987,000,000.
(B) Outlays, $48,447,000,000.
Fiscal year 2004:
(A) New budget authority, $48,363,000,000.
(B) Outlays, $48,939,000,000.
(16) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $23,385,000,000.
(B) Outlays, $25,335,000,000.
Fiscal year 2001:
(A) New budget authority, $24,622,000,000.
(B) Outlays, $25,114,000,000.
Fiscal year 2002:
(A) New budget authority, $25,128,000,000.
(B) Outlays, $25,292,000,000.
Fiscal year 2003:
(A) New budget authority, $25,548,000,000.
(B) Outlays, $25,301,000,000.
Fiscal year 2004:
(A) New budget authority, $27,709,000,000.
(B) Outlays, $27,463,000,000.
(17) General Government (800):
Fiscal year 2000:
(A) New budget authority, $11,940,000,000.
(B) Outlays, $13,148,000,000.
Fiscal year 2001:
(A) New budget authority, $11,946,000,000.
(B) Outlays, $12,639,000,000.
Fiscal year 2002:
(A) New budget authority, $12,079,000,000.
(B) Outlays, $12,328,000,000.
Fiscal year 2003:
(A) New budget authority, $12,093,000,000.
(B) Outlays, $12,159,000,000.
Fiscal year 2004:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,147,000,000.
(18) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $270,815,000,000.
(B) Outlays, $270,815,000,000.
Fiscal year 2001:
(A) New budget authority, $266,827,000,000.
(B) Outlays, $266,827,000,000.
Fiscal year 2002:
(A) New budget authority, $262,680,000,000.
(B) Outlays, $262,680,000,000.
Fiscal year 2003:
(A) New budget authority, $258,806,000,000.
(B) Outlays, $258,806,000,000.
Fiscal year 2004:
(A) New budget authority, $262,799,000,000.
(B) Outlays, $262,799,000,000.
(19) Allowances (920):
Fiscal year 2000:
(A) New budget authority, −$8,350,000,000.
(B) Outlays, −$8,100,000,000.
Fiscal year 2001:
(A) New budget authority, −$10,000,000,000.
(B) Outlays, −$14,400,000,000.
Fiscal year 2002:
(A) New budget authority, −$4,900,000,000.
(B) Outlays, −$15,200,000,000.
Fiscal year 2003:
(A) New budget authority, −$14,300,000,000.
(B) Outlays, −$12,800,000,000.
Fiscal year 2004:
(A) New budget authority, −$7,000,000,000.
(B) Outlays, −$9,600,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, −$34,260,000,000.
(B) Outlays, −$34,260,000,000.
Fiscal year 2001:
(A) New budget authority, −$36,876,000,000.
(B) Outlays, −$36,876,000,000.
Fiscal year 2002:
(A) New budget authority, −$43,626,000,000.
(B) Outlays, −$43,626,000,000.
Fiscal year 2003:
(A) New budget authority, −$37,004,000,000.
(B) Outlays, −$37,004,000,000.
Fiscal year 2004:
(A) New budget authority, −$37,089,000,000.
(B) Outlays, −$37,089,000,000.

SEC. 4. RECONCILIATION.

(a) 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 for that committee is not less than: $0 in revenues for fiscal year 2000 and $41,600,000,000 in revenues for fiscal years 2000 through 2004.

(b) TAX CUT CONTINGENT ON SAVING SOCIAL SECURITY.—It shall not be in order in the

House to consider a reconciliation bill reported pursuant to subsection (a) unless the chairman of the House Committee on the Budget has received a certification from the Board of Trustees of the social security trust funds that the funds are in actuarial balance for the 75-year period used in the most recent annual report of that Board pursuant to section 201(c)(2) of the Social Security Act.

SEC. 5. SAVING THE SOCIAL SECURITY SURPLUS.

(a) FINDINGS.—The Congress finds that—

(1) under the Budget Enforcement Act of 1990, the social security trust funds are required to be off-budget for the 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 implicitly to finance the general operations of the Government;

(4) in fiscal year 2000, the social security surplus will exceed $137,000,000,000;

(5) for the first time in 24 years, a concurrent resolution on the budget balances the Federal budget without counting social security surpluses; and

(6) the only way to ensure social security surpluses are not diverted for other purposes is to balance the budget exclusive of such surpluses.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the social security surplus should not be used to fund other operations within the Government;

(2) the budget of the Government should balance without relying on social security trust funds to hide a deficit or inflate a surplus; and

(3) surpluses in the social security trust funds should be reserved, to be used exclusively by the social security system.

(c) 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.

SEC. 6. REMOVAL OF SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

It is the sense of Congress that any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States 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, shall 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.

SEC. 7. SENSE OF CONGRESS ON ALLOCATION OF ON-BUDGET SURPLUSES.

As reflected in this resolution, it is the sense of Congress that all on-budget surpluses should be distributed as follows:

(1) 50 PERCENT TO DEBT REDUCTION.—It is the determination of Congress that the national debt is too high. In a time of peace and prosperity, debt reduction is a top national priority. This reduction of debt will better position the Government to finance anticipated depletions of the social security and medicare trust funds. However, the Congress determines that such a reduction in debt shall not be construed as a substitute for needed substantive reforms of those programs to assure their long term financial integrity.

(2) 25 PERCENT TO TAX REDUCTION.—Congress determines that 4 types of tax reduction should be accommodated within this budget:

(A) Extensions of current temporary provision of the tax code.

(B) Targeted tax reduction in settings in which changes are needed for fairness and sound economic planning.

(C) Tax reform and simplification to eliminate complicated features of the Internal Revenue Code of 1986.

(D) Consideration of across-the-board tax cuts.

(3) 25 PERCENT TO INVESTMENT IN PRIORITY AREAS.—Congress recognizes that the budget caps have imposed severe constraints on Government operations for fiscal year 2000, and without relief, programs may be difficult to administer in the ensuing fiscal years. As a result, investments in many priorities will be deferred or not made. The 25 percent of surplus allocated to priority programs is designed to offer opportunity to strengthen these programs in the years ahead. Congress finds that priorities include agriculture, defense, education, and veterans' programs, and others that may be from time-to-time determined.

SEC. 8. SOCIAL SECURITY AND MEDICARE.

It is the sense of the Congress that the Social Security and Medicare programs are vital to our nation's health and the retirement security of our citizens. Enactment of reforms to strengthen and preserve these programs must be an urgent priority.

(1) SOCIAL SECURITY.—After the Congress enacts legislation to reform and extend the solvency of the social security program, the chairman of the Committee on the Budget may adjust allocations for fiscal years 2000 through 2004 to allow for general revenue transfers to the social security trust fund, subject to the following limitations: Fiscal year 2001, adjustments not greater than $8,500,000,000; fiscal year 2002, $16,500,000,000; fiscal year 2003, $25,500,000,000; and fiscal year 2004, $34,000,000,000.

(2) MEDICARE.—After the Congress enacts legislation to reform and extend the solvency of the medicare program, the chairman of the Committee on the Budget may adjust allocations for fiscal years 2000 through 2004 to allow for general revenue transfers to the medicare trust fund, subject to the following limitations: Fiscal year 2001, $2,800,000,000; fiscal year 2002, $5,500,000,000; fiscal year 2003, $8,500,000,000; and fiscal year 2004, $11,000,000,000.

SEC. 9. UPDATING BASELINE PROJECTIONS AND PRIORITIES FOR FISCAL YEAR 2000.

(a) UP-TO-DATE ESTIMATES OF ON-BUDGET SURPLUSES.—Upon the request of the chairman of the House Committee on the Budget, 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.

(b) ADJUSTMENTS.—Upon receipt of an up-to-date estimate of an on-budget surplus made pursuant to subsection (a), the chairman of the House Committee on the Budget shall adjust the aggregates of new budget authority, outlays, revenues, and the public debt as follows:

(1) Reduce the aggregates for public debt for each of fiscal years 2000 through 2001 by an amount equal to ½ of the increase (if any) in on-budget surplus projections above the amounts provided in this resolution.

(2) Increase the aggregates of new budget authority and outlays for each of fiscal years 2000 through 2004 by an amount equal to ¼ of the increase (if any) in on-budget surplus projections above the amounts provided in this resolution.

(3) Reduce the revenue aggregates for each of fiscal years 2000 through 2004 by an amount equal to ¼ of the increase (if any) in on-budget surplus projections above the amounts provided in this resolution.

SEC. 10. SENSE OF CONGRESS REGARDING ENFORCEMENT.

It is the sense of Congress that before October 1, 2000, Congress should enact legislation to modify and extend the pay-as-you-go requirement through 2009, increase the discretionary spending limits set forth under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years 2001 and 2002, and extend those limits to include fiscal years 2003 and 2004, to reflect the new budget authority and outlays as set forth in this resolution.

SEC. 11. INTENT OF THE COMMITTEE REGARDING CROP INSURANCE.

It is the intent of the Committee on the Budget of the House that function 350 for agriculture allow for the implementation of a new, comprehensive, affordable, and permanent crop and revenue insurance program. The cost of the program is assumed to be $____ billion in this resolution; but the program design has not been developed. When the program is developed such committee will take all steps necessary to work the crop and revenue insurance initiative into the budget resolution and budget process.

SEC. 12. SENSE OF THE CONGRESS REGARDING THE MEDICARE+CHOICE PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the geographic disparity in payment rates for the medicare managed care program is inherently unfair;

(2) unfairness disproportionately effects rural areas and efficient health care markets;

(3) seniors in areas with higher reimbursement can receive additional benefits that are unavailable to seniors in other areas of the country.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Medicare+Choice payment rate must be addressed to correct the current inequality, and any expansion of the medicare program can be made only after this disparity is addressed.

The CHAIRMAN. Pursuant to the rule, the gentleman from Minnesota (Mr. MINGE) and the gentleman from Ohio (Mr. KASICH) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have spent most of today debating what budget is best for the people of the United States of America. We have had conflicting budgets presented. The President's budget, or at least how it has been perceived by the other side, has just been voted upon, the majority budget will be voted on later in the day, I expect, and the democratic substitute will be voted on.

The Blue Dog Coalition, a group of moderate to conservative Democrats, has developed a substitute budget proposal. That substitute budget proposal is summarized on the easel that is in the well, and I would like to ask that my colleagues direct their attention to this substitute summary because it is important to understand both what the differences are and what the similarities are to the other budgets that are receiving consideration today.

Most importantly, Mr. Chairman, the Blue Dog budget recognizes that we have a responsibility to the American people, a responsibility to ensure that the Social Security program is no longer treated like a regular part of the budget and used as a cash cow to finance other activities, whether they be new programs, expanded programs or tax reductions. We put that Social Security program off budget, and the money that is accumulated as a surplus is used to pay down on the debt and position this country to better handle the obligations that we will owe in future years in the Social Security program.

Secondly, we recognize that we are blessed in this country with the prospect of a budget surplus without using Social Security.

We recognize that we must be terribly responsible or we will be making terrible mistakes with respect to this anticipated surplus. We have a time of virtually unparalleled prosperity. We feel our first order of business ought to be to use at least half of this surplus to reduce the Federal debt. When the sun is shining, we ought to repair the roof. We have had leaks in the roof, we have been running deficits, we have built up an enormous debt; it is time to make those repairs.

We also urge that we spend 25 percent on investment priorities and the other 25 percent returned to the American taxpayers.

Mr. Chairman I yield 2¼ minutes to the gentleman from Louisiana (Mr. JOHN) to discuss our 5-year plan.

Mr. JOHN. Mr. Chairman, I thank the gentleman for yielding this time to me. I also appreciate the Committee on Rules for making the Blue Dog budget in order.

The title of my remarks are: Honest Projections and No Phony Bones, and that may seem a little humorous to my colleagues, but I think it is very important that we go through this exercise.

Mr. Chairman, I support wholeheartedly the Blue Dog budget for a myriad of reasons, and my remarks today are going to focus on what I think is one of the more important reasons to support the Blue Dog budget, and the issue concerns economic projections. I am referring to the fact that the Blue Dog budget is a 5-year budget with projections over 5 years, and the Republican budget is a 15-year budget.

As a new Member of the 105th Congress, I came in during the balanced budget agreement, and the debate was about tackling the deficit before we tackle the debt. We have enjoyed a very strong economy since that point in time, even though back then the projection said that we would not reach the surplus that we have until the year 2002.

While I am optimistic that the economy today will continue, we must prepare now for a downturn in our economy because it is realistically going to happen.

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That is why I believe, the Blue Dogs believe, that it is irresponsible to rely on 15-year projections that no one really honestly believes will come to fruition.

To give an example, in 1993, before I was even a Member of this body, the CBO projected that this year, 1999, that we would have a $404 billion deficit. I think that it is very, very important to look at these projections. It is irresponsible to go out and look at the numbers over a 15-year period.

The Blue Dog budget is about real numbers. It is no phony numbers, and I urge support for this budget because it is the fiscally responsible budget that we can deal with today.

Mr. KASICH. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Florida (Mrs. FOWLER), a member of the Committee on Armed Services.

Mrs. FOWLER. Mr. Chairman, the President and the Republican leadership both face issues of what to do about the Social Security and Medicare programs, defense, education and the surplus, but the differences between our proposals are stark.

Last year, the Republican proposal to set aside 90 percent of the surplus for Social Security was not good enough for the President. So this year we are locking away 100 percent of the Social Security surplus for retirement security and Medicare.

The President was not able to live up to his own demands. His budget sets aside only 77 percent. We are proud to have locked away more money for Social Security and Medicare than the President does.

The Congress and the President agreed to certain spending caps in 1997. It is a simple concept but difficult to accomplish. Our resolution keeps our promise on caps. The President's budget creates new programs and busts the caps by some $30 billion.

His budget raises taxes by $172 billion over the next decade, while our budget provides nearly $800 billion in tax relief over the next 10 years.

Mr. Chairman, right now our pilots are in Kosovo carrying out a dangerous mission. I support them and pray for their safe return. We must provide adequate resources for them and to all our men and women in uniform.

It is unfortunate that the President is using questionable numbers for his defense budget. His budget boasts an increase of $12.6 billion in budget authority but the real increase is only $4.1 billion. The rest is primarily from funds that were already budgeted for the Department of Defense and just reshuffled around.

The Republican budget provides an honest increase of, when it is passed, it will be $11.3 billion over fiscal year 1999. That is frankly less than what is truly needed and what the Joint Chiefs have testified they need, but it is a start and I am proud that we have taken an honest step towards reducing the undue burden on our military.

Mr. Chairman, the differences in these budgets are clear. I ask my colleagues for their support of our budget resolution.

Mr. MINGE. Mr. Chairman, how much time remains for each side?

The CHAIRMAN. The gentleman from Minnesota (Mr. MINGE) has 15¾ minutes remaining. The gentleman from Ohio (Mr. KASICH) has 17¾ minutes remaining.

Mr. KASICH. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Chairman, the budget we have constructed for fiscal year 2000 will be the first budget of the millennium, and under the leadership of my good friend, the gentleman from Ohio (Mr. KASICH), we are building a better budget than the one we received last month from the President. We are locking more than the President, locking it away for Social Security and Medicare.

For the first time ever, we are locking away Social Security money for Social Security and ending Washington's practice of raiding Social Security for other spending.

We are also maintaining the spending discipline that brought us the balanced budget.

POINT OF ORDER

Mr. MINGE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MINGE. Mr. Chairman, the debate at this point is on the budget resolution, the amendment in the nature of a substitute that is on the floor, and

the debate is being addressed to matters which are not currently under consideration.

The CHAIRMAN. The Chair will accord Members latitude to discuss matters related to the budget.

The gentleman may proceed.

Mr. BOEHNER. Mr. Chairman, our budget sticks to the spending caps signed into law by President Clinton in the Balanced Budget Act of 1997; while the President's budget exceeds those caps, as does the budget we are considering on the floor, the proposal, by our Blue Dog friends.

That is the critical difference, Mr. Chairman, is that this distinguishes our budget from the President's and our budget from the one that is under consideration by the gentleman from Minnesota (Mr. MINGE).

The spending caps are the heart of the balanced budget both parties have worked hard to achieve in recent years, but they are also the heart of our pledge to strengthen Social Security and Medicare.

Our budget sticks to those caps and locks away 100 percent of the Social Security surplus for Social Security, off limits for new Washington spending. After locking away funds for Social Security and Medicare, and only after that, we return the rest of the surplus to the American people in the form of tax relief.

Unfortunately, it seems our colleagues on the other side are not prepared to make that kind of a commitment.

Now, do not get me wrong, Mr. Chairman. Our colleagues have every right to seek higher spending, but understand that for every dime that they spend beyond the caps is a dime that they could have locked away for Social Security and Medicare. By saying yes to higher spending, they are saying no to Social Security and Medicare.

When we get right down to it, budgets are about choices. The choice here is not between Social Security and tax cuts. The choice is between Social Security and new Washington spending.

We Republicans, we have already made our choice. We have said no to new Washington spending and we are locking away 100 percent of the Social Security surplus. We are locking away $100 billion more for Social Security and Medicare than the President, who cuts Medicare by $11.9 billion and spends a chunk of the Social Security surplus on new Washington spending.

Mr. Chairman, given a choice between Social Security and new Washington spending, Republicans have chosen to support Social Security and Medicare. Now it is up to our colleagues which one they will decide to choose.

Mr. MINGE. Mr. Chairman, returning the debate to the Blue Dog budget, I yield 1¾ minutes to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Chairman, this country owes, based on past consumption, over $5 trillion and nobody is talking about paying that back. This Blue Dog budget is the budget that if my colleagues believe, as I do, that when one borrows money as we have from our children and grandchildren, that the responsible, honorable thing to do is to try to pay it back, then my colleagues will vote for the Blue Dog budget.

There are $3.8 trillion of debt that we pay interest on every year. Last year we paid almost $250 billion in interest. Now where I come from, if someone owes somebody some money and they come into money, and remember all of this surplus is projected, not here yet, and they come into some money and they go buy an airplane or new car and do not pay the man that they owe, that is considered very poor form.

I think, as the Blue Dogs do, that if we save all of the Social Security surplus and pay down the debt, we save half of the real surplus, if it materializes, and pay it down on the debt, this country will be stronger, not weaker.

There are events over which we have no control. As long as we are paying down debt, whatever happens there, this country, our children and our grandchildren, will be in a better financial position to deal with those unknowns when they occur.

If my colleagues believe, as I do, that we ought to pay back some of this past consumption, then my colleagues will help us pass this Blue Dog budget today.

Mr. KASICH. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Kentucky (Mr. FLETCHER).

Mr. FLETCHER. Mr. Chairman, I certainly appreciate the opportunity to address this matter. I want to speak just briefly about the budget in general and then talk some about Medicare and what we face and what the differences are that we have in looking at the budgets that have been presented.

First of all, over the last several years, as I have gone around the district and talked to my constituents, one of the things I consistently heard was that we want to put away 100 percent of the Social Security surplus. We even heard the President say that last year.

This year he came and said, no, I only want to put 62 percent of that surplus for this next coming year into Social Security. We are going to do the 100 percent that he wanted that time, and I think we are going to, for the first time, put away everything; instead of just putting 62 percent we are going to put 100 percent away to save Social Security and Medicare; the first time in 40 years that we have not spent the surplus on wasteful Washington spending or larger and more government. I think this is really a change.

We have another budget here presented. It seems to be a little bit more of a me-too budget, but it still has that same philosophy of growing government. When we talk to the people across this country, they are tired of wasteful Washington spending. They want to see the end of the era of big government. They want to make sure that we provide the kind of support and security that we need, but that we also secure the future of our children; that we return as much as we can to our families so they can invest it in the best way to ensure the future of their children and grandchildren.

It may be saving for college. It may be providing other things that their children need. It may be providing or donating to community activities, but it is very important that we return as much as we can to the American people because that is what they want. It is the right thing to do.

I think the budget that we have is very good, as opposed to the President's budget and the Blue Dog budget, that we are being more conservative in spending, that we are stopping wasteful Washington spending and we are going to return as much as we can to the people back home.

Secondly, I would like to look at some of the President's cuts on Medicare. It is an issue I am very concerned about. We see possibly a quarter of the home health agencies looking at problems of possibly going out of business. In my district there are 10 counties where one home health agency provides the primary care there. That home health agency is having problems. They may go out of business here in the next few months and that will reduce the care that we can give to those individuals in that area.

Rural hospitals are having problems. The President has talked about prescription drugs and increasing there, but let us look at the cuts that he has proposed in Medicare. He has proposed cutting the prescription drug payment by $2.3 billion. Many of these cuts are to the sickest patients. They are to those cancer treatment patients that might mean the difference between life and death.

He talks about prescription drugs but he cuts at the very heart of our sickest patients, and I am glad that we are not going to do that; that we are taking 100 percent of that budget and putting it to shore up Medicare.

Secondly, we see other things. When we look at some of the things that he is decreasing, the total decrease is $11.9 billion. He is talking about extending these cuts in payments beyond the years that were agreed with in the balanced budget amendment.

What will that do to our rural hospitals? I have a hospital in Garrard County, Kentucky, right now. We worked with them to combine two hospitals so they could be more efficient and more effective.

□ 1700

That is not going to occur, though, for the next 6 to 12 months. In the interim, they are having to shut down the emergency room right now because they do not have the margins. We need to make sure that we have the kind of support we need, and we cannot afford to cut it $11.9 billion.

I am glad that we have a budget that is fiscally conservative, that provides tax relief, and provides for our senior citizens.

Mr. MINGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are pleased with the presentation. We know there is a problem. We want to cut taxes. At the same time we want to promote programs. That is what the Blue Dog budget does, it is a mix.

Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. CRAMER)

Mr. CRAMER. Mr. Chairman, I thank my colleague, the gentleman from Minnesota, for yielding time to me.

Mr. Chairman, let us return to the budget under debate here, the Blue Dog budget, no more phony debate about this other budget. If Members are serious about balancing the budget, if they are serious about debt reduction, if they are serious about focused tax cuts, if they want to support our veterans, if they want to give a commitment to the defense of this country, then this is the budget for all of us.

We have been calling for a true balanced budget excluding the social security trust fund for years. There is no phony baloney here, this is the real thing. Members should wake up. They can take all day, and we have for years, but this is the budget for us.

Finally, I want to compliment the leadership here. We have had a fair debate here today. We have had an opportunity to present this budget. I want to thank the gentleman from Illinois (Speaker HASTERT) for giving us this opportunity.

The Blue Dogs have been calling for a true balanced budget excluding the Social Security trust fund for several years. We are glad to see that we have finally reached a point where everyone is agreeing with us that we should balance the budget without counting the Social Security trust fund.

The Blue Dog budget sets out a responsible budgetary policy that achieves and maintains a true balanced budget without counting the Social Security trust fund.

Because the Republican budget uses virtually all of the non-Social Security surplus for tax cuts, we could have a return of deficits in the non-Social Security budget if future budget conditions are not quite as positive as currently projected.

Even if the current projections are correct, the tax cuts in the Republican budget would cause a deficit after 2010, because the exploding tax cuts would continue to grow, while the non-Social Security surpluses will be smaller.

RESPONSIBLE USE OF THE PROJECTED ON-BUDGET SURPLUS

Republicans want to commit all of the projected surpluses for exploding tax cuts, whether or not the surpluses actually materialize.

The Spratt budget is a little more prudent than the Republican budget by saving some of the on-budget surplus, but is uses most of the projected on-budget surpluses for new spending and some tax cuts.

The Blue Dog budget takes the position that the conservative thing to do with projected on-budget is to be conservative. The Blue Dog budget makes paying off the national debt the first priority for any projected budget surplus, dedicating approximately half of the on-budget surplus for debt reduction.

The Blue Dog budget divides the remaining half of the on-budget surplus between tax reduction and shoring up the nation's commitment to priorities such as agriculture, defense, education, health care and veterans' programs.

If CBO increases surplus projections, there will be additional funds for tax cuts and spending priorities. The Blue Dog budget provides that any increase in surplus projections be divided with the same allocation of one-half for debt reduction, one-quarter for tax cuts and one-quarter for spending priorities.

PAYING OFF THE DEBT HELD BY THE PUBLIC

By saving the entire Social Security surplus and using half of on-budget surpluses for debt reduction, the Blue Dog budget will pay off nearly one-fourth ($857 billion) of the $3.6 trillion debt held by the public over the next five years.

Saving non-Social Security surpluses for debt reduction will help make up for the years in which Social Security surpluses were borrowed for operating expenses instead of saving them for Social Security.

The Blue Dog budget reduces the debt held by the public by $87 billion more than the Republican budget over the next five years.

STRENGTHENING SOCIAL SECURITY AND MEDICARE

The Blue Dog budget calls on Congress to enact reforms of Social Security and Medicare to strengthen these programs and reserves additional funds that could be used to help finance the short term costs of Medicare and Social Security reform.

The Blue Dog budget reserves the savings from the lower interest payments that will occur as a result of reducing the debt to be used for Social Security and Medicare reform.

Congress would have $85 billion over the next five years that could be used as part of Social Security reform and an additional $28 million over the next five years that could be used as part of Medicare reform.

The combination of saving the Social Security surpluses for Social Security and reserving the debt reduction dividend for Social Security and Medicare, the Blue Dog budget saves a total of $937 billion for Social Security and Medicare—more than 90% of total projected unified budget surpluses over the next five years.

The Blue Dog budget does not contain the cuts in Medicare payments to hospitals that were included in the President's budget.

FISCALLY RESPONSIBLE TAX CUTS

The Blue Dog budget allocates approximately 25% of on-budget surplus for tax relief providing room for a net tax cut of $41.7 billion over the next five years.

Limiting tax cuts to 25% of the projected surplus is a prudent step to ensure that the tax cuts do not cause deficits in the non-Social Security budget if actual budget conditions are not as good as current projections.

The tax cuts in the Republican budget will consume nearly 100% of the projected budget non-Social Security surplus over the next five years. If the current projections are too optimistic, the tax cuts in the Republican budget will result in on-budget deficits and a return to the practice of borrowing from the Social Security trust fund to meet operating expenses.

The tax cuts in the Republican budget will continue to grow after 2009, while the projected surpluses will be smaller. By 2013 or 2014, the tax cuts in the Republican budget will cause deficits.

A GENUINE INCREASE IN FUNDING FOR NATIONAL DEFENSE

The Blue Dog budget equips our military commanders with the tools and resources necessary to continue to field the world's preeminent fighting force for years to come. It maintains a general funding mix ensuring our immediate military readiness and long-term defense procurement needs are not neglected.

The Republican budget makes hollow promises for defense, but does not give the Department of Defense the real resources to follow through on these commitments.

The Blue Dog budget includes $13 billion more in defense funding than Republicans. The Republican budget is $21 billion short in outlays (real expenditures) needed to support their budget authority (the amount which may be committed or obligated).

The Blue Dog budget provides for a much-needed pay raise for our troops and addresses the current retention problems by adequately funding vital personnel and quality of life programs. The Republican budget does not accommodate the pay raise, and could force the Department of Defense to shift resources away from personnel and quality of life programs.

MEETING CRITICAL NEEDS IN AMERICAN AGRICULTURE

The Blue Dog budget contains $3 billion more mandatory funding for crop insurance than the Republican budget resolution. The increased funding for crop insurance in the Blue Dog budget is permanent, as opposed to the Republican budget which eliminates the increased funding for crop insurance after 2004.

The Blue Dog budget provides $3.4 billion more budget authority for discretionary agricultural programs than the Republican budget.

The Republican budget contains 10% cut in discretionary agriculture programs in fiscal year 2000, which could force a 1500 person reduction in Farm Service Agency funding, further slowing down the delivery of vital farm programs. The Blue Dog budget does not force cuts in discretionary agriculture programs in fiscal year 2000.

MEETING OUR PROMISES TO VETERANS

The Blue Dog budget provides a total of $10 billion more budget authority and $5.1 billion more outlays than the Republican budget for discretionary veterans programs.

The Blue Dog budget increases funding for veterans health care and GI bill benefits by $1.9 billion 2000, and continues this increased funding level with modest growth after 2000.

The Republican budget provides a one-time $950 million increase in veterans programs in fiscal year 2000, but eliminates this increase after 2000 and cuts veterans programs below 1999 levels.

INCREASED FUNDING FOR PRIORITY EDUCATION AND HEALTH CARE PROGRAMS

The Blue Dog budget provides $10 billion more total funding for education and $8.6 billion more for health care programs than the Republican budget does over the next five years.

These higher funding levels will allow for increased funding for rural health care programs, health research, elementary and secondary education and other priority education and health care programs without making deep cuts in other programs within these functions.

The Republican budget claims to provide increased funding for the National Institutes of Health and for some education programs, but cuts total discretionary spending for the health care and education functions below a freeze. Any promised increases for specific education or health care programs under the Republican budget would require deeper cuts in all other health care and education programs.

Mr. CHAMBLISS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Alabama (Mr. CRAMER) remains the great gentleman that he is.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding time to me. I appreciate the opportunity to share a few thoughts that I have on the budget proposals that are before us today.

Mr. Chairman, I am thankful that we are not going to have to deal and live with the President's budget, because if we did, and he promised us that he was going to secure Medicare, but with the left hand he cut it. I am pleased that we have an alternative budget where we are saving 100 percent of the social security surplus for social security and for Medicare.

Our seniors have been misled by the President; double-speak at its best, when one talks about securing social security and Medicare when on the other hand one is actually cutting it. Prescription drug payments, hospital payment freezes.

I represent a lot of smaller rural hospitals who are struggling with red ink today. With the proposed cuts that are coming, they are possibly going to go out of business without the President's budget cuts. There is a complete lack of sensitivity to rural health care in America by this President and by this administration, when the facts are in.

It is obviously clear that rural health care in America is already in trouble because of the lower payment they receive from HCFA, from the urban and suburban centers, and we are going to cut them some more if we would follow the President.

I think it is vital, when we pass a budget later today, that it is a budget that really secures social security and Medicare and is not a phony budget, as has been presented by this administration, that says one thing on the right hand but on the left hand is actually cutting to the very heart of real health care in America, and would deprive rural Americans of the quality care they depend on.

I am pleased that we do not have to pass the President's budget.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Chairman, the Blue Dog substitute I support today is a triumph of common sense over ideology. It reduces the budget debt more than any other plan, and therefore does more to shore up social security and Medicare. By design, it protects the Nation's priority needs, which common sense dictates that we cannot abandon.

For farmers, we provide $3 billion more for crop insurance without additional reductions in county offices and employees. For the military, we provide $13 billion more to ensure that morale and readiness problems are addressed. For veterans, we provide $1.9 billion more so this Nation will not renege on its promise to those who sacrificed to keep our country great.

For our children, we provide $10 billion more for critical education programs like school construction and repair, Internet access, and smaller class size. For health care in rural areas, we provide more. Finally, the Blue Dog budget cuts taxes by $41.7 billion over the next 10 years, and provides for tax relief to increase as the surplus grows.

Vote for the budget that will do more for America. Vote for the Blue Dog budget.

Mr. CHAMBLISS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Georgia for yielding time to me. I also want to compliment the Committee on the Budget, and notably the chairman, the gentleman from Ohio (Mr. KASICH).

The way I look at it, it is very simple. The Republican budget resolution has set forth a very simple and straightforward concept. I think what the American people really want from Washington is straight talk. For the first time ever, we have 100 percent of social security going for social security. I know over the years it has been seen as a slush fund, but once and for all the American people are getting straight talk and honesty.

With respect to the budget caps, a couple of years ago everybody sat around here in Washington, and the President, and they smoked their peace pipe and they agreed to the budget caps. Some people think that was a game. The Republicans say it is for real. That is what the American people expect and deserve.

What are the principles we set forth? A strong defense. Taking care of Medicare. We saw what the President's budget did to Medicare. Taking care of our veterans. Needed tax relief.

That is the critical distinction here between the amendment before us and what the Republican budget resolution calls for, because every year since 1995 the President submitted his budget and the Republicans have done the responsible and appropriate thing and said, let us put the brakes on. Let us spend money appropriately and be responsible, but not have a party at taxpayers' expense.

Once and for all, we are going to get that. The American people deserve that. I urge the rejection of this amendment and support for the Republican budget resolution.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Chairman, we, the Blue Dogs, are here today to blow the whistle on partisan wrangling and to act as a budget referee.

Neither the Republican nor the Democratic alternatives have achieved a fiscally responsible approach to this budget. The Democratic budget uses most of the projected on-budget surplus for new spending and some tax cuts. On the other hand, the Republican budget will consume nearly 100 percent of the projected budget non-social security surplus over the next 5 years.

In an economic downturn, the Republican budget would result in deficits, a return to the practice of raiding the social security trust fund. That is just not right.

Our backlog budget allocates 25 percent of the on-budget surplus for tax relief, a net cut of $41.7 billion over the next 5 years. It is time to do the right thing.

Mr. CHAMBLISS. Mr. Chairman, I am pleased to yield such time as he may consume to the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget.

Mr. KASICH. Mr. Chairman, let me just compliment my friends in the Blue Dog Coalition. They have, I think, moved this process in a very constructive way, but nevertheless, I am forced to have to reluctantly and softly oppose the Blue Dog budget for three basic reasons.

One is, in the year 2001 they break the discipline of the 1997 budget agreement. We believe it is essential to not break the discipline of the 1997 budget agreement. We just made that agreement. We ought to stay within that agreement. Unfortunately, in the Blue Dog budget, that agreement is not adhered to in 2001.

Secondly, there is $7 billion less in budget authority than the GOP plans

in the fiscal year 2000, and $2 billion less in outlays. We do believe, as I know many of the Blue Dogs believe, that we do need to add more in the area of defense. In fact, our budget has a significantly greater amount of money in defense than the Blue Dog budget.

Finally, while I can admire the Blue Dogs' position on the issue of paying down debt, they only have $41 billion in tax cuts over the next 5 years. I want to compliment them for that. However, the Republican budget has approximately $150 billion in tax cuts.

I would very much like to think that we could allow money to sit around in Washington to be used to pay down a debt. We in fact are going to pay down the largest amount of the publicly-held debt out of the money we are reserving for social security. But when this on-budget surplus comes, as sure as God made little green apples, if there is money sitting around on the table in this town, I believe it will be used to create bigger government and more spending. The single biggest way to resolve that is to put ourselves in a position of being able to cut taxes and get that on-budget surplus out of town.

I want to personally thank the Blue Dogs, and particularly the gentleman from Minnesota (Mr. MINGE) for his efforts to drive the debate on taking all of the social security and Medicare trust funds off-budget. He was a pioneer in that.

I want to compliment them on their $41 billion in tax cuts, but it falls short in the area of breaking the spending caps, breaking the budget agreement in 1997, spending too little on defense, and not providing the tax relief that Americans really need and deserve to prevent the growth of big government, to empower people, and to run America from the bottom up.

So for that reason, I must reluctantly oppose the Blue Dog substitute.

Mr. MINGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we had high hopes that the chairman of the Committee on the Budget would be supporting our budget until that last statement. We obviously need to talk to them a little more.

Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman for yielding time to me. I, too, am sorry that my good friend, the gentleman from Ohio (Mr. KASICH) cannot support our budget, but I am here today to support a budget that I believe in and I think the American people believe in.

This budget does what needs to be done. It gets the social security trust fund off-budget. It starts paying down the debt. It funds the priorities that we need funded in this country.

I come from a district that has a lot of problems in agriculture. This budget puts extra money into mandatory spending and into discretionary programs that we need if we are going to have any chance of pulling this agriculture economy out.

The thing I want to talk about, I serve on the Committee on Veterans' Affairs. Some know we have had a real commotion going on down there over the budget. All of the veterans groups came in and asked for $3.3 billion extra to make things work. Some of us tried to get that accomplished. In this budget we have an additional $1.9 billion for veterans, and then we extend that through the whole period.

The Republicans only have $900 million for the next year. Then they go back to the same level as the President. We cannot meet our commitments to veterans. We cannot keep our contract with veterans with that kind of a budget. Support the Blue Dog budget.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Chairman, both the President's budget plan and the Republican budget plan are disastrous for our Nation's veterans. The Blue Dog budget plan is the only budget proposal that meets the needs of our Nation's deserving veterans.

We are in critical need of more health care dollars for our veterans. We need to expand our health care to veterans suffering from Hepatitis C-related illnesses and who are needing emergency care and long-term care. We need to expand care for homeless veterans. We need to provide more outpatient centers.

Although the President acknowledges these needs, he has not provided for any new dollars in his initiatives. In fact, the VA budget freezes funded levels to what they were last year.

Meanwhile, Republicans, on the other hand, are using doubletalk. Republicans claim their budget increases funding for veterans, but anyone who looks at the budget sees that they get a $900 million increase in 2000, but then it decreases back to the original budget of 1999 levels. What is worse, the next 5 years, they cut it $2.4 billion. The Blue Dog budget provides over $10 billion over this period of time in outlays of more than $5.1 billion.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia (Mr. SISISKY), our defense expert.

Mr. SISISKY. Mr. Chairman, I thank the gentleman from Minnesota for yielding time to me.

Mr. Chairman, I support the Blue Dog budget. I want to take time to explain why on defense.

Last Monday, this past Monday, I was in Norfolk, Virginia, at the Norfolk Naval Station. The Admiral of the Atlantic Fleet remarked at how good they are doing now, that the Theodore Roosevelt carrier was to leave Norfolk on Friday at a 92 percent complement. The last carrier that left there had 86 percent.

□ 1715

We have problems in defense. There is no doubt that the Republican budget is not going to solve it. Why is it not going to solve it? It all has to do with outlays versus authorization.

The Blue Dog budget is $11 billion more than the Republican budget. It was $13 billion, and now it is $11 billion, and of course $18 billion more than the President. It is evenhanded. It is mostly on outlays. That is what is important. I would ask this body, please support the thing.

I have a memo here, and we can put that in. ''Conservatives should not accept this phony increase and should insist on a new program.'' This came from the New American Century, Bill Crystal's group.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I thank the gentleman from Minnesota for yielding me this time.

First of all, I want to thank Speaker HASTERT and the gentleman from Ohio (Chairman KASICH) and the gentleman from California (Chairman DREIER) for allowing us to have this open debate. We did not get that last year.

Most of the speakers that are opponents of the Blue Dog bill, the budget, have spent their time addressing a budget which received two votes about an hour and a half ago. The reason they do not talk about this budget is because they cannot. They cannot in good conscience compare it to their own.

There are three good reasons. Number one is that this budget, contrary to what the gentleman from Ohio (Chairman KASICH) said, spends $11 billion more in defense over the next 5 years. Secondly, it spends $6 billion more in agricultural outlays over the next 5 years. Thirdly, it spends $10 billion more in veterans spending over the next 5 years.

I would implore my colleagues to take a good, close look at the tricks and the smoke and the mirrors and vote for the Blue Dog budget.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the distinguished gentleman from Minnesota for yielding me this time, and I appreciate the work he has done on this budget.

I rise today in support of the Blue Dog budget. It is an honest and fair budget. The Republicans say they want to help America's farmers. Who are we kidding? The Republican bill slashes the funding to farmers by 10 percent at the time when they need it most.

The Republican bill does nothing to pay down the national debt. It spends and spends and spends. Every last drop of the surplus it spends, driving our country further into debt, rising interest rates, bankrupting our farmers and their children.

The Blue Dog budget contains $7 billion more for agriculture and recommends a sensible tax cut that will help our farmers. The Blue Dog budget devotes 50 percent of the surplus to deficit reduction, strengthening our economy, and saving for the future.

I challenge any Republican who votes for their leadership's budget resolution to go home, look their farmers in the eye and tell them, ''I support agriculture.'' Do not be surprised if they do not believe you.

Mr. MINGE. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN. The gentleman from Minnesota (Mr. MINGE) has 6 minutes remaining. The gentleman from Georgia (Mr. CHAMBLISS) has 4½ minutes remaining.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Mr. Chairman, health care is a front burner issue this year, and it does not matter what one's race or age or sex or where one is from or even what one's party affiliation is. If we do not have good health care, we cannot do any of the other things that people have been up here talking about.

In the Blue Dog budget, we provide $8.6 billion more than the Republican budget over the next 5-year period. Our budget preserves funding for discretionary programs through the year 2002 and then allows for increases after 2002, whereas the Republican budget makes deeper cuts in discretionary spending for health care. The health and well-being of our Nation cannot stand for that.

The Blue Dog budget would allow increases for research, for funding, for NIH, and make sure that our rural health care areas of concern are not left on the back burner. These higher increases are made within the context of a balanced budget and do not cut other health programs like the Republican budget does. Let us not overlook or undercut the very health and well-being of our country. Without good health, we cannot do anything else.

Mr. MINGE. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to note that we agree with the gentleman on the other side about the importance of taking care of health care services in this country.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAMBLISS. Mr. Chairman, I yield 2½ minutes to the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, first I would like to start by complimenting the gentleman from Minnesota (Mr. MINGE) on the budget proposal that he has put forth and the rest of the Blue Dog Coalition.

There are two budgets that will be up for consideration today that I would have to suggest to my colleagues are not phony. The Republican budget and the Blue Dog budget are very similar.

There are a couple of things where we differ. As I think the Blue Dogs will readily admit, they bust the caps in fiscal year 2001. That is where they are coming up with all of these, whether it is for health care, and out of respect, I suggest they are correct, their budget does spend a little bit more for health care, a little bit more for veterans. But they do it by busting the caps.

So we want to suggest that, do they want to do that? It is a choice. Do they want to bust the caps which got us to fiscal discipline, got us to balance in the first place, or do they not? That is the first issue. But I commend them. They are exactly right. That is what they are doing.

The other budget, the Clinton budget, is totally phony when it double counts Social Security; and the same is exactly true for the Spratt budget. But at least we have got two budgets to consider.

The second big issue that we have got to consider today is what to do with the surplus. The surplus, I would suggest to my colleagues, it comes to us in two different ways. One is the Social Security surplus. The gentleman from Minnesota (Mr. MINGE) and the Republicans, the Blue Dogs and the Republicans, say set it all aside. Amen. Finally we have gotten to that point. The gentleman and I have worked on that for many years. Both budgets do that.

The real issue, though, is what do we do with the rest? What do we do with the rest? There we have a choice. It is an honest choice. Choice number one, the Blue Dogs say spend a little bit of it, and tax relief a little bit of it, and debt reduction a little bit of it. That is fine. I respect that. That is a good choice that people can decide on.

What the Republicans say is this is not our money. We always talk about Federal dollars as if they are in our pockets out here and they are like our money. They are not. People work hard every single day of the week in order to send us that money. What they know is that they have sent enough, if not too much.

What they are hoping for is that once we have done the responsible thing, once we have met the priorities of the government, once we have set aside Social Security, then and only then, which is what our budget does, only when we have set aside Social Security this year, this year do we look out and do we say the surplus ought to go back to the people that sent it here in the first place.

That is why I reluctantly oppose the budget of the gentleman from Minnesota (Mr. MINGE), because of that choice.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. Mr. Chairman, I want to thank the gentleman from Minnesota for the opportunity to speak today.

Mr. Chairman, today I rise to support the Blue Dog budget because it represents responsible budget policy while still providing critical funding for education and health care programs.

This budget provides $10 billion more for education and $8.6 billion more for health care than the Republican budget.

In my district, let me tell my colleagues, these funds are critical, not only to close the disparity gap for those disadvantaged children, but also just making the tools available for those who try to make it in the real world.

In my district, home health and rural health centers are the only point of access to health care for many people. Funding of these programs, which are included in the Blue Dog alternative, literally can mean life or death for these programs and the patients they serve.

In 1997, with the balanced budget amendment, we asked our citizens to accept cuts to put us on a fiscally secure future. Now we are fiscally responsible and we have a surplus. It is our duty to also use the surplus responsibly by investing in kids' education and providing access to necessary health care to our citizens. The Blue Dog alternative best meets these goals.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER) to discuss our continuing commitment to education.

Mrs. TAUSCHER. Mr. Chairman, America's working families, farmers, and businesses know that we must approach the Nation's budget the same way they approach their own, with a balanced view.

Our Blue Dog budget alternative is balanced. It protects Social Security, offers targeted tax cuts, reduces the national debt, and most importantly recommits our Nation to educating our children.

If America hopes to maintain our status as the world's economic superpower, we cannot continue to send off our kids to schools with inadequate facilities and outdated technology.

Our Blue Dog budget provides $10 billion more for education and training than the Republican budget. It allows for an increase in elementary and secondary education without forcing cuts in other education programs. It allows for spending on discretionary and training programs to grow by an average of 3.6 percent a year through 2004.

This balanced, fiscally responsible approach to the budget is the same formula for success that American families want. I urge my colleagues to support our Blue Dog budget alternative.

Mr. MINGE. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. HILL).

Mr. HILL of Indiana. Mr. Chairman, I thank the gentleman from Minnesota for yielding me this time.

Back in the 1980s, back home in Indiana, I saw Congress make a mistake, and that mistake was embracing the idea of supply side economics and offering a huge tax cut in this country.

Some would say that it fueled the economy but at a great expense. Back in the 1980s, the budget deficit or budget debt was $1 billion. It grew to over $4 trillion.

Now as a Member of this Congress, I see the Congress about ready to make another mistake and offer huge tax cuts to the people of Indiana or to the people of this country. I think this is a serious mistake in light of the fact that we have a tremendous debt to pay off.

Our priority ought to be paying off the debt first. That is what we should do as well as saving Social Security. If we do this, we will be doing the responsible thing for the people of this country, the responsible thing for our kids and our grandchildren.

Mr. MINGE. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Minnesota (Mr. MINGE) has 2 minutes remaining. The gentleman from Georgia (Mr. CHAMBLISS) has 2 minutes remaining.

Mr. MINGE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM), who has been an outstanding leader in the Blue Dog Coalition and worked effectively with us on budget and tax policy.

Mr. STENHOLM. Mr. Chairman, let me sum up the Blue Dog budget this way: First, let me say that for the 21st consecutive year I have been allowed to oppose and vote against a President's budget because it spends too much, nine times with Democrats, 12 times with Republican presidents.

The Blue Dog budget before us cuts taxes over the next 5 years by $41.2 billion. Anyone that suggests anything else is not being factual. The Blue Dog budget maintains the spending caps until we balance the budget without counting the Social Security surplus.

To those who choose to criticize us because we spend too much on defense in 2001 and 2002, be prepared to live with those numbers within my colleagues' own caucus because they will find it is going to be very difficult to do it.

Also with agriculture, be prepared to live with those numbers my colleagues advocate in criticizing our budget. If my colleagues are, they are honest, and I respect that. Be prepared to live with the veterans numbers and stay with them all the way through, if my colleagues criticize our budget for recognizing those priorities.

Now, let us talk about our main priority, debt reduction. Our budget, at the end of 5 years, produces $85 billion less debt than the Republican budget. If we take it for 10 years, it is $450 billion. I submit to my colleagues, the Blue Dog budget is better for our country by reducing debt than the Republican budget.

Finally, in summation, let me say the Blue Dogs give first priority to reducing the $5 trillion plus national debt. As a result, the Blue Dog budget is not able to provide as much spending as some would like to see on both sides of the aisle.

So I ask my colleagues to join in thanking the leadership for allowing us to have this vote today. I appreciate the kind remarks that have been made by the other side recognizing the credibility. I believe what I have stated is factual and should warrant some overwhelming support from both sides of the aisle.

□ 1730

Mr. CHAMBLISS. Mr. Chairman, I yield myself the balance of my time; and as did the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget, I too want to add my thanks and my appreciation to the Blue Dogs for coming forward with this budget.

As I look across the aisle there and individually see the ones coming forward to speak in support of this, most of those Members are my close friends on that side of the aisle, and they are also the same individuals that talk like I do, who, with the exception of the gentleman from Minnesota (Mr. MINGE), come from my part of the country. And I have a great appreciation for that fact also.

But, Mr. Chairman, I want to say a couple of things in closing here. While the Blue Dog budget takes huge steps in the right direction, I think it is flawed in a couple of areas. The two primary areas that I have concerns about are:

Number one, defense. We do spend more in both budget authority as well as budget outlay in defense. With our manager's amendment, it increases the defense spending from our original numbers. And, obviously, that is what we are talking about, the final numbers.

Secondly, the thing that really concerned me when I ran for Congress in 1994, and the thing that concerns me today, and the thing that my good friends on the other side who are supporting this budget have continually said is, we have to pay down that debt.

And what has caused that debt? What has caused that debt is too much Federal spending. The Blue Dog budget calls for 25 percent of the surplus to go to spending. I have a problem with that.

My friend, the gentleman from Arkansas, was very critical of the Ag portion of the Republican budget. I have in my hands letters from eight national farming organizations, from the American Farm Bureau Federation, to the National Cotton Council, the Farm Credit Council, the American Soybean Association, the National Peanut Council, the Southern Peanut Farmers Federation, and several others, endorsing the Republican budget.

All of my colleagues on the other side of the aisle who are Blue Dogs, particularly those on the Committee on the Budget, know that when the President came out with zero dollars for crop insurance reform, Republicans led the fight to put money in the budget. I am appreciative that they followed suit with that, but for those reasons, I respectfully say that we are going to have to vote against this budget. But I do thank them, Mr. Chairman.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Minnesota (Mr. MINGE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MINGE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 134, noes 295, not voting 4, as follows:

[Roll No. 75]

AYES—134

Abercrombie	Duncan	LaHood
Andrews	Edwards	Lampson
Baird	Emerson	Larson
Barcia	Engel	LaTourette
Barrett (NE)	Etheridge	Lucas (KY)
Barrett (WI)	Farr	Luther
Barton	Ford	Markey
Bentsen	Frost	Martinez
Bereuter	Ganske	Mascara
Berkley	Gephardt	Matsui
Berry	Gonzalez	McCarthy (MO)
Bilbray	Goode	McCarthy (NY)
Bishop	Goodlatte	McDermott
Blumenauer	Green (TX)	McIntyre
Boswell	Hall (TX)	Meehan
Boyd	Hastings (FL)	Meek (FL)
Capps	Hill (IN)	Menendez
Cardin	Hoeffel	Metcalf
Castle	Holden	Minge
Chenoweth	Holt	Moore
Clayton	Hooley	Moran (KS)
Clement	Horn	Moran (VA)
Coburn	Hoyer	Morella
Condit	Inslee	Neal
Cramer	Jackson-Lee (TX)	Oberstar
Crowley	Jefferson	Ortiz
Danner	John	Ose
Davis (FL)	Johnson, E. B.	Pallone
Davis (VA)	Kaptur	Pascrell
Deutsch	Kind (WI)	Peterson (MN)
Dingell	Klink	Phelps
Doggett	Kucinich	Pickering
Dooley	LaFalce	Pomeroy
Doyle		Reyes

Rodriguez
Roemer
Roukema
Sanchez
Sandlin
Sawyer
Scarborough
Scott
Sherman
Shimkus
Shows
Sisisky
Skelton
Smith (MI)
Smith (WA)
Snyder
Stabenow
Stenholm
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thune
Thurman
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Watt (NC)
Wexler
Wise
Wynn

NOES—295

Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barr
Bartlett
Bass
Bateman
Becerra
Berman
Biggert
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Carson
Chabot
Chambliss
Clay
Clyburn
Coble
Collins
Combest
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Crane
Cubin
Cummings
Cunningham
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Eshoo
Evans
Everett
Ewing
Fattah
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
Lantos
Largent
Latham
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Owens
Oxley
Packard
Pastor
Paul
Payne
Pease
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanders
Sanford
Saxton
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Skeen
Slaughter
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stark
Stearns
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tierney
Toomey
Towns
Traficant
Velázquez
Vento
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—4

Burton
Pelosi
Stupak
Weldon (PA)

□ 1752

Messrs. FOSSELLA, BECERRA, BLAGOJEVICH, HULSHOF, TOWNS, ROTHMAN, Ms. MILLENDER-McDONALD, and Ms. McKINNEY changed their vote from ''aye'' to ''no.''

Messrs. WISE, DEUTSCH, SHERMAN, NEAL of Massachusetts, and Mrs. CLAYTON changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BURTON of Indiana. Mr. Chairman, I was unavoidably detained for rollcall No. 75. Had I been present, I would have voted "no".

The CHAIRMAN (Mr. CAMP). It is now in order to consider amendment No. 3 printed in Part 2 of House Report 106–77.

AMENDMENT NO. 3 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Chairman, I offer an amendment in the nature of a substitute made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 3 in the Nature of a Substitute printed in Part 2 of House Report 106–77 offered by Mr. SPRATT:

Strike all after the resolving clause and insert the following:

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 2014 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

(a) SPECIAL RULE.—In this resolution, all references to years are fiscal years and all amounts are expressed in billions.

(b) ON-BUDGET LEVELS (EXCLUDING SOCIAL SECURITY AND OTHER OFF-BUDGET AGENCIES.—The following budgetary levels are appropriate for each of fiscal years 2000 through 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,408.5.
Fiscal year 2001: $1,439.2.
Fiscal year 2002: $1,497.3.
Fiscal year 2003: $1,552.0.
Fiscal year 2004: $1,622.2.
Fiscal year 2005: $1,697.5.
Fiscal year 2006: $1,775.9.
Fiscal year 2007: $1,855.9.
Fiscal year 2008: $1,940.0.
Fiscal year 2009: $2,029.3.
Fiscal year 2010: $2,115.9.
Fiscal year 2011: $2,207.4.
Fiscal year 2012: $2,300.8.
Fiscal year 2013: $2,396.6.
Fiscal year 2014: $2,494.4.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.0.
Fiscal year 2001: −$5.9.
Fiscal year 2002: −$11.0.
Fiscal year 2003: −$11.3.
Fiscal year 2004: −$11.9.
Fiscal year 2005: −$13.4.
Fiscal year 2006: −$14.8.
Fiscal year 2007: −$15.5.
Fiscal year 2008: −$16.2.
Fiscal year 2009: −$16.4.
Fiscal year 2010: −$17.8.
Fiscal year 2011: −$17.8.
Fiscal year 2012: −$17.8.
Fiscal year 2013: −$17.8.
Fiscal year 2014: −$17.8.

(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: $1,425.8.
Fiscal year 2001: $1,481.9.
Fiscal year 2002: $1,507.9.
Fiscal year 2003: $1,573.5.
Fiscal year 2004: $1,630.3.
Fiscal year 2005: $1,708.3.
Fiscal year 2006: $1,754.5.
Fiscal year 2007: $1,825.0.
Fiscal year 2008: $1,902.2.
Fiscal year 2009: $1,979.8.
Fiscal year 2010: $2,054.8.
Fiscal year 2011: $2,135.6.
Fiscal year 2012: $2,218.1.
Fiscal year 2013: $2,321.2.
Fiscal year 2014: $2,420.5.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408.0.
Fiscal year 2001: $1,432.3.
Fiscal year 2002: $1,495.8.
Fiscal year 2003: $1,551.6.
Fiscal year 2004: $1,621.7.
Fiscal year 2005: $1,684.8.
Fiscal year 2006: $1,735.3.
Fiscal year 2007: $1,803.9.
Fiscal year 2008: $1,882.9.
Fiscal year 2009: $1,958.2.
Fiscal year 2010: $2,045.1.
Fiscal year 2011: $2,134.8.
Fiscal year 2012: $2,226.3.
Fiscal year 2013: $2,338.4.
Fiscal year 2014: $2,442.0.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2000: $0.5.
Fiscal year 2001: $6.9.
Fiscal year 2002: $1.5.
Fiscal year 2003: $0.2.
Fiscal year 2004: $0.5.
Fiscal year 2005: $12.9.
Fiscal year 2006: $40.7.
Fiscal year 2007: $52.1.
Fiscal year 2008: $57.0.
Fiscal year 2009: $71.0.
Fiscal year 2010: $70.8.
Fiscal year 2011: $72.6.
Fiscal year 2012: $74.6.

Fiscal year 2013: $58.2.
Fiscal year 2014: $52.4.

(c) UNIFIED BUDGET LEVELS (INCLUDING ALL FEDERAL PROGRAMS).—The following budgetary levels are appropriate for each of fiscal years 2000 through 2014:

(1) FEDERAL REVENUES.—(A) The recommended levels of Federal revenues are as follows:
Fiscal year 2000: $1,876.5.
Fiscal year 2001: $1,927.0.
Fiscal year 2002: $2,003.6.
Fiscal year 2003: $2,079.4.
Fiscal year 2004: $2,172.1.
Fiscal year 2005: $2,274.3.
Fiscal year 2006: $2,377.7.
Fiscal year 2007: $2,484.2.
Fiscal year 2008: $2,594.4.
Fiscal year 2009: $2,710.6.
Fiscal year 2010: $2,826.5.
Fiscal year 2011: $2,948.5.
Fiscal year 2012: $3,073.2.
Fiscal year 2013: $3,201.0.
Fiscal year 2014: $3,331.6.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:
Fiscal year 2000: $0.0.
Fiscal year 2001: −$5.9.
Fiscal year 2002: −$11.0.
Fiscal year 2003: −$11.3.
Fiscal year 2004: −$11.9.
Fiscal year 2005: −$13.4.
Fiscal year 2006: −$14.8.
Fiscal year 2007: −$15.5.
Fiscal year 2008: −$16.2.
Fiscal year 2009: −$16.4.
Fiscal year 2010: −$17.8.
Fiscal year 2011: −$17.8.
Fiscal year 2012: −$17.8.
Fiscal year 2013: −$17.8.
Fiscal year 2014: −$17.8.

(2) NEW BUDGET AUTHORITY.—The appropriate levels of total new budget authority are as follows:
Fiscal year 2000: $1,752.9.
Fiscal year 2001: $1,821.4.
Fiscal year 2002: $1,857.6.
Fiscal year 2003: $1,935.8.
Fiscal year 2004: $2,005.7.
Fiscal year 2005: $2,097.8.
Fiscal year 2006: $2,159.2.
Fiscal year 2007: $2,245.6.
Fiscal year 2008: $2,340.5.
Fiscal year 2009: $2,439.3.
Fiscal year 2010: $2,540.2.
Fiscal year 2011: $2,648.4.
Fiscal year 2012: $2,762.9.
Fiscal year 2013: $2,903.0.
Fiscal year 2014: $3,044.0.

(3) BUDGET OUTLAYS.—The appropriate levels of total budget outlays are as follows:
Fiscal year 2000: $1,735.1.
Fiscal year 2001: $1,771.9.
Fiscal year 2002: $1,845.4.
Fiscal year 2003: $1,914.0.
Fiscal year 2004: $1,997.2.
Fiscal year 2005: $2,074.5.
Fiscal year 2006: $2,140.1.
Fiscal year 2007: $2,224.7.
Fiscal year 2008: $2,321.2.
Fiscal year 2009: $2,417.9.
Fiscal year 2010: $2,530.5.
Fiscal year 2011: $2,647.5.
Fiscal year 2012: $2,771.2.
Fiscal year 2013: $2,920.2.
Fiscal year 2014: $3,065.5.

(4) SURPLUSES.—The amounts of the surpluses are as follows:
Fiscal year 2000: $141.4.
Fiscal year 2001: $155.1.
Fiscal year 2002: $158.1.
Fiscal year 2003: $165.3.
Fiscal year 2004: $174.9.
Fiscal year 2005: $199.9.
Fiscal year 2006: $237.7.
Fiscal year 2007: $259.5.
Fiscal year 2008: $273.2.
Fiscal year 2009: $292.7.
Fiscal year 2010: $296.0.
Fiscal year 2011: $301.0.
Fiscal year 2012: $302.0.
Fiscal year 2013: $280.8.
Fiscal year 2014: $266.1.

(d) DEBT HELD BY THE PUBLIC.—The appropriate levels of the public debt are as follows:
Fiscal year 2000: $3,500.4.
Fiscal year 2001: $3,361.3.
Fiscal year 2002: $3,219.2.
Fiscal year 2003: $3,070.3.
Fiscal year 2004: $2,910.7.
Fiscal year 2005: $2,725.0.
Fiscal year 2006: $2,500.6.
Fiscal year 2007: $2,253.4.
Fiscal year 2008: $1,991.7.
Fiscal year 2009: $1,710.2.
Fiscal year 2010: $1,426.2.
Fiscal year 2011: $1,137.3.
Fiscal year 2012: $847.2.
Fiscal year 2013: $577.5.
Fiscal year 2014: $322.4.

(e) TRANSFERS FROM THE GENERAL FUND TO THE HI AND OASI TRUST FUNDS.—

(1) AMOUNTS TRANSFERRED TO HI TRUST FUND.—The amounts to be transferred from the General Fund to the HI Trust Fund are as follows:
Fiscal year 2000: $26.2.
Fiscal year 2001: $28.2.
Fiscal year 2002: $29.9.
Fiscal year 2003: $31.5.
Fiscal year 2004: $33.3.
Fiscal year 2005: $37.8.
Fiscal year 2006: $44.2.
Fiscal year 2007: $47.8.
Fiscal year 2008: $50.2.
Fiscal year 2009: $53.1.
Fiscal year 2010: $54.3.
Fiscal year 2011: $54.9.
Fiscal year 2012: $54.9.
Fiscal year 2013: $51.6.
Fiscal year 2014: $49.3.

(2) AMOUNTS TRANSFERRED TO OASI TRUST FUND.—The amounts to be transferred from the General Fund to the OASI Trust Fund are as follows:
Fiscal year 2000: $108.5.
Fiscal year 2001: $116.7.
Fiscal year 2002: $123.5.
Fiscal year 2003: $130.1.
Fiscal year 2004: $137.7.
Fiscal year 2005: $156.2.
Fiscal year 2006: $182.8.
Fiscal year 2007: $197.7.
Fiscal year 2008: $207.4.
Fiscal year 2009: $219.6.
Fiscal year 2010: $224.3.
Fiscal year 2011: $226.8.
Fiscal year 2012: $226.9.
Fiscal year 2013: $213.2.
Fiscal year 2014: $203.7.

(3) RESULTING ON-BUDGET DEFICITS.—The on-budget deficits resulting from this resolution including the transfers under paragraphs (1) and (2) are the following:
Fiscal year 2000: −$110.3.
Fiscal year 2001: −$118.0.
Fiscal year 2002: −$136.7.
Fiscal year 2003: −$151.8.
Fiscal year 2004: −$167.0.
Fiscal year 2005: −$182.1.
Fiscal year 2006: −$191.5.
Fiscal year 2007: −$207.1.
Fiscal year 2008: −$225.4.
Fiscal year 2009: −$238.1.
Fiscal year 2010: −$258.9.
Fiscal year 2011: −$276.3.
Fiscal year 2012: −$292.1.
Fiscal year 2013: −$313.1.
Fiscal year 2014: −$327.9.

(4) RESULTING OFF-BUDGET SURPLUSES.—The off-budget surpluses resulting from this resolution including the transfers under paragraphs (1) and (2) are the following:
Fiscal year 2000: $251.8.
Fiscal year 2001: $273.0.
Fiscal year 2002: $294.8.
Fiscal year 2003: $316.9.
Fiscal year 2004: $341.9.
Fiscal year 2005: $382.1.
Fiscal year 2006: $429.2.
Fiscal year 2007: $466.7.
Fiscal year 2008: $498.5.
Fiscal year 2009: $530.8.
Fiscal year 2010: $554.9.
Fiscal year 2011: $577.3.
Fiscal year 2012: $594.1.
Fiscal year 2013: $593.8.
Fiscal year 2014: $594.0.

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, $280.4.
(B) Outlays, $273.6.
Fiscal year 2001:
(A) New budget authority, $300.2.
(B) Outlays, $281.6.
Fiscal year 2002:
(A) New budget authority, $302.1.
(B) Outlays, $291.7.
Fiscal year 2003:
(A) New budget authority, $312.5.
(B) Outlays, $303.6.
Fiscal year 2004:
(A) New budget authority, $321.4.
(B) Outlays, $313.5.
Fiscal year 2005:
(A) New budget authority, $326.0.
(B) Outlays, $318.0.
Fiscal year 2006:
(A) New budget authority, $330.7.
(B) Outlays, $322.5.
Fiscal year 2007:
(A) New budget authority, $335.4.
(B) Outlays, $327.1.
Fiscal year 2008:
(A) New budget authority, $340.2.
(B) Outlays, $331.8.
Fiscal year 2009:
(A) New budget authority, $345.0.
(B) Outlays, $336.5

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $12.5.
(B) Outlays, $14.8.
Fiscal year 2001:
(A) New budget authority, $12.8.
(B) Outlays, $15.4.
Fiscal year 2002:
(A) New budget authority, $12.0.
(B) Outlays, $14.8.
Fiscal year 2003:
(A) New budget authority, $13.6.
(B) Outlays, $14.4.
Fiscal year 2004:
(A) New budget authority, $15.0.
(B) Outlays, $14.5.
Fiscal year 2005:
(A) New budget authority, $16.3.
(B) Outlays, $15.1.
Fiscal year 2006:
(A) New budget authority, $17.2.
(B) Outlays, $15.5.
Fiscal year 2007:
(A) New budget authority, $17.8.
(B) Outlays, $15.8.

Fiscal year 2008:
(A) New budget authority, $18.6.
(B) Outlays, $16.3.
Fiscal year 2009:
(A) New budget authority, $19.3.
(B) Outlays, $16.4.
(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $18.0.
(B) Outlays, $18.2.
Fiscal year 2001:
(A) New budget authority, $18.7.
(B) Outlays, $18.4.
Fiscal year 2002:
(A) New budget authority, $18.8.
(B) Outlays, $18.7.
Fiscal year 2003:
(A) New budget authority, $18.9.
(B) Outlays, $18.8.
Fiscal year 2004:
(A) New budget authority, $19.2.
(B) Outlays, $19.1.
Fiscal year 2005:
(A) New budget authority, $21.7.
(B) Outlays, $21.1.
Fiscal year 2006:
(A) New budget authority, $22.4.
(B) Outlays, $22.1.
Fiscal year 2007:
(A) New budget authority, $23.3.
(B) Outlays, $23.0.
Fiscal year 2008:
(A) New budget authority, $25.5.
(B) Outlays, $24.2.
Fiscal year 2009:
(A) New budget authority, $27.7.
(B) Outlays, $25.8.
(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $0.0.
(B) Outlays, −$0.7.
Fiscal year 2001:
(A) New budget authority, −$0.0.
(B) Outlays, −$1.8.
Fiscal year 2002:
(A) New budget authority, −$0.2.
(B) Outlays, −$1.2.
Fiscal year 2003:
(A) New budget authority, −$0.1.
(B) Outlays, −$1.2.
Fiscal year 2004:
(A) New budget authority, −$0.0.
(B) Outlays, −$1.2.
Fiscal year 2005:
(A) New budget authority, $0.1.
(B) Outlays, −$1.0.
Fiscal year 2006:
(A) New budget authority, $0.5.
(B) Outlays, −$0.6.
Fiscal year 2007:
(A) New budget authority, $0.7.
(B) Outlays, −$0.3.
Fiscal year 2008:
(A) New budget authority, $1.1.
(B) Outlays, $0.0.
Fiscal year 2009:
(A) New budget authority, $1.2.
(B) Outlays, $0.1.
(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $24.5.
(B) Outlays, $23.6.
Fiscal year 2001:
(A) New budget authority, $24.4.
(B) Outlays, $24.0.
Fiscal year 2002:
(A) New budget authority, $24.4.
(B) Outlays, $23.9.
Fiscal year 2003:
(A) New budget authority, $24.5.
(B) Outlays, $24.1.
Fiscal year 2004:
(A) New budget authority, $25.4.
(B) Outlays, $25.0.
Fiscal year 2005:
(A) New budget authority, $27.6.
(B) Outlays, $26.5.
Fiscal year 2006:
(A) New budget authority, $28.6.
(B) Outlays, $27.8.
Fiscal year 2007:
(A) New budget authority, $28.9.
(B) Outlays, $28.2.
Fiscal year 2008:
(A) New budget authority, $30.4.
(B) Outlays, $29.7.
Fiscal year 2009:
(A) New budget authority, $32.3.
(B) Outlays, $30.6.
(6) Agriculture (350):
Fiscal year 2000:
(A) New budget authority, $14.7.
(B) Outlays, $13.3.
Fiscal year 2001:
(A) New budget authority, $14.1.
(B) Outlays, $12.2.
Fiscal year 2002:
(A) New budget authority, $12.4.
(B) Outlays, $10.6.
Fiscal year 2003:
(A) New budget authority, $12.7.
(B) Outlays, $11.0.
Fiscal year 2004:
(A) New budget authority, $13.4.
(B) Outlays, $11.8.
Fiscal year 2005:
(A) New budget authority, $14.2.
(B) Outlays, $12.5.
Fiscal year 2006:
(A) New budget authority, $15.2.
(B) Outlays, $13.4.
Fiscal year 2007:
(A) New budget authority, $16.0.
(B) Outlays, $14.2.
Fiscal year 2008:
(A) New budget authority, $16.9.
(B) Outlays, $14.9.
Fiscal year 2009:
(A) New budget authority, $17.3.
(B) Outlays, $15.1.
(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $98.
(B) Outlays, $4.5.
Fiscal year 2001:
(A) New budget authority, $12.0.
(B) Outlays, $7.1.
Fiscal year 2002:
(A) New budget authority, $16.3.
(B) Outlays, $11.9.
Fiscal year 2003:
(A) New budget authority, $16.3.
(B) Outlays, $12.6.
Fiscal year 2004:
(A) New budget authority, $16.2.
(B) Outlays, $12.8.
Fiscal year 2005:
(A) New budget authority, $14.7.
(B) Outlays, $11.4.
Fiscal year 2006:
(A) New budget authority, $14.6.
(B) Outlays, $11.1.
Fiscal year 2007:
(A) New budget authority, $14.7.
(B) Outlays, $10.9.
Fiscal year 2008:
(A) New budget authority, $14.6.
(B) Outlays, $10.5.
Fiscal year 2009:
(A) New budget authority, $14.4.
(B) Outlays, $9.9.
(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $50.6.
(B) Outlays, $45.8.
Fiscal year 2001:
(A) New budget authority, $52.2.
(B) Outlays, $47.7.
Fiscal year 2002:
(A) New budget authority, $52.6
(B) Outlays, $47.2.
Fiscal year 2003:
(A) New budget authority, $54.2.
(B) Outlays, $48.5.
Fiscal year 2004:
(A) New budget authority, $54.2.
(B) Outlays, $48.7.
Fiscal year 2005:
(A) New budget authority, $54.2.
(B) Outlays, $50.6.
Fiscal year 2006:
(A) New budget authority, $54.6.
(B) Outlays, $53.9.
Fiscal year 2007:
(A) New budget authority, $54.8.
(B) Outlays, $55.1.
Fiscal year 2008:
(A) New budget authority, $55.3.
(B) Outlays, $56.4.
Fiscal year 2009:
(A) New budget authority, $55.5.
(B) Outlays, $56.7.
(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $8.6.
(B) Outlays, $10.6.
Fiscal year 2001:
(A) New budget authority, $7.8.
(B) Outlays, $9.3.
Fiscal year 2002:
(A) New budget authority, $8.8.
(B) Outlays, $8.8.
Fiscal year 2003:
(A) New budget authority, $8.9.
(B) Outlays, $9.2.
Fiscal year 2004:
(A) New budget authority, $9.1.
(B) Outlays, $9.3.
Fiscal year 2005:
(A) New budget authority, $10.8.
(B) Outlays, $10.0.
Fiscal year 2006:
(A) New budget authority, $11.8.
(B) Outlays, $10.7.
Fiscal year 2007:
(A) New budget authority, $12.8.
(B) Outlays, $11.6.
Fiscal year 2008:
(A) New budget authority, $13.8.
(B) Outlays, $12.8.
Fiscal year 2009:
(A) New budget authority, $14.8.
(B) Outlays, $13.8.
(10) Education, Training, Employment, and Social Services:
Fiscal year 2000:
(A) New budget authority, $68.6.
(B) Outlays, $64.3.
Fiscal year 2001:
(A) New budget authority, $67.3.
(B) Outlays, $66.1.
Fiscal year 2002:
(A) New budget authority, $67.5.
(B) Outlays, $66.7.
Fiscal year 2003:
(A) New budget authority, $69.9.
(B) Outlays, $68.5.
Fiscal year 2004:
(A) New budget authority, $71.8.
(B) Outlays, $70.7.
Fiscal year 2005:
(A) New budget authority, $74.1.
(B) Outlays, $72.5.
Fiscal year 2006:
(A) New budget authority, $76.3.
(B) Outlays, $75.3.
Fiscal year 2007:
(A) New budget authority, $80.2.
(B) Outlays, $78.4.

Fiscal year 2008:
(A) New budget authority, $83.5.
(B) Outlays, $82.5.
Fiscal year 2009:
(A) New budget authority, $87.5.
(B) Outlays, $86.1.
(11) Health (550):
Fiscal year 2000:
(A) New budget authority, $157.1.
(B) Outlays, $153.4.
Fiscal year 2001:
(A) New budget authority, $167.3.
(B) Outlays, $163.9.
Fiscal year 2002:
(A) New budget authority, $177.2.
(B) Outlays, $177.1.
Fiscal year 2003:
(A) New budget authority, $188.9.
(B) Outlays, $189.0.
Fiscal year 2004:
(A) New budget authority, $203.5.
(B) Outlays, $204.2.
Fiscal year 2005:
(A) New budget authority, $220.8.
(B) Outlays, $220.0.
Fiscal year 2006:
(A) New budget authority, $238.7.
(B) Outlays, $238.7.
Fiscal year 2007:
(A) New budget authority, $259.3.
(B) Outlays, $258.7.
Fiscal year 2008:
(A) New budget authority, $280.1.
(B) Outlays, $279.2.
Fiscal year 2009:
(A) New budget authority, $303.2.
(B) Outlays, $302.2.
(12) Medicare (570):
Fiscal year 2000:
(A) New budget authority, $208.8.
(B) Outlays, $208.8.
Fiscal year 2001:
(A) New budget authority, $222.2.
(B) Outlays, $222.3.
Fiscal year 2002:
(A) New budget authority, $231.0.
(B) Outlays, $230.7.
Fiscal year 2003:
(A) New budget authority, $251.2.
(B) Outlays, $251.4.
Fiscal year 2004:
(A) New budget authority, $269.1.
(B) Outlays, $269.3.
Fiscal year 2005:
(A) New budget authority, $269.3.
(B) Outlays, $295.9.
Fiscal year 2006:
(A) New budget authority, $307.6.
(B) Outlays, $307.8.
Fiscal year 2007:
(A) New budget authority, $338.5.
(B) Outlays, $338.7.
Fiscal year 2008:
(A) New budget authority, $366.7.
(B) Outlays, $366.3.
Fiscal year 2009:
(A) New budget authority, $395.3.
(B) Outlays, $395.5.
(13) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $245.7.
(B) Outlays, $248.4.
Fiscal year 2001:
(A) New budget authority, $257.2.
(B) Outlays, $258.5.
Fiscal year 2002:
(A) New budget authority, $267.3.
(B) Outlays, $268.3.
Fiscal year 2003:
(A) New budget authority, $276.8.
(B) Outlays, $277.8.
Fiscal year 2004:
(A) New budget authority, $286.1.
(B) Outlays, $287.8.
Fiscal year 2005:
(A) New budget authority, $300.6.
(B) Outlays, $301.6.
Fiscal year 2006:
(A) New budget authority, $307.3.
(B) Outlays, $309.0.
Fiscal year 2007:
(A) New budget authority, $313.8.
(B) Outlays, $316.1.
Fiscal year 2008:
(A) New budget authority, $327.7.
(B) Outlays, $330.7.
Fiscal year 2009:
(A) New budget authority, $338.4.
(B) Outlays, $341.8.
(14) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $14.2.
(B) Outlays, $14.3.
Fiscal year 2001:
(A) New budget authority, $13.8.
(B) Outlays, $13.8.
Fiscal year 2002:
(A) New budget authority, $15.6.
(B) Outlays, $15.6.
Fiscal year 2003:
(A) New budget authority, $16.3.
(B) Outlays, $16.3.
Fiscal year 2004:
(A) New budget authority, $17.1.
(B) Outlays, $17.1.
Fiscal year 2005:
(A) New budget authority, $18.0.
(B) Outlays, $18.0.
Fiscal year 2006:
(A) New budget authority, $19.1.
(B) Outlays, $19.0.
Fiscal year 2007:
(A) New budget authority, $20.2.
(B) Outlays, $20.1.
Fiscal year 2008:
(A) New budget authority, $21.4.
(B) Outlays, $21.4.
Fiscal year 2009:
(A) New budget authority, $22.7.
(B) Outlays, $22.6.
(15) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $45.6.
(B) Outlays, $45.5.
Fiscal year 2001:
(A) New budget authority, $46.3.
(B) Outlays, $46.4.
Fiscal year 2002:
(A) New budget authority, $46.8.
(B) Outlays, $46.7.
Fiscal year 2003:
(A) New budget authority, $48.1.
(B) Outlays, $48.3.
Fiscal year 2004:
(A) New budget authority, $48.4.
(B) Outlays, $48.8.
Fiscal year 2005:
(A) New budget authority, $53.5.
(B) Outlays, $53.9.
Fiscal year 2006:
(A) New budget authority, $52.1.
(B) Outlays, $52.5.
Fiscal year 2007:
(A) New budget authority, $53.5.
(B) Outlays, $51.9.
Fiscal year 2008:
(A) New budget authority, $54.7.
(B) Outlays, $55.2.
Fiscal year 2009:
(A) New budget authority, $57.0.
(B) Outlays, $57.4.
(16) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $23.4.
(B) Outlays, $25.3.
Fiscal year 2001:
(A) New budget authority, $24.7.
(B) Outlays, $24.9.
Fiscal year 2002:
(A) New budget authority, $24.7.
(B) Outlays, $24.9.
Fiscal year 2003:
(A) New budget authority, $25.9.
(B) Outlays, $25.7.
Fiscal year 2004:
(A) New budget authority, $27.7.
(B) Outlays, $27.6.
Fiscal year 2005:
(A) New budget authority, $29.9.
(B) Outlays, $29.3.
Fiscal year 2006:
(A) New budget authority, $31.2.
(B) Outlays, $30.2.
Fiscal year 2007:
(A) New budget authority, $32.9.
(B) Outlays, $32.5.
Fiscal year 2008:
(A) New budget authority, $34.5.
(B) Outlays, $34.0.
Fiscal year 2009:
(A) New budget authority, $35.5.
(B) Outlays, $35.2.
(17) General Government (800):
Fiscal year 2000:
(A) New budget authority, $12.3.
(B) Outlays, $13.5.
Fiscal year 2001:
(A) New budget authority, $12.1.
(B) Outlays, $12.6.
Fiscal year 2002:
(A) New budget authority, $12.1.
(B) Outlays, $12.3.
Fiscal year 2003:
(A) New budget authority, $12.1.
(B) Outlays, $12.2.
Fiscal year 2004:
(A) New budget authority, $12.4.
(B) Outlays, $12.4.
Fiscal year 2005:
(A) New budget authority, $13.2.
(B) Outlays, $12.8.
Fiscal year 2006:
(A) New budget authority, $14.0.
(B) Outlays, $13.7.
Fiscal year 2007:
(A) New budget authority, $.
(B) Outlays, $.
Fiscal year 2008:
(A) New budget authority, $.
(B) Outlays, $.
Fiscal year 2009:
(A) New budget authority, $.
(B) Outlays, $.
(18) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $.
(B) Outlays, $.
Fiscal year 2001:
(A) New budget authority, $.
(B) Outlays, $.
Fiscal year 2002:
(A) New budget authority, $.
(B) Outlays, $.
Fiscal year 2003:
(A) New budget authority, $265.2.
(B) Outlays, $265.2.
Fiscal year 2004:
(A) New budget authority, $263.3.
(B) Outlays, $263.3.
Fiscal year 2005:
(A) New budget authority, $260.6.
(B) Outlays, $260.6.
Fiscal year 2006:
(A) New budget authority, $257.7.
(B) Outlays, $257.7.
Fiscal year 2007:
(A) New budget authority, $254.8.
(B) Outlays, $254.8.
Fiscal year 2008:
(A) New budget authority, $250.7.
(B) Outlays, $250.7.
Fiscal year 2009:

(A) New budget authority, $246.7.
(B) Outlays, $246.7.
(19) Allowances (920):
Fiscal year 2000:
(A) New budget authority, −$9.3.
(B) Outlays, −$9.5.
Fiscal year 2001:
(A) New budget authority, −$4.5.
(B) Outlays, −$4.4.
Fiscal year 2002:
(A) New budget authority, −$4.3.
(B) Outlays, −$5.7.
Fiscal year 2003:
(A) New budget authority, −$4.1.
(B) Outlays, −$4.3.
Fiscal year 2004:
(A) New budget authority, −$4.4.
(B) Outlays, −$4.4.
Fiscal year 2005:
(A) New budget authority, −$4.5.
(B) Outlays, −$4.4.
Fiscal year 2006:
(A) New budget authority, −$4.3.
(B) Outlays, −$4.3.
Fiscal year 2007:
(A) New budget authority, −$4.3.
(B) Outlays, −$4.3.
Fiscal year 2008:
(A) New budget authority, −$4.4.
(B) Outlays, −$4.3.
Fiscal year 2009:
(A) New budget authority, −$4.2.
(B) Outlays, −$4.2.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, −$35.1.
(B) Outlays, −$35.1.
Fiscal year 2001:
(A) New budget authority, −$37.9.
(B) Outlays, −$37.9.
Fiscal year 2002:
(A) New budget authority, −$44.9.
(B) Outlays, −$44.9.
Fiscal year 2003:
(A) New budget authority, −$38.3.
(B) Outlays, −$38.3.
Fiscal year 2004:
(A) New budget authority, −$38.6.
(B) Outlays, −$38.6.
Fiscal year 2005:
(A) New budget authority, −$39.8.
(B) Outlays, −$39.8.
Fiscal year 2006:
(A) New budget authority, −$40.8.
(B) Outlays, −$40.8.
Fiscal year 2007:
(A) New budget authority, −$42.5.
(B) Outlays, −$42.5.
Fiscal year 2008:
(A) New budget authority, −$43.6.
(B) Outlays, −$43.6.
Fiscal year 2009:
(A) New budget authority, −$44.8.
(B) Outlays, −$44.8.
(21) Multipurpose (970):
Fiscal year 2000:
(A) New budget authority, $0.0.
(B) Outlays, $0.0.
Fiscal year 2001:
(A) New budget authority, $0.0.
(B) Outlays, −$19.0.
Fiscal year 2002:
(A) New budget authority, $0.0.
(B) Outlays, $10.0.
Fiscal year 2003:
(A) New budget authority, $0.0.
(B) Outlays, −$1.0.
Fiscal year 2004:
(A) New budget authority, $0.0.
(B) Outlays, $10.0.
Fiscal year 2005:
(A) New budget authority, $0.0.
(B) Outlays, $0.0.
Fiscal year 2006:
(A) New budget authority, $0.0.
(B) Outlays, $0.0.
Fiscal year 2007:
(A) New budget authority, $0.0.
(B) Outlays, $0.0.
Fiscal year 2008:
(A) New budget authority, $0.0.
(B) Outlays, $0.0
Fiscal year 2009:
(A) New budget authority, $0.0
(B) Outlays, $0.0.

SEC. 4. RECONCILIATION.

(a) FIRST RECONCILIATION BILL.—Not later than July 1, 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 necessary—

(1) to ensure (A) that the surplus of all trust fund receipts over outlays of the social security trust funds is invested in special purpose bonds backed by the full faith and credit of the United States, and (B) that such funds are applied by the Treasury solely to pay off the outstanding debt of the United States held by the public; and

(2) to ensure further that the Treasury shall issue bonds backed by the full faith and credit of the United States Government to the Board of Trustees of the Federal Old-Age, Survivors, and Disability Insurance Trust Funds and to the Board of Trustees of the Medicare Hospital Insurance Trust Fund in an amount specified in this resolution which equals the public debt retired through fiscal year 2014. 81½ percent of such bonds shall be issued to the social security trust funds and 19½ percent to the Medicare Hospital Insurance Trust Fund.

(b) SECOND RECONCILIATION BILL.—If the reconciliation bill referred to in subsection (a) is enacted, then, not later than the 20th calendar day beginning after the date of such enactment, the House Committee on Ways and Means shall submit its recommendations to the Committee on the Budget of the House. After receiving those recommendations, the Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(1) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce revenues as follows: −$40.1 in the period of fiscal years 2000 through 2004 and −$116.5 in the period of fiscal years 2000 through 2009.

(2) The policy of this concurrent resolution is that the bill reported under section 4(b)(1) accommodate high priority tax relief of approximately $62 billion over five years, $166 billion over ten years, and $295 billion over fifteen years upon enactment of legislation that extends solvency of the Social Security trust funds until 2050 and solvency of the Medicare Trust Fund until at least 2020. Of these amounts, $22 billion over five years, $50 billion over ten years, and $90 billion over fifteen years would fully offset revenues lost by closing or restricting unwarranted tax benefits. Such tax relief should—

(1) expand tax credits to alleviate the costs of child care for working families;

(2) reduce financing costs for primary and secondary public school modernization;

(3) mitigate ''marriage penalties'' in the tax code;

(4) ensure that working families eligible for child tax credits are unaffected by the Alternative Minimum Tax;

(5) create tax incentives for working families to establish savings accounts for retirement;

(6) extend long-supported and previously renewed tax benefits that soon will expire, such as the Work Opportunity and Research and Experimentation credits;

(7) accommodate the revenue effects of enacting the Dingell bill (H.R. 358), legislation improving rights for medical patients and providers in managed care health plans;

(8) provide tax relief to assist working families with long-term care needs; and

(9) provide tax credits to purchasers of Better American Bonds which will support State and local environmental protection initiatives.

SEC. 5. EXTENDING THE SOLVENCY OF SOCIAL SECURITY AND MEDICARE.

Until enactment of the legislation required by this section, none of any budget surplus shall be obligated or expended. Upon enactment of this legislation, the on-budget surplus may be used to increase programs or to offset tax reduction, subject to the discretionary spending caps and the pay-as-you-go rules as enacted by H. Con. Res. 67 (105th Congress) or as subsequently amended. It is the objective of this resolution to extend the solvency of Social Security at least until 2050 and the solvency of Medicare at least until 2020, and to prohibit obligation or expenditure of any budget surplus until these objectives are met. The Balanced Budget Agreement of 1997 set discretionary caps for fiscal years 1998 through 2002 based upon explicit funding levels for national defense (Function 050) for fiscal years 1998 through 2002. The President's budget for fiscal year 2000 requests a baseline increase in Function 050 amounting to $84 billion in budget authority for each of the next 5 years. The purpose of the increase is to address problems of readiness and retention and to meet requirements for modernization of forces, which were not anticipated in the Balanced Budget Agreement of 1997. This request changes fundamentally the assumptions on which the agreement was made; therefore, baseline spending should be increased in order to provide sufficient funds for nondefense discretionary spending needs while meeting the President's request for additional defense spending. Therefore, upon enactment of legislation making Social Security and Medicare solvent, as required by section 4(a), the discretionary spending caps applicable to fiscal years 2001 and 2002 should be adjusted upward to reflect the additional defense spending request from the President's budget.

SEC. 6. 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. 7. RELINQUISHING THE FEDERAL SHARE OF MEDICAID FUNDS RECOUPED AS A RESULT OF TOBACCO SETTLEMENTS BETWEEN THE STATES AND TOBACCO COMPANIES.

The resolution assumes the Federal share of Medicaid funds recouped as a result of tobacco settlements between the States and tobacco companies will be relinquised to the States. The resolution assumes that the release of the Federal Government's claim to these funds in favor of the States will be made by law, and will be subject to certain conditions and activities prescribed by law including, but not limited to, programs which improve public health, programs designed to prevent youth smoking, other health activities or education, and compensation for tobacco farmers.

SEC. 8. SENSE OF 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 CONGRESS.—It is the sense of 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. 9. SENSE OF 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 CONGRESS.—It is the sense of 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. 10. SENSE OF 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 CONGRESS ON IMPROVING ACCESS TO HEALTH CARE INSURANCE.—It is the sense of 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 CONGRESS ON ACCESS TO HOME HEALTH CARE.—It is the sense of 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. 11. 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. 12. 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. 13. SENSE OF CONGRESS ON PROVIDING HONOR GUARD SERVICES FOR VETERANS' FUNERALS.

It is the sense of 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. 14. SENSE OF CONGRESS REGARDING THE PRESIDENT'S LIVABILITY AGENDA AND LANDS LEGACY INITIATIVE.

(a) FINDINGS.—Congress finds that—

(1) States and localities across the country are taking steps to address the problems of traffic congestion, urban sprawl, the deterioration of recreational areas, and the disappearance of wildlife habitat and open space;

(2) the Government should be a strong partner with States and localities as they strive to address these problems and build livable communities for the 21st century;

(3) the Government can and should also take independent actions to protect critical lands across the country and to preserve America's natural treasures; and

(4) the President's Lands Legacy Initiative and Livability Agenda represent two comprehensive proposals that advance these goals.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President's Land Legacy Initiative and Livability Agenda should be considered high priorities by the Appropriations Committees as they make spending decisions for fiscal year 2000 and beyond.

SEC. 15. SENSE OF CONGRESS ON CHILD NUTRITION.

It is the sense of Congress that both Democrats and Republicans understand that an

adequate diet and proper nutrition are essential to a child's general well-being. Furthermore, 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. Because of this fact, as well as the current Federal role in school nutrition programs and the commitment on behalf of both Republicans and Democrats to helping children learn, it is the sense of Congress that the Committee on Education and the Workforce and the Committee on Agriculture of the House should examine our Nation's nutrition programs to determine if they can be improved, particularly with respect to services to low-income children.

SEC. 16. SENSE OF CONGRESS REGARDING STATES' FLEXIBILITY TO HELP LOW-INCOME SENIORS MEET MEDICARE'S COST SHARING REQUIREMENTS.

(a) FINDINGS.—The Congress finds that—

(1) Congress and the States through Medicaid have established two vital programs to help senior citizens pay medicare premiums, deductibles, and copayments through the Qualified Medicare Beneficiary (QMB) and the Specified Low-Income Medicare Beneficiary (SLMB) programs;

(2) a recent Families, USA study found that between three and four million low-income seniors are not getting the help to which they are legally entitled, which is nearly 40 percent of those eligible for these programs; and

(3) for many senior citizens with limited means, these medicare premiums, deductibles, and copayments can be a significant burden on their monthly budgets.

(b) SENSE OF CONGRESS.—It is the sense of Congress that these low-income seniors be enrolled in Medicaid by allowing the Social Security Administration to automatically assume that these seniors are eligible for Medicaid, while States make final determinations.

SEC. 17. SENSE OF CONGRESS ON EQUITABLE REIMBURSEMENT FOR FEDERALLY QUALIFIED HEALTH CENTERS.

The Balanced Budget Act of 1997 contained a provision to phase out Medicaid cost-based reimbursements from States to FQHC's beginning in August of 1999 and phasing out completely by 2002. It is anticipated that the phase-out of these reimbursements will put a tremendous strain on the ability of FQHC's to meet the healthcare needs of Medicaid beneficiaries and the uninsured, particularly in rural areas of the United States. It is the sense of Congress that a fair and equitable Medicaid reimbursement policy should be developed for FQHC's in recognition of their unique patient and service mix.

SEC. 18. SENSE OF CONGRESS REGARDING STATES' FLEXIBILITY TO PROVIDE CHILDREN WITH HEALTH INSURANCE.

(a) FINDINGS.—The Congress finds that—

(1) according to the 1997 current population survey data from the United States Census Bureau, 11.3 million children are uninsured and 4.4 million of them are eligible for Medicaid;

(2) under the Balanced Budget Act of 1997, States have a new option under Medicaid to grant ''presumptive eligibility'' to children through pediatricians, community health centers, other health providers, Head Start centers, WIC agencies, and State or local child care agencies that determine eligibility for child care subsidies; and

(3) it is more cost effective to enroll these children in Medicaid and ensure that they are receiving preventive care through a family doctor, rather than through an emergency room where children are sicker and taxpayers will end up paying more through higher Medicaid expenditures, local taxes, or insurance premiums.

(b) SENSE OF CONGRESS.—It is the sense of Congress that these low-income children be enrolled in Medicaid by allowing schools, child care resource and referral centers, child support agencies, workers determining eligibility for homeless programs, and workers determining eligibility for the Children's Health Insurance Program (CHIP) to automatically assume that these children are eligible for Medicaid, while States make final determinations.

The CHAIRMAN. Pursuant to the rule, the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Ohio (Mr. KASICH) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY) the ranking Democrat on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, if we were voting on final passage on the Spratt amendment, I would vote against it, because it and all other budgets before us today pretend that both parties will make deep cuts in health, environment, education, international responsibilities, and defense that in the end neither party, in my view, will accept.

But this vote is not to pass the Spratt amendment. It is to substitute the Spratt amendment for the Republican budget, and I will vote to do that. Because, with all of its false premises, it is far less reckless, far more balanced and responsible than the Republican alternative that it amends.

Now, why do I say that? It is because I was here in 1981 and I remember the Republicans and a lot of conservative Democrats ramming the disastrous Reagan budgets through this House, which promised that we could double defense spending, provide huge tax cuts aimed at the wealthy, and still balance the budget.

Instead, those budgets tripled the deficits and tripled the national debt. And it took us some 19 years to dig out of that hole to the point where a President could finally present a balanced budget to the Congress.

I vowed never again will I cooperate in that kind of outrageous activity. But now the Republicans in their approach bring us the same patent medicine snake oil that they gave us in 1981.

The Spratt amendment does not. The Spratt amendment extends the solvency of Social Security and Medicare. It is better for veterans. It is better for education. It is better for health care. And in the future, it makes some of the investments that we will need to create greater opportunity for all of our American families.

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But I caution all of my colleagues. After the budget resolution passes today, they will then face the appropriations process. In that process, I predict that neither party will be willing to vote for the cuts in education, in health care, in agriculture, in veterans, in environmental cleanup, in defense that all of these resolutions promise today.

I really believe that Members fundamentally misunderstand what is happening in the budget process, and I would ask this question: Does anybody on this floor really believe that in the end in the appropriations process they will cut 10 percent below current services this year, or 20 to 25 percent below current services in the coming 5 years in some of the program areas I have just described? The answer is very simple. They simply will not do it.

The budget process in my view has become fundamentally flawed and phony. It politically rewards phonies. It allows Congress to pretend that it is making cuts at the macro level, which it will never deliver at the micro program level. And we desperately need to change it if we want to bring reality back to the process and integrity back to the debate about budgeting. Unless we do that, the public will not understand a single thing we do here on budgets, and in a democracy, that is unacceptable.

And so I would simply say in closing, while I would not support the Spratt amendment if it were final passage because I believe all of these budgets before us today are fundamentally phony, this is by far the most balanced, the most equitable, the most thoughtful in terms of providing the long-term investments that we will eventually need in this country, and I would urge its adoption as a substitute to the Republican vehicle now before us.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I want to say, and I hope all my colleagues share this view, the gentleman from Wisconsin, who is the ranking member of the Committee on Appropriations and has to deal most pointedly with the reality as opposed to the rhetoric, invariably in my opinion speaks the truth not only to us but to the American public. I voted for the Blue Dog and I am going to vote for the Spratt budget, but those of us who serve on the Committee on Appropriations know that, in the final analysis, Members are not going to pass bills within their constraints that we now have on the floor, and that is what the gentleman from Wisconsin is talking about. I want to congratulate him for his leadership, for his honesty and for his service in this institution. I thank the gentleman for yielding.

Mr. OBEY. I thank the gentleman, and I thank the gentleman for the time.

Mr. CHAMBLISS. Mr. Chairman, I yield such time as he may consume to

the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to the Spratt amendment.

I rise in opposition to the Spratt amendment and in support of the Republican resolution which secures Social Security and Medicare, and increases education. The Republican resolution is the only budget that takes the first steps necessary toward improving benefits for veterans and restoring the health of national defense.

As I stand here today, our dedicated service men and women who are deployed throughout the world, are unselfishly putting their lives at risk in support of our national security interests—in Kosovo, Iraq and North Korea to name a few.

The Subcommittee on Military Personnel, which I chair, has had very good hearings concerning pay, retirement, retention and health care. The concerns that are affecting our soldiers, sailors, airmen and marines are real!

During these investigations I received a letter, which I would like submitted for the RECORD, from a young officer in the Navy. He, like the rest of the outstanding military personnel loves what he does and takes great pride in supporting and protecting our country. He only asks that we provide him with qualified people, tools and training to complete their mission and to pay them an honest day's wage for an honest day's work. These men and women and their families deserve better than this—there is no excuse that they do not have the proper tools and equipment, work and live in substandard facilities and are paid so poorly they have to work two jobs to support their families. Our force is undermanned and overworked. The operation tempo is so high that many of these men and women have spent the last two Thanksgivings and Christmases away from their families. This is insulting to them and to this country which they so unselfishly support.

I heard one of my colleagues from across the aisle say "We have a moral obligation to support defense and that he would support the proposal that provides the most for defense." We do have a moral obligation to support defense and the Republican budget resolution with the manager's amendment takes the first steps necessary toward providing for defense. It will provide more dollars in fiscal year 2000, (3 billion more than the Spratt amendment or the President's) than any other proposal.

In addition, the Republican budget provides over $1 billion for the veterans who have also sacrificed so much for this country.

Unlike the Spratt amendment the Republican budget resolution will fulfill our promise to veterans and work toward maintaining a strong national defense.

I strongly oppose the Spratt amendment and support the Republican budget and urge my colleagues to do the same.

Mr. Chairman, I include the following for the RECORD:

To whom it may concern:

For the last 17 years I have served my country as a sailor in the United States Navy. I have seen what I believe to be the decline in discipline reach an all time low in the last 2 years. I believe that boot camp has become too lax and fails to produce sailors that could go immediately into combat and survive. We also take those same sailors and send them to Pensacola for follow on training where they live better than most senior fleet sailors. They are cuddled the whole time they are in school. They arrive in the fleet with little or no concept of discipline. After they complete training they show up at various stations around the world and live in what is little more than a slum. We always say, "if you take care of your sailors, then they will take care of you." Taking care of them may be in the form of a good ass chewing to get them back on track. If we coddle them as airmen then what is there to look forward to?

It takes a special breed of person to stay in the Navy. Sailors that stay in the Navy are, for the most part, not in it for fame or fortune. They stay in the Navy because they love what they do, pride in the hardest job in the world, well done. There is no greater satisfaction than watching the fruits of your labor launch off the pointy end of an aircraft carrier loaded with all the ordnance it can possibly carry and go take a piece of American policy to those who need it most. They stay because of camaraderie. They stay because of honor, courage and commitment.

Honor, courage and commitment are words that are often used in jest. What they should say is honor the sailor and respect the job and sacrifice that he endures. Have the courage to give those who risk their life every day in the defense of our country and democracy the proper equipment to do their job. Make the commitment to the basic human needs that every human being, even sailors, need for themselves and their families.

Most sailors are held to an even higher standard than the people who send them to their deaths in battle. Many have a hard time living with the double standard that they are held to. If our Commander-in-Chief can admittedly lie to Congress about his improprieties, then why must an active duty military person have their lives ruined and be forced from the service of his country, because he went to a convention that honors all of those who have ever landed an aircraft on the pitching deck of an aircraft carrier.

We need to provide the fleet with all the tools to maintain all our assets. Just in time manning and ramping up for deployment is ludicrous, people and assets need to be in position and onboard to benefit from the rigors of the training cycle. Sailors need to be properly trained. They need to have the proper support equipment to test the systems, be it on a ship or aircraft. They need publications that are up-to-date. They need the various hand and automated tools to actually perform the maintenance and maintain the equipment. They need adequate space to perform their maintenance and stow their gear. Recently it took us 2 days to complete what should have been a 2-hour procedure for all of these reasons: We could not get a hydraulic test stand that worked correctly. The support equipment people could not fix the hydraulic test stand because they did not have the correct publications. The publications had not been updated to reflect the new tool requirements. Nobody knew how to operate the new test equipment. If we do not have the people or tools to fix the aircraft then the aircraft can not fly. Aircrews need to fly to stay proficient. Aircrews love to fly and that is their job.

We must fulfill the basic human needs of every sailor in order for them to continue to be happy at their job. Pay them an honest day's wage for an honest day's work. A sailor that works on the flight deck of an aircraft carrier, the most dangerous work place in the world, gets $3 a day (before taxes), provided the ship or squadron has enough billets to pay him. Pay them for the sacrifices that they make by providing adequate housing (when ashore), quality health care for them and their families. We need to provide affordable (pay grade based) 24 hour a day 7 days a week daycare.

Manning is probably one thing that gets pinged on the most, but just throwing a body at a problem will not fix it, if it is not the right body. It does not matter if I have 10 mechanics if I have an electrical problem. Of the 200 people assigned to the maintenance department, 25 are temporarily assigned duties outside the command. 140 people are actually assigned to production work centers. The 140 people include 7 in corrosion, 17 ordies, 5 tarpies, 3 PR's, and 28 line rats. This leaves 80 people to perform 97% of the scheduled and unscheduled, documented, direct maintenance on the aircraft. However, on any given day we lose approximately 15 of the 75 people from these work centers due to leave, school, watch, SIQ, LIMDU, appointments, etc. This all means that on an average day we have 65 maintainers performing maintenance on our aircraft. Currently the average direct maintenance man-hour per flight hour, for the F–14 is 60.5. Based on an eight-hour day, five days a week we would perform 11,960 hour of on aircraft maintenance per month. This would equate to 198 flight hours per month or 99 sorties, which would break down to approximately 16 flight hours, or 8 sorties per month for each pilot. This is not enough to stay proficient. This also does not account for any of the other "collateral" duties, administrative requirements or additional tasking these sailors have. What do you think is not gonna be done?

I don't know what the fix is and I don't know all the answers but I will tell you I have never seen the Navy in such a sad state of affairs. I love this business and have always believed that there was honor in my chosen profession. Where else in the world can a high school dropout become an Officer and a key person in a maintenance department with $500 million of assets. We have created most of the problems ourselves through inflated decrees of readiness and continually providing more with less, but at what cost? Sailors are ingenious and will find ways to put "hot steel on target" no matter what it takes, because that is our job. When we have to work harder to get the job done, then some other program is not getting the attention it needs. In many cases those are the paper programs that the bureaucracy has created in order for someone to "cover their ass" or have a "claim to fame." So every cutback has a cost. In this case I think we cut too deep. Unfortunately we elected those bureaucrats that created those paper programs. We are WARRIORS and our job is to be prepared to fight wars.

ROCKY A. RILEY, *LTJG, USN.*

Mr. CHAMBLISS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I must confess a certain degree of confusion. Last month, the author of this amendment, this alternative budget, praised the President's budget with a glowing review. Today he proposes a budget that is diametrically opposed to and

completely incompatible with the President's budget, so I am confused. I do not know in which direction my colleagues on the other side of the aisle really want to go. I suppose we will find out soon. But in the meantime, I want to urge my colleagues on both sides of the aisle to support the obvious alternative, the best budget, the Republican budget proposal.

I came to Congress just 3 months ago as a small businessman, accustomed to the discipline that the free market imposes on business budgets and frustrated by the irresponsible lack of discipline we have often seen in many government budgets. Perhaps the most egregious example of this irresponsibility has been the raid on the Social Security trust funds. I am proud to be a member of the Republican Committee on the Budget that is bringing an end to that irresponsible practice.

The Republican budgets saves 100 percent of Social Security funds, every penny of payroll taxes, every penny of interest owed to the Social Security trust fund. That is $1.8 trillion over the next 10 years, considerably more than the President's budget. In addition, the Republican budget spends more on elementary and secondary education, more on defense, more on Medicare, and then after those priorities are addressed, the Republican budget, unlike any of the Democratic alternatives, provides meaningful tax relief for overtaxed working Americans, all of this accomplished within the context of the 1997 budget agreement.

I urge my colleagues to stand up for senior citizens, to stand up for our students, to stand up for our soldiers and for our taxpayers. Reject the Spratt alternative and vote ''yes'' on the Republican budget.

Mr. SPRATT. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Chairman, I rise in support of the Spratt amendment and in opposition to the Kasich bill. Our amendment provides for the next generation rather than just the next election.

Mr. Chairman, I want to commend Mr. SPRATT for crafting a substitute that will save all of the surplus until we ensure the solvency of Social Security and Medicare. Congress must exercise fiscal discipline and save Social Security first.

I also want to thank committee Democrats for adding my bill, the Etheridge School Construction Act, to the Spratt Substitute. This legislation will provide critically needed help for local schools like those in my District that are bursting at the seams. As the former Superintendent of my state's schools, I call on this Congress to make the education of our children our top priority.

Despite the rhetoric from the other side of the aisle, the Kasich budget does nothing for school construction and abandons the 100,000 new teachers initiative. The Kasich budget cuts higher education by $36.3 billion over ten years. As the first member of my family to graduate from college, I know firsthand that affordable access to a quality education is the key to the American Dream, and Congress must not cut financial aid.

This is a question of our values and our priorities. A budget should be about the next generation not just the next election. Vote for the future and the Spratt Substitute.

HOUSE BUDGET COMMITTEE DEMOCRATIC CAUCUS

The Democratic alternative requires the enactment of legislation extending the solvency of the Social Security Trust Fund to 2050 and the Medicare Hospital Insurance (HI) Trust Fund for 12 additional years prior to the enactment of net new tax cuts or net new spending initiatives. If the solvency of the Social Security and Medicare HI Trust Funds is extended, the Democratic alternative provides for education, training, and social services initiatives.

REPUBLICANS DEVASTATE EDUCATION FUNDING

Despite Republican rhetoric about supporting education, the House Republican budget resolution drastically cuts funding for education, employment and training, and social service programs.

Republicans Cut Education by $1.2 Billion in 2000—The House Republican budget cuts education funding for 2000 by $1.2 billion below a freeze at the 1999 level.

Republicans Cut Purchasing Power by 18.1 Percent by 2009—These cuts in education funding translate into a 6.9 percent decrease in purchasing power by 2004, and an astounding 18.1 percent decrease in purchasing power by 2009.

HIGHER EDUCATION, EMPLOYMENT AND TRAINING, AND SOCIAL SERVICES

The Republicans deeply cut funding that provides higher education assistance, college preparation, social services (such as Head Start), and job training in order to increase spending for elementary and secondary education. (The Republicans do not say which education programs they eliminate.)

Republicans Cut Higher Education and Social Services by $16.7 Billion over Five Years—The Republican budget cuts funding for higher education, training, and social services—programs such as Pell Grants and Head Start—by $1.7 billion for 2000, by $16.7 billion over five years, and by $36.3 billion over ten years compared with the 1999 freeze level.

Republicans Cut Education by 5.7 Percent for 2000, 16.2 Percent for 2009—The magnitude of cuts in the Republican budget requires an across-the-board cut of 5.7 percent for 2000 in programs other than those for elementary and secondary education. By 2009, the Republican budget cuts these programs by 16.2 percent compared with the 1999 freeze level.

DEMOCRATS BOOST EDUCATION FUNDING

The Democratic budget rejects the Republicans' damaging cuts in education programs. It provides $2.6 billion more for education for 2000 than the Republican budget. Over time, the difference between the Democratic and Republican budgets gets even greater; the Democratic budget provides $10.2 billion more than the Republicans over five years (2000–2004), and $51.4 billion more over ten years (2000–2009).

Protect Higher Education, Employment and Training, and Social Services—Unlike the Republican budget, the Democratic alternative does not cut higher education, training, and social services to increase elementary and secondary education programs. The Democratic alternative increases the overall education budget.

Hire 100,000 Teachers—The Democratic budget increases spending by enough to continue the President's initiative to hire 100,000 new teachers over seven years in order to reduce the average class size in first through third grade. Congress funded 30,000 new teachers last year, and the Democratic alternative supports those teachers and allows the hiring of 8,000 more.

Modernize Schools—The Democratic budget includes new tax credits starting in 2000 to pay the interest on almost $25 billion in bonds to build and modernize up to 6,000 public schools. It also continues welfare-to-work and employer-provided post secondary education tax credits.

Increase Special Education—Because the Democratic budget provides $2.6 billion more for 2000 than the Republican budget, Democrats have more room to increase funding for special education. The Republicans increase elementary and secondary education funding by only $500 million above a freeze. Unless they cut other elementary and secondary education programs, they can only increase funding for special education by the same amount.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, I rise in support of the Spratt amendment. I voted against the Balanced Budget Amendment of 1997 because I knew it was unrealistic. I knew that when we got to this backloaded end of this process, we would be facing absolute impossibilities in meeting the needs of this country. We are there.

The gentleman from South Carolina has written a budget within the rules. Those rules are caps on spending that Members are going to find impossible to appropriate within between now and the end of this session. I know everybody on the other side is waiting for the June estimates from CBO, hoping that God will come with billions more dollars to spend and that suddenly we will have some relief. But the fact is that what is happening in this House, and the American people have to understand it, is that those people who want to reduce the size of government are using a very interesting technique. The technique is, erode the tax base so that there is no money and then put social programs and defense head to head. We are headed for some very serious problems.

Now, my belief was that all the mistakes that the gentleman from Wisconsin talked about were very real back in the 1980s, but now we have $5 trillion worth of debt. The gentleman from South Carolina says, ''Let's deal with Social Security, let's deal with Medicare, let's pay down the debt.'' The Republican alternative is, ''Let's figure out some way to shuffle it around on a two-page document, smoke and mirrors, and come to the Committee on Ways and Means and give away billions of dollars in taxes again.''

Now, if you will not pay your credit card debt, you deserve to lose your credit card. What is happening in this budgeting process is you have all this credit card debt that you have built up all those years, you now have a surplus, and you say, ''Let's go on another spending spree.'' This budget that the gentleman from South Carolina has says, ''We're going to take care of the essentials.'' What people worry about is their security when they are old, their Social Security, their Medicare. Yes, when the gentleman from California (Mr. LEWIS) gets old, he will worry about his Medicare, too, and so will his mother and so will everybody else's mother and uncle and aunt if we do not deal with those issues.

The Republican alternative has not one single penny of additional money in the budget for dealing with the problems of Medicare. It should fail. The Spratt amendment should pass.

Mr. KASICH. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPENCE) the very distinguished chairman of the Committee on Armed Services.

Mr. SPENCE. I thank the gentleman very much for yielding me this time.

Mr. Chairman, when it comes to national security, there is no debate about which plan under consideration best provides for our men and women in uniform. Over the President's objection and under threat of veto, the Republican budgets in fiscal years 1996 through 1998 increased defense spending by more than $20 billion over the President's budget in an effort to address some of our military's most critical unfunded quality of life, readiness and modernization shortfalls. The funds were desperately needed, but it was not enough.

Last fall, the Nation's military leadership indicated that the President's defense budget was short by at least $150 billion in critical areas, like pay, housing, modernization, spare parts, maintenance funding and on and on and on. What was the President's response? His budget provides for only about 50 percent of what the Joint Chiefs said was needed. And even that 50 percent is explicitly held hostage to the President's domestic political agenda, while also assuming that the spending caps are broken.

The military's needs are real. The President's defense budget, which itself falls short of meeting the military's minimum requirements, is not. Under the leadership of the Speaker and with the support of our chairman of the Committee on the Budget the gentleman from Ohio (Mr. KASICH), the Republican budget goes a long way towards addressing the Joint Chiefs' unmet requirements. Under the leadership of the Speaker and with the support of the gentleman from Ohio, the Republican budget adds $30 billion to the defense budget, including more than $8 billion next year. And contrary to earlier accusations made by our colleagues on the other side of the aisle, the Republican budget will provide $3 billion in additional outlays just next year alone. These extra funds will provide for everything from a 4.8 percent pay raise to better family housing, to more robustly modernized and dramatically improved readiness.

So contrary to concerns expressed by some of my colleagues on the other side of the aisle, again the Republican budget will take care of the troops, will take care of their families, will take care of readiness and will take care of modernization shortfalls far more effectively than the President's budget will. There is no contest.

Support the troops. Support the Republican budget.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I would like to associate myself with the gentleman's remarks and express my appreciation for his leadership dealing with our national defense.

Mr. SPRATT. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I rise in favor of the Spratt alternative and in opposition to the Republican budget resolution.

Mr. Chairman, I rise in support of the Spratt Alternative and in opposition to the budget resolution before us because I call it the Fable of three evils.

This budget will continue and even accelerate trends away from a progressive tax system. We rely more and more on payroll and property taxes and are less dependent on a progressive income tax. This budget offers tax relief for the rich and uncertainty for everyone else.

Secondly, only as this process moves into appropriation reality will the American people understand the basic unfairness, the coldheartedness which lie at the base of these numbers presented here today.

This budget calls for $200 billion dollars in discretionary cuts in future years. Imagine what this could mean for veterans, senior citizens, children, schools and hospitals.

Thirdly, this budget is built on forecasts which may or may not become real. The Congressional Budget office warns that if economic conditions change, the budget deficit or surplus projections could be off by more than $85 billion dollars and become a political football.

This budget does not reflect the needs of my district where the median income is $25,250. This budget cuts the heart out of senior citizens with the $9 billion Medicare cuts and puts healthcare at risk for millions with the $1.2 billion cut in Medicaid.

I fully support a pay raise for our soldiers in the military; solvency for the social security trust fund; food stamps for elderly immigrants, medicaid for children, pregnant women and legal immigrants with disabilities. Therefore, I support the Spratt Alternative and urge its passage.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, many American children go to school each morning in crumbling schools with poor heating in winter, leaky pipes and paint peeling off the ceiling. Our children deserve better than this.

Many American children are in classrooms with one teacher for 30, 35 or 40 students. Our children deserve better than this.

Our future is only as bright as the education we provide for our children today. I know people are used to Members of Congress talking about the importance of educating our children, but actions speak louder than words. The Democratic budget provides for 100,000 new teachers so that our children get more individualized attention in the classroom. The Democratic budget has an initiative to modernize our aging public schools. The Democratic budget invests in higher education so that everyone who earns a place in college can go to college. We Democrats believe that education needs to be a top priority.

Republicans have a different set of priorities. They cut $16.7 billion over 5 years for higher ed and social services. They cut education by 16 percent by the year 2009. They would rather give a big tax break to someone earning $200,000 a year or more than provide a good school for a child to realize their God-given capabilities. They would rather spend $775 billion on a tax cut than use that money to make sure our schools provide for a world-class education. Of course it is tough to know exactly how they will fund their tax cuts for the wealthy because they do not tell us. Will it come from Head Start? From college student loans and aid? Or maybe they will do what they first tried to do when they became the majority and eliminate the entire Department of Education.

Their budget is like playing Russian roulette with our children's future. That clearly is the difference between Republicans and Democrats, having a different vision of the future. The one that we need is the Spratt Democratic substitute. It provides for the type of vision that educates our children in the next century.

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Mr. KASICH. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, let me just get to the point of matter. This is really very simple.

Every young Member, every young working man and woman in this country, young couple with their own children, their own family, their own hopes

for their own life, is paying a very heavy payroll tax, many times on both incomes. Doing what they can to support their family but paying that heavy payroll tax; for what? For what they believe is the Social Security, retirement security, Medicare, health security of their grandma and their grandpa, and bless their hearts. These little guys, these young men and women, they make that payment. They make that payment because they believe this government is being honest. They think this government is taking that money for grandma and grandpa's retirement, and now they found out that has not been the case.

As late as 1994, the last year the Democrats were in the majority, $100 billion of their hard-earned tax dollars did not go to grandma and grandpa's retirement security or to their health security but to other welfare programs, for all kinds of things. That is not only a betrayal of grandma and grandpa, but that is a betrayal of each and everyone of those young working men and women, these young parents that are working so hard and making such a sacrifice.

How do we change that? The first thing we did was get rid of the deficit. We reformed welfare, we saved Medicare from insolvency, we reformed five major entitlement spending programs, and today for the first time in their life we have an opportunity to tell every young working man and woman in this country that every dime that they pay in payroll taxes will go for the purpose that they pay it, to support grandma and grandpa's and then, yes, some day their own retirement security through Social Security and Medicare. The Democrats are pretending to that, but they compromise it. They cut it off. They cut back because they cannot give up their big spending programs.

But what makes this budget different that the gentleman from Ohio (Mr. KASICH) and this Republican committee has brought to the floor is right here: $200 billion more. To Mr. Young Working America: ''Those payroll taxes that are such a burden in your family are in fact being saved for your retirement security through Social Security than what is done by the President. Two hundred billion dollars more of that money that you pay for that purpose that you are promised by this government will be used for that purpose.''

It is time, Mr. Chairman, that this government get honest with the working people of this country and pay the respect to their grandmother and grandfather that they paid when they pay those payroll taxes. The one fundamental thing we must know about this, every dime of those payroll taxes goes to Social Security and Medicare. We set more of their hard-earned tax dollars aside for Social Security and Medicare than the President, and for the first time we are being honest with both the grandma and the grandpa and the young 20 and 30 year-old young parent that is struggling for their children.

This is our chance to do the one thing we never thought would get done in our lifetime. Let us do it tonight. Mr. Chairman, I thank the gentleman for having yielded the time to me.

Mr. KASICH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Chairman, I rise today in support of the House budget resolution sponsored by the gentleman from Ohio (Mr. KASICH). This budget is a solid step forward in the idea of limited government, of fiscal discipline and protecting Social Security and tax relief. By setting aside 1.8 trillion dollars over the next 10 years, the entire Social Security surplus plus interest, the Republican budget provides more money for the protection of Social Security and Medicare than does the President's budget. In addition, it locks this money away so it can only be used for reforming these important programs or for paying down the national debt. This is a great signal of our commitment to preserving the quality of life and income security of our Nation's seniors that they so richly deserve.

Mr. Chairman, retirement should be a time to enjoy things, the company of friends and family. It should not be spent worrying about where our money is going to come from to retire, about access to health care, about paying the rent.

The Republican budget also provides $800 billion worth of tax relief over the next 10 years.

The Congressional Research Service recently reported that the average American family will end up paying $5,307 more in taxes over the next 10 years than is necessary to operate government, and this is over and above the Social Security surplus. This represents a direct overpayment in taxes on the part of hard-working Americans. Incredibly the President's budget actually increases taxes on working Americans. According to the Tax Foundation 38.5 percent of his budget, the President's tax increase, will be born by individuals who earn less than $25,000 a year. Mr. President, how much is enough?

Mr. Chairman, I cannot think of a better way to begin the new millennium than by reestablishing trust with the taxpayers whom we represent by letting them keep more of their hard-earned dollars. I urge my colleagues to reject this alternative and accept our commitment to taxpayers, to the seniors, and support the Republican budget. It is their money; let us give it back.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HUNTER), a member of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, I thank my friend for yielding this time to me.

Our folks in the Armed Services need more ammunition, they need spare parts for readiness, they need better equipment, and they need better pay. They have told us what we need and what they need, and we should give it to them. There is not a budget here that gives them everything that they have requested for this year. Nobody's budget does that. But the Republican budget comes closer than anybody else. It gives $8 billion more in spending authority for the troops, and it gives $3 billion more in outlays.

Mr. Chairman, that means if my colleagues vote for the Republican budget, we are going to have better pay for our troops, we are going to have more spare parts, we are going to have a better chance of them coming home alive.

My colleagues should vote for the Republican budget if they care about defense.

Mr. KASICH. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), our Minority Leader.

Mr. GEPHARDT. Mr. Chairman, I rise in favor of the Democratic alternative and against the Republican budget, and I want to say tonight that I think we have to look at this issue from the viewpoint of people sitting around their kitchen table at home tonight looking at the issues that are involved in this budget.

It is not about charts, it is not about graphs, it is not about statistics, it is not about numbers. It is about ideas that make sense to ordinary Americans, working families who are sitting around the breakfast table or the dinner table talking about the problems that they face. What would they like to see happen in this budget?

First of all, they want Medicare and Social Security stabilized and extended, probably the two most important programs in peoples' lives. They are popular programs, important programs on an everyday basis. The Democratic budget extends the life of Medicare by 12 years and the life of Social Security by 18 years.

We have a letter from the actuaries that say that our budget does that. They are not Republican actuaries or Democratic actuaries. They are actuaries, and their job is to give us information about ideas, and the Democratic idea they say extends the life of those two programs; in the one case, by 12; in the other case, by 18 years.

The Republican budget does not have that letter from the actuaries, so if our colleagues are worried about Medicare and Social Security, then they ought to vote for the Democratic budget.

The second thing people, I think, would like to do is pay down debt, pay down back debt so that we pass along

less back debt to our children and grandchildren and we have less carrying cost or interest cost in future budgets. The Democratic budget is much better on that score.

The third thing they would like is targeted tax cuts, tax cuts that go to their problems. What are their problems? Long term care for their parents; that is a problem. We can have a targeted tax cut under the Democratic budget for that. They want tax cuts that have to do with U.S.A. accounts. I think the idea of being able to put more savings behind their Social Security so that they can have additional moneys to live on in their retirement is a very attractive idea that is in our budget.

The fourth thing that I think they are interested in is being able to have more funds available for education, for smaller class size, for more teachers, for health care, for housing, for the needs that people have on an everyday basis.

To me this whole issue is very simple. If we look at it through the eyes of ordinary American families who are out there tonight sitting around a table, if we are looking at the things that they care about, what I call kitchen table, everyday problems, this Democratic budget is far superior to the Republican budget on those issues, on those grounds.

This is a simple choice that Members have to make tonight.

I urge Members to vote for the Democratic alternative. If we get the votes to pass it tonight, it will be the budget of the United States, and I think it should be the budget of the United States because it is the budget of working families in this country.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Minority Leader summed it up very nicely. Every time that the majority has wanted a budget to target, to tackle, today, they have pulled out the President's budget and dragged it like a red herring across the path of this debate. Well, this is not the President's budget. It is like it in some respects, but different in other respects. This is a different piece of work.

But there is a key aspect to it, the crowning aspect to it, that is like the President's budget. We Democrats created Social Security, and for the last 65 years we have been its guardians, and now that it faces the strain and stress it will face the next 25 years, we are not going to fail it.

So, if our colleagues look at our budget, by golly, we extend the life of Social Security until the year 2050, and we have a letter from a chief actuary of the Social Security Administration to prove it.

Secondly, next in pride and importance to us is one of our creations, Medicare. In 1968 we created it, and we have sustained it and protected it. The actuaries at the Health Care Finance Administration tell us it will run dry in the year 2008. The Republican budget leaves it in the lurch. Notwithstanding this warning from the actuaries, they do not put one thin dime. Out of all the billions that we see on the rise in the way of surpluses, not a nickel for Medicare. We, on the other hand, put several billions of dollars into this trust fund to sustain and extend its life until the year 2020.

That is what we do first. We do not rush into tax cuts until we have first protected Social Security and Medicare.

Mr. Chairman, let me tell my colleagues something else we do. Now that we are in the position to do it, we treat the trust funds generated, the surpluses generated by Social Security with sanctity. We do not touch them, we do not use any of the money, and we provide in our resolution reconciliation instructions that call for a real lockbox; no, a strong box; not something that rests on a thin reed of a point of order, the kind that gets overridden around here every week, they are honored in the breach. No, we have got statutory instruction to the Treasury that will ensure that this money is used only for the security and benefit of the Social Security Administration.

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The proof of all of this is on the bottom line. There is the bottom line. If Members vote for the Republican resolution, the Social Security trust fund will have a balance of $1.8 trillion 10 years from now. Now, that is not chump change.

Look what happens if Members vote for the Democratic resolution. Ten years from now, the trust fund will have a balance of $3.4 trillion and it will keep growing through the year 2014.

What about Medicare? Vote for the Republican resolution and in 10 years it will be scraping bottom, $14 billion, barely enough to operate on in the trust fund.

We will have a $400 billion balance still left to ensure its solvency into the year 2020. Those are the differences between our budget and their budget. These are significant differences.

We have got a letter from the Health Care Financing Administration also certifying we extend the life of this program until the year 2020.

Furthermore, we spent some money doing this, but we pay down the debt more than my Republican colleagues do. Over 10 years, we pay down the debt $146 billion more; over 15 years, by our calculation, $474 billion more.

What does that mean? That these two programs which will depend upon a treasury not burdened with debt, not overwhelmed with debt service, will be in better condition than ever. Even though we save more, we also spend more. We understand what my colleagues on the Republican side are saying about tax cuts. We do some in our own budget and, in time, if these surpluses materialize, I think we will come back and do more tax reduction.

In this particular budget, we say we believe in people to the extent of wanting to invest in people because we think the investment in human resources and education and housing, in the environment and health is absolutely critical. If we are going to save Social Security and Medicare, when we have 2.13 people working for every person retired, then they have got to be productive citizens, and we invest in the productive citizenry.

What do my friends on the other side do? At every turn, they opt for a tax cut. Now, there is nothing wrong with tax cuts but this budget is fixated on them, and a lot of the problems that we have been able to poke holes in today arise from the fact that my Republican colleagues are so totally committed to that and nothing else. In the area of health care, they brag about plussing up NIH but in truth they diminish the function for health.

In the case of the veterans, their own chairman said they needed $1.9 billion. The committee spurned him, gave him $900 million one year and nothing, $500 million less than the freeze for the next 5 years. In the case of agriculture, they set up a crop insurance program. So do we. $6 billion a year. In the year 2004, they quit funding it. About the time it gets established they pull the pumps out. We put $9 billion more in.

Why do my Republican colleagues do that? Why do the cuts get so big in the outyears? Because they have to make room for this enormous tax cut that keeps growing and growing and growing.

Let me say what the consequences are. This tax cut is $779 billion over 5 years. By our extrapolation, if we extend it forward at the rate of growth in the economy, it will be $1.11 trillion in the period 2009 to 2014.

Now, why is that period significant? That is the very time when the Social Security trust fund will start taking in less payroll taxes than it pays out in benefits, and at that point in time the budget of my Republican colleagues, their tax cut, takes its heaviest toll on the treasury, placing the treasury in jeopardy of securing these two programs.

No, my friends on the other side do not cut them. They do not cut Medicare and they do not cut Social Security but they cut taxes in a way that could very well jeopardize their future because of that huge, mounting, swelling tax cut in those outyears when the money is needed most.

Are there differences between these two budgets? We better believe there are differences. This is a better budget.

We save more. We spend more. We spend it more responsibly, and we can go down our checklist to see.

We would like to put more teachers in the classrooms in the elementary years. Talking about investing in people, that is when it really pays off. I believe in that. We provide for it. We would like to build better schools, better structures, and we want to help those districts that are poor districts and cannot do it. So we put in the Tax Code some tax credits to help them float school bonds.

We think working mothers deserve better child care credit. We expand them. On down the list, this is a better budget. It is better for Democrats, better for Republicans, better for the country. I suggest everybody vote for it.

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to first of all compliment the gentleman from South Carolina (Mr. SPRATT). He is a great gentleman. He is also a very smart man and an incredible father of children who are, frankly, accomplishing more than he has accomplished here. They are doing great. They are all doctors.

Mr. SPRATT. I thank the gentleman for his compliment.

Mr. KASICH. Mr. Chairman, I must oppose the gentleman for about four or five reasons. Number one, it spends $515 billion more over the next 10 years than the Republican budget. Secondly, it provides almost $30 billion less for defense than the Republican budget over the next 5 years. It provides only $115 billion of net tax relief over 10 years, less than a penny on the dollar, and it also breaks the caps, the spending authority, the proposal we passed in 1997 to balance the budget, by $23 billion in budget authority and $16 billion in outlays. It increases our national debt to about $8.5 trillion by 2009.

So I would ask the Members of the House to oppose the Spratt budget. It spends too much. There is too little for defense, too little in tax relief for Americans. It unfortunately breaks down the discipline of the 1997 budget agreement and adds to our national debt. For those reasons, while I have great respect for the gentleman from South Carolina I would ask the Members to reject the Spratt amendment, and then we will move on to final passage in a short period of time.

Mr. DOYLE. Mr. Chairman, I rise today in support of the Democratic Budget Alternative.

Given the great amount of time we have paid over the past several years to the critical issues of paying down the national debt, ensuring the solvency of Medicare and Social Security, and targeting tax cuts in a fiscally responsible manner, I am pleased that the Democratic Alternative embodies these important priorities.

In my view, a comparison of the Democratic and Republican budget proposals clearly indicates who has been listening to the American people and who has not. The annual budget is meant to serve as a barometer of what our country needs to thrive and be successful now and in the future. While the Democratic Alternative provides thoughtful guidelines to keep our country on course, the Majority's proposal can be likened to an uncontrollable storm that threatens to decimate the significant amount of progress that has been made in getting our nation's financial house in order.

Let's take a quick look at some of the differences.

The Democratic Alternative provides $40 billion in targeted tax cuts for those in need of dependent-care credits, long-term care credit, and school bond credits.

The Republican Proposal has $143 billion in tax cuts in the next four years—and $636 billion in tax cuts in the four years after that. In total, a whopping $1 trillion dollars in tax cuts in ten years. These figures are so staggering that by FY 2009, these ill-advised tax cuts would become so large that they would exceed the entire non-Social Security surplus projected for those years.

The Democratic Alternative extends the solvency of Social Security to 2050 and the solvency of Medicare to 2020.

The Republican Proposal does not add one day of extended solvency to either of these critical programs.

And the Democratic Alternative pays down $146 billion more debt than the Republican Proposal.

I also want to express my serious concerns about adequate funding for our nations veterans. I am troubled that those of us who sit on the Veterans Affairs Committee were prevented from even speaking about our alternative which included $3.2 billion more for critical veterans programs than the Administration's funding levels. Representative CLEMENT's efforts on behalf of veterans were treated equally as poorly by Republicans on the Budget Committee and Rules Committee. It is absolutely disingenuous what Republicans today have said about their concern for veterans, and quite frankly is a slap in the face of all veterans and a blatant slam to their intelligence.

Again, putting rhetoric aside and looking at the cold facts that the numbers illustrate—the Democratic Alternative provides an increase of $2 billion in FY 2000 discretionary spending for veterans and $106 billion in budget authority over 5 years. The Republican Proposal on the other hand offers our veterans the paltry crumbs of a $900 million increase in FY 2000—which doesn't even cover the costs of inflation and pay for hard working VA employees. And then they turn around and slash funding for veterans by $1.1 billion in FY 2001.

Mr. Chairman, the numbers speak for themselves. The Democratic Alternative reflects the priorities and needs of the American people. I urge my colleagues to support its passage.

Mr. KASICH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from South Carolina (Mr. SPRATT).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SPRATT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 250, not voting 10, as follows:

[Roll No. 76]

AYES—173

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Payne
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—250

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing

Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Owens
Oxley
Packard
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Souder
Spence
Stark
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tierney
Toomey
Traficant
Upton
Visclosky
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Barcia
Brown (CA)
Burton
Cooksey
Dingell
Hostettler
Metcalf
Pelosi
Smith (TX)
Stupak

□ 1853

Messrs. PHELPS, EHLERS, and CAMPBELL changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BURTON of Indiana. Mr. Speaker, I was unavoidably detained for rollcall No. 76. Had I been present, I would have voted "no".

The CHAIRMAN. The final period of general debate is now in order.

The gentleman from Ohio (Mr. KASICH) and the gentleman from South Carolina (Mr. SPRATT) each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not think I will need to take the 5 minutes allotted me. Before Members make the decision to vote for this resolution and put the country potentially on this fiscal path for a number of years to come, I want to suggest that Members think twice. I want to point out the consequences of it.

I am not opposed to tax cuts. Members will find in our budget resolution $62 billion in the first 5 years, $164 billion in the second 5 years.

□ 1900

As I said in the debate, when we find whether or not these surpluses are for real, whether these billions of dollars are actually going to materialize out in time, then we can revisit tax reduction and do it on a sensible basis and not bet on the come, bet as if everything projected on paper is going to take place, and we can do a $779 billion tax cut with no consequences to the budget.

These are the tax cuts that we plotted here: $143 billion in the first 5 years, $436 billion in the next 5 years. Then, if we extrapolate those tax cuts at the rate of growth of the economy, in the third 5-year period, between 2009 and 2014, they will grow, by our calculation, to a loss of revenues of $1.11 trillion.

What does that mean? It means, first of all, that in the years we are talking about, 2009 to 2014, when the Social Security program may need assistance because the administrator of the Social Security Administration will be taking in less in payroll taxes than he is paying out in benefits, my colleagues' tax cut will take maximum toll on the Treasury.

Indeed, if these surpluses do not materialize, my colleagues may indeed be cutting into the Social Security surpluses to bite their protestations that they will not touch them. This tax cut may lead inevitably to that. That is somewhat speculative, but I think it is a real risk. This is not a risk.

The reciprocal of these tax cuts is a matching decline in discretionary spending. So while my colleagues have talked about doing more for education, if they look at their budget, when they get to the out years, starting in 2005, they do $50 billion less than we provided.

If my colleagues go through the budget, there are all kinds of anomalies in the budget. These are the reasons for it. When my colleagues get to NIH, both in the Senate and in the House, the Republicans touted the National Institutes of Health, said we were going to do more. We looked to see how they did it, only to find that the health function was shrinking.

NIH is 52 percent of the health function in this budget. How in the world are my colleagues going to enlarge NIH while they shrinking the function is a mystery to me. It certainly comes out of the hide of other important public health programs.

Look at veterans programs. The gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Veterans' Affairs, wrote the committee, the Committee on Budget, after a vote taken by his Committee on Veterans' Affairs and said, I need a minimum of $1.9 billion to keep the promises we have made to our veterans every year.

What my colleagues did in their budget was give him $900 million, not $1.9 billion, but $900 million. Then, in 2001, 2002, 2003, 2004, it disappeared. It did not recur. As a consequence, over that 5-year period of time, instead of giving veterans more to meet the benefits of the World War II population, which is getting older and older, they gave them less, $500 million less than a 1999 freeze.

Why did my colleagues do it? They are trying to accommodate this tax cut. This budget is fixated on a tax cut. There is nothing wrong with going with tax reduction, particularly when we see these surpluses, but that is all they have got in this budget.

Let me take the case of agriculture. My colleagues' committee put $6 billion in the budget for the creation of a crop insurance program. That is a centerpiece of what agriculture wants this year. Six billion dollars over a 5-year period of time. We matched it.

But guess what happens in 2005, about the time my colleagues are getting this crop insurance program up and running and well established? The funding disappears. My colleagues tell the Committee on Agriculture, go find mandatory sources to offset the cost, which will be $9.1 billion. We were able to squeeze it in our budget. My colleagues were not because of their fixation on doing the biggest tax cut since Kemp-Roth. Throughout the budget, that holds true.

Let me tell my colleagues where it really holds true: national defense. My colleagues went to the trouble of putting $29.6 billion in this budget for national defense. They did not fund the out years. They are lower than the President. They have got a flat budget. In the near term, the $30 billion that they put up is not matched by outlays. All of it because this is an unbalanced budget. It is not a balanced budget is not a balance. It ought to be rejected.

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this majority took control in 1995. The first budget that we saw in our majority was from the President that showed deficits as far as the eye could see. We fought very hard. We took some real political hits because we wanted to deal with programs that had never been dealt with before.

In the process of dealing with Medicare, something that we paid a high political price for, not only did we deal

with the problems of Medicare, but we extended the life of the program for 13 years. We are very proud of that.

In addition to that, we got to 1997, and we stayed on our path towards a balanced budget. Because of our persistence and because of some of the bipartisan support from people on the other side of the aisle, we joined together, and we worked with the President, and we created a historic agreement in 1997.

Now we take a look at the situation in regard to the future and now, rather than having deficits as far as the eye could see, we have surpluses as far as the eye can see.

We want to use those surpluses to do several things, things that we never thought were possible in 1995 when we won the majority. For the first time, we are going to keep our mitts off the money that we collect from Social Security and Medicare. Politicians have only been talking about it.

Frankly, there were some on the other side of the aisle that said that we ought to move it off budget, and I pay tribute to them. But do my colleagues know what? We have been able to be intellectually honest to take the money from Social Security, the payroll taxes, and lock it up and keep our fingers off of it.

In the meantime, we are going to pay down some of the national debt. Many of my colleagues who have served here for 25 years, did they ever think, did they ever think, not only would we have a balanced budget, but we begin to reduce the publicly held debt last year by $50 billion. We all should take credit for that. Then this year, under our proposal, we will reduce the publicly held national debt by an additional $125 billion. Unthinkable in the past.

We intend to save the $1.8 trillion. Do my colleagues know what we really want to do with it? We not only, all of us, not only want to protect the programs for our mothers and fathers, but we want to use the surplus as a leverage to transform Social Security and Medicare so that it will use this surplus to, not just save the programs for our parents, the elderly who does not want the rug pulled from under them, but do my colleagues know what else we can do with this surplus? We can use the power of the American system, the American economy, to set ourselves free so that, not only mom and dad are going to get the benefits, but there will be hope for the baby boomers and their children.

We must not squander this opportunity to transform these programs, to make them more personal, and to make sure, not only mom and dad, but all of us and our children will have the same kind of retirement security that we all hope and dream for.

At the same time, we have decided not to walk away from the 1997 budget agreement. We want to live within the spending caps. But within those caps, we want to emphasize defense. We want to say that our troops need more, that we need better readiness, we need better training, that we can buy the needed equipment.

Over these next 5 years, we are going to struggle to do it, and we were going to work with the Committee on Armed Services to make sure that our military is second to none.

At the same time, we are going to prioritize education. Maybe at some point we will actually be able to look at the special education programs that we have mandated on local schools and say that we will keep our promise to those school districts.

Does that mean some tough choices have to be made? Let me tell my colleagues, with my friends on the Committee on Appropriations, they are not walking around the floor winking at one another. I know they are ready to start the job to make some choices.

I do not think we want to abandon the 1997 agreement. It is too important to all of us. We all have a stake in it. If we can stay with it, we will not get in the way of this economic growth.

Then, finally, Mr. Chairman, as it relates to tax relief, look, we are going to have on budget surplus aside from Social Security and Medicare. I would love to tell my colleagues that we could just leave it here and use it to pay down more debt. But we have all been here long enough to know that the temptations of spending that money to create bigger government are inevitable.

So what we really want to do, if we want to return power to people, if we really want to emphasize the dignity and power of the individual in the next century, we want people to have more power, more control over their lives; and tax cuts are the best manifestation of it. Do my colleagues know why? Because the more one has in one's pocket, the more one's children has in their pockets, the more one's parents has in their pockets, the more they can pursue their destiny and the American dream.

Every day, we ought to work to meet the challenges that the government must meet, but at the same time empower people.

What this resolution does is historic. It begins to transform the programs that provide retirement security while maintaining fiscal discipline while returning a big chunk of the revenue of the Federal Government back in the pockets of the taxpayers. Approve the bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration 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, pursuant to House Resolution 131, he reported the concurrent resolution, as amended by the adoption of that resolution, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the concurrent resolution, as amended.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 208, not voting 5, as follows:

[Roll No. 77]

YEAS—221

Aderholt	Fletcher	LoBiondo
Archer	Foley	Lucas (OK)
Armey	Forbes	Manzullo
Bachus	Fossella	McCollum
Baker	Fowler	McCrery
Ballenger	Franks (NJ)	McHugh
Barr	Frelinghuysen	McInnis
Barrett (NE)	Gallegly	McIntosh
Bartlett	Ganske	McKeon
Barton	Gekas	Metcalf
Bass	Gibbons	Mica
Bateman	Gilchrest	Miller (FL)
Bereuter	Gillmor	Miller, Gary
Biggert	Gilman	Moran (KS)
Bilbray	Goode	Myrick
Bilirakis	Goodlatte	Nethercutt
Bliley	Goodling	Ney
Blunt	Goss	Northup
Boehlert	Graham	Norwood
Boehner	Granger	Nussle
Bonilla	Green (WI)	Ose
Bono	Greenwood	Oxley
Brady (TX)	Gutknecht	Packard
Bryant	Hall (TX)	Pease
Burr	Hansen	Peterson (PA)
Buyer	Hastert	Petri
Callahan	Hastings (WA)	Pickering
Calvert	Hayes	Pitts
Camp	Hayworth	Pombo
Campbell	Hefley	Porter
Canady	Herger	Portman
Cannon	Hill (MT)	Pryce (OH)
Castle	Hilleary	Radanovich
Chabot	Hobson	Ramstad
Chambliss	Hoekstra	Regula
Chenoweth	Horn	Reynolds
Coble	Hostettler	Riley
Coburn	Houghton	Rogan
Collins	Hulshof	Rogers
Combest	Hunter	Rohrabacher
Condit	Hutchinson	Ros-Lehtinen
Cook	Hyde	Roukema
Cooksey	Isakson	Royce
Cox	Istook	Ryan (WI)
Cramer	Jenkins	Ryun (KS)
Crane	Johnson (CT)	Salmon
Cubin	Johnson, Sam	Sanford
Cunningham	Jones (NC)	Saxton
Davis (VA)	Kasich	Scarborough
Deal	Kelly	Schaffer
DeLay	King (NY)	Sensenbrenner
DeMint	Kingston	Sessions
Diaz-Balart	Knollenberg	Shadegg
Dickey	Kolbe	Shaw
Doolittle	Kuykendall	Shays
Dreier	LaHood	Sherwood
Duncan	Largent	Shimkus
Dunn	Latham	Shuster
Ehlers	LaTourette	Simpson
Ehrlich	Lazio	Skeen
Emerson	Leach	Smith (MI)
English	Lewis (CA)	Smith (NJ)
Everett	Lewis (KY)	Souder
Ewing	Linder	Spence

Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—5

Burton
Paul
Pelosi
Smith (TX)
Stupak

□ 1924

So the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BURTON of Indiana. Mr. Speaker, I was unavoidably detained for rollcall No. 77. Had I been present, I would have voted "yes" on the vote for final passage of H. Con. Res. 68.

GENERAL LEAVE

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the concurrent resolution just agreed to.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1141. An act making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1141) ''An Act making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mrs. HUTCHISON, Mr. KYL, Mr. BYRD, Mr. INOUYE, Mr. HOLLINGS, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, and Mr. DURBIN, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 23. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

THANKS TO THOSE INVOLVED IN BUDGET PROCESS

(Mr. KASICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASICH. Mr. Speaker, I want to take a moment to thank the members of the Committee on the Budget, in particular the gentleman from Georgia (Mr. CHAMBLISS), for his great work throughout this process.

And, of course, the people who are the unsung heroes, the members of the staff, Wayne Struble and his whole team. They have done a fantastic job and worked many late nights.

The same would go for Mr. Kahn, the staff director of the minority side. Without the staff and without the members of the Committee on the Budget, of course, we would never be successful.

Furthermore, I would like to just spend a second to pay a little tribute to the gentleman from South Carolina (Mr. SPRATT), because while he is as tough a partisan fighter as I have ever been up against, at the same time he does it with style. He is not looking to be a cheap-shot artist. And when he can give us a break on our side, he does, and we try to do the same for him.

I think the Committee on the Budget, really, over the years, has been a place where we have been able to fight it out, yet still be collegial at the same time.

□ 1930

So I want to thank the gentleman from South Carolina (Mr. SPRATT); the members of his staff; my staff, in particular Mr. Struble, and all the folks under him; the gentleman from Georgia (Mr. CHAMBLISS); the members of the Committee on the Budget; and the members of the Republican Conference; and the Whip team for their work.

IN APPRECIATION OF MINORITY STAFF OF THE COMMITTEE ON THE BUDGET

(Mr. SPRATT asked and was given permission to address the House for 1 minute.)

Mr. SPRATT. Mr. Speaker, I would like to echo the remarks of the gentleman from Ohio (Mr. KASICH). He and I came here together in 1983. We have been great friends since then, and that friendship is carried over to the work on the committee together. We disagree strongly, but we do it in an agreeable way continually, and it is because he is a gentleman, he is affable, he is wonderful to work with. And I say the same for his staff, particularly Wayne Struble.

I would like to say something for our staff on the minority side, because we in the minority have a small staff and we have to really put out to put a product together. But they have done a gargantuan job over the last several weeks, and I want to mention them individually.

Susan Warner, Medicare. Richard Kogan; I do not know anybody in town who knows the budget better than Richard, number cruncher super. Pepper Santalucia, he just joined us. Sheila McDowell. Linda Bywaters. Chuck Fant. Hugh Brady on defense and discretionary spending. Lisa Irving. Sarah Abernathy. Dale Caldwell. Jim Klumpner, who just joined us, our chief

economist. Andrea Weathers. Marian Worthington. Craig Bomberger. Sandy Clark, who is on maternity leave, about to have twins, but nevertheless is connected with us by modem. And, above all, my friend, my colleague, and my tireless worker, our chief of staff on the minority side, Tom Kahn.

They have put in a Herculean job over the last several weeks. We did not win but we came to the floor in fine fashion because of the work they did.

PERMISSION FOR COMMITTEE ON COMMERCE TO HAVE UNTIL MIDNIGHT, APRIL 9, 1999, TO FILE REPORT ON H.R. 851, SAVE OUR SATELLITES ACT OF 1999

Mr. TAUZIN. Mr. Speaker, I ask consent that the Committee on Commerce be permitted to file its report on the bill, H.R. 851, no later than midnight, April 9, 1999.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND THE HOUSE

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 23) providing for a conditional adjournment or recess of the Senate and the House of Representatives:

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, March 25, 1999, Friday, March 26, 1999, Saturday, March 27, 1999, or Sunday, March 28, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 12, 1999, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, March 25, 1999, or Friday, March 26, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Monday, April 12, 1999, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

DESIGNATION OF HON. CONSTANCE A. MORELLA OR HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH APRIL 12, 1999

The Speaker pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 25, 1999.

I hereby appoint the Honorable CONSTANCE A. MORELLA or, if not available to perform this duty, the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 12, 1999.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 15 U.S.C. 1024(a), the Chair announces the Speaker's appointment of the following Members of the House to the Joint Economic Committee:

Mr. STARK, California;
Mrs. MALONEY, New York;
Mr. MINGE, Minnesota; and
Mr. WATT, North Carolina.

There was no objection.

H.R. 45 IS A FAIRY TALE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, April 1, April Fool's Day, is less than a week away, literally just around the corner. But the jokes, yes, the jokes are already here.

The nuclear power lobbyists are trying to pull the wool over the eyes of Members of Congress. They want us to believe that if we support H.R. 45, the nuclear waste problems at 72 nuclear power plants will just disappear, puff, gone. Well, I am not sure how many of my colleagues believe in fairy tales. But that is exactly what it is, a fairy tale of monumental proportions.

The truth is that there are 72 nuclear waste sites around the country and if H.R. 45 is passed, we would have a total of, let us see, 73, not less but more. And it would take 30 to 40 years and a thousand mobile Chernobyls going through your neighborhood to take this waste to the site.

Let us not get caught up in the April Fool's joke or succumb to the attitude of ''Don't worry, be happy.'' Remember something my mother told me. When the circus is in town, beware of the clown.

H.R. 45 is nothing more than a fairy tale, and I am sure my colleagues heard it before. Do not believe it again.

YEAR 2000 BUDGET

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, we have now finished the debate, a hot debate that has taken place on the floor of the House of Representatives about the budget for the year 2000. And for the American people that are watching, I want them to know that what has occurred is that the Republican plan has been victorious.

But it is more than just a Republican plan. It is a plan that is based upon principles of the marketplace. And those principles of the marketplace are, among other things, living within the budget that we have, doing what we said we would do, and doing things for the middle class of this country.

The budget that was passed tonight, the resolution, is for the middle class of this country and for us to live within the means that we have. We, I think, can be proud of the work that was done today; and it was done for each and every one of us, Republican principles following market-based ideas.

BUDGET BREAKS CONTRACT WITH U.S. VETERANS

(Mr. FILNER asked and was given permission to address the House for 1 minute.)

Mr. FILNER. Mr. Speaker, I was very happy to hear that the principle on which the Republican budget was based was helping the middle class. I want America to know that the budget that just passed broke the contract with our Nation's veterans.

The motion that was just passed cut $3 billion over the life of that resolution from our veterans' programs. Under that budget, veterans' hospitals can close, our veterans with Persian Gulf War illness will not get treated, those with Hepatitis C will not be treated, our national cemeteries are in danger of being vastly undertreated.

I am very glad to hear the principles under which this budget was passed. This budget breaks the contract with our Nation's veterans. This budget is unconscionable, it is shameful, and America ought to reject it.

REPUBLICAN BUDGET KEEPS FAITH WITH VETERANS

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute.)

Mr. HAYWORTH. Mr. Speaker, my colleagues, I must lament the fact that

there are those who feel they must come to the floor and, amidst partisan vitriol and venom, misrepresent what was done for the Nation's veterans. Because, Mr. Speaker, I too have the honor and privilege of serving on the House Committee on Veterans' Affairs, and it is time for some facts.

President Reagan said, ''Facts are stubborn things.'' It is important for my friend from California and all those who would lampoon and lambast this budget to understand this: An additional $1 billion was added for the Nation's veterans. $1,000 million, $1 billion, was added for our Nation's veterans. That is a fact.

The sad fact is the President of the United States came to the well of this House a few months ago and in the span of 77 minutes made over 80 promises, but he failed to answer to the call of the Nation's vets. That is why a version of his budget today received only a handful of votes.

And I would just hope, Mr. Speaker, that my friends on the minority who say they want to help veterans will extend that help to young men and women in the service now, giving them the proper equipment and training.

PARLIAMENTARY INQUIRIES

Mr. HAYWORTH. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HAYWORTH. Is it appropriate when announcing the orders of the day to provide certain editorial comments?

The SPEAKER pro tempore. It is not appropriate.

Mr. FILNER. Mr. Speaker, point of order.

Is it appropriate when the gentleman makes remarks on the floor that they read the budget with——

The SPEAKER pro tempore. The Chair will advise the Member that the gentleman is not stating a point of order.

AUTHORIZING SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS AUTHORIZED BY LAW OR BY THE HOUSE NOTWITHSTANDING ADJOURNMENT

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Monday, April 12, 1999, the Speaker, majority leader and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 14, 1999

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that business in order under the calendar Wednesday rule be dispensed with on Wednesday, April 14, 1999.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of the special order by the gentleman from Florida (Mr. BILIRAKIS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

NATIONAL HOLIDAY TO HONOR A NONVIOLENT FIGHT FOR JUSTICE; THE LIFE OF CESAR CHAVEZ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, a number of us are rising this evening to commemorate the birthday next week of Cesar Chavez, a great national hero whose March 31 birthday we believe should be recognized as a national holiday.

This Nation and the world lost a great civil rights leader nearly 6 years ago when Chavez died after a tireless struggle for social change. March 31 is a State holiday in my State of California; and countless schools, roads, libraries, and other public institutions have been named after Cesar Chavez. It is now time that the entire Nation honor his enduring legacy with a Federal holiday.

From humble beginnings in 1927 on a small farm near Yuma, Arizona, Cesar Chavez rose to be a major force in American history, leading millions of people to better lives, inspired by his message of a nonviolent fight for peace and justice.

As the son of migrant farm workers, he knew well the oppression these hard-working laborers faced. Influenced by the writings of Ghandi and other proponents of nonviolence, he began to register his fellow farm workers to vote and then to educate them about their rights to a safe workplace and a just wage.

In 1962, Cesar Chavez and his family founded the National Farm Workers Association, which organized thousands of farm workers to confront one of the most powerful industries in our Nation. He inspired them to join together and nonviolently demand safe and fair working conditions.

□ 1945

Through the use of a grape boycott, he was able to secure the first union contracts for farm workers in the United States. These contracts provided farm workers with the basic services that most workers take for granted, services such as clean drinking water and sanitary facilities. Because of Cesar Chavez' fight to enforce child labor laws, farm workers could also be certain that their children would not be working side by side with them and would instead attend the migrant schools that he helped to establish. In addition, Cesar Chavez made the world aware of the exposure to dangerous chemicals that farm workers, in fact all consumers, face every day.

But his influence extended beyond agriculture. He worked in urban areas, organized voter registration drives, brought complaints against mistreatment by governmental agencies. He taught community members how to deal with governmental, school and financial institutions and empowered many to seek further advancement in education and politics. There are countless stories of judges, engineers, lawyers, teachers, religious leaders, I might add Congressmen and other hardworking professionals who credit Cesar Chavez as the inspiring force in their lives.

During a time of great social upheaval, he was sought out by groups from all walks of life and religions to help bring calm with his nonviolent practices. Our country's leaders joined with Cesar literally and often figuratively in prayer and in acts of solidarity in his many fasts for justice. Dr. Martin Luther King, Jr. sent Chavez a message on the occasion of his first fast. Dr. King told Chavez, ''Our separate struggles are really one, a struggle for freedom, for dignity and for humanity.''

It is that struggle that earned him the admiration and respect of millions of Americans, including those of this Congressman and other of our colleagues who will join us tonight. We represent a fraction of the cosponsors of House Joint Resolution 22, which would commemorate Chavez' birthday and his legacy with a Federal holiday.

I am proud that hundreds of people from the area I represent, San Diego, joined the thousands of people, in fact

over 50,000, who came in caravans from Florida to California to attend the funeral of this national giant which was held near the United Farm Workers headquarters in Delano, California.

We in Congress must join them in their reverence and must make certain that the movement Cesar Chavez began and the timeless lessons of justice and fairness he taught be preserved and honored in our national conscience. To make sure these fundamental principles are never forgotten, I urge my colleagues to support House Joint Resolution 22, which would declare March 31 a Federal holiday in honor of Cesar Chavez. In his words, in the words of the United Farm Workers, sí, se puede, yes, we can.

Mr. BERMAN. Mr. Speaker, I rise today to celebrate the life of Cesar Chavez not only because he was one of the great leaders of our country, but also because he was my friend. He was a man of courage, faith and love who shared his great strength with thousands and inspired millions of Americans.

To know Cesar was to stand in awe of the enormous task he set for himself and the great moral leadership he gave to the campaign to challenge injustice and achieve peaceful change.

His struggle for oppressed farmworkers fired our conscience. He insisted that this nation acknowledge that every human being, regardless of origin, is of worth and is entitled to reach for a better tomorrow.

What made Cesar Chavez larger than life was that he lived the principles of truth and courage he preached. He knew what it was like to be treated without respect, to work all day, everyday, with little to show for it. A lesser man might have burned up with anger. But what burned inside Cesar Chavez was a love of justice.

Cesar's struggle for justice is far from over and we must continue to help others help themselves.

In Congress, still today, there are bills that would bring foreign guestworkers into our fields. The growers still want cheap labor from foreign workers without those pesky rights won by the sweat and tears of Cesar and Dolores Huerta and Arturo Rodriguez and hundreds of others.

Cesar helped us see through the eyes of farmworkers—and what they saw was a dark and hopeless world. But under his leadership, farmworkers began to see a new world, one of strength and hope, united against poverty and exploitation. Under UFW contracts, they won higher pay and for the first time—health coverage and pension benefits.

This is how the legacy of Cesar Chavez was born—and we will never let it die!

INTRODUCTION OF RESOLUTION RECOGNIZING KIDNEY DONORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Speaker, I recently introduced a resolution to recognize the generous contribution made by each living kidney donor to save a life and to acknowledge the advances in medical technology that have enabled living kidney transplantation to become a viable treatment option for an increasing number of individuals needing kidney transplant.

Since 1989, over 250,000 Americans have lost their lives to kidney failure. In 1996, some 250,000 patients were treated for end stage renal disease. An additional 73,000 began treatment for the first time. Of those new patients, nearly half were persons with diabetes. Also in 1996, over 12,000 kidneys were transplanted in the United States. Thirty percent of these organs came from living donors.

Over the last 10 years, the number of patients on the waiting list for a kidney transplant has almost tripled, from 14,000 to over 40,000. In 1988, the number of kidney donations made it possible to provide transplants to almost half the number of patients waiting for a kidney. Because the numbers on the waiting list have grown more quickly than the supply of organs, today only about a quarter will benefit from a transplant.

While the annual number of cadaveric kidneys available for transplant has increased only about 40 percent over the last 10 years, the number of living donors has increased over 100 percent. From the period 1985 to 1994, the 10-year survival rate for dialysis patients was just 10 percent. Survival rates for patients with cadaveric kidney transplants jumped to 55 percent. And for those who received a kidney from a living family member, fully 75 percent would have the chance to live 10 additional years.

Thirty-three of my colleagues have expressed their support for this resolution by signing on as cosponsors. I invite other interested Members of the House to recognize living kidney donors by signing on to this resolution.

Mr. Speaker, just a week or so ago, I received a phone call from former Senator Jake Garn of Utah who served in the other body with great honor and distinction for many years. He called in support of this resolution because he as a father donated a kidney to one of his daughters, and she has lived very well over the last few years despite having some complications from diabetes and other diseases. She has recently undergone additional kidney repair and is hanging in there today as we speak.

The point is that Senator Garn and others are due great recognition for their commitment to their families, for their commitment to good health and for their self-sacrifice to make sure that others can live and have kidney transplants. Senator Garn is a wonderful example of many other people who donate kidneys in this United States.

I also urge the Committee on Commerce as it considers this resolution to take up this resolution at the earliest possible time to give hope to people who are in need of kidney transplantation.

This budget resolution which we passed today, I also want to add, makes due consideration for increases in biomedical research for the National Institutes of Health. As a cochairman of the Diabetes Caucus along with former Representative Elizabeth Furse from Oregon, now the gentlewoman from Colorado (Ms. DEGETTE), we have over 240 members of this House who have signed on to the Diabetes Caucus and who are supportive of diabetes research through NIH but also supportive of cancer research, Alzheimer's research, multiple sclerosis research, polycystic kidney disease research and many other diseases that are going to be cured in our lifetimes, in the very near future, by increased funding for the National Institutes of Health and the perpetuation of basic research to help cure disease and make life better for all of us as we age and go through health problems of our own or health problems that our families may have.

I commend this House for passing this budget resolution, giving the Committee on Appropriations adequate flexibility to address National Institutes of Health. I hope that people will get involved in this resolution that I have introduced to recognize kidney donors.

GUN SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I do identify with the comments of my colleague, a livable community where our families are healthy.

I wanted to reference just for a moment a concern about the health of American families. One-third of a century ago, the automobile was the focus of our concern. Ralph Nader published a famous book on ''Safe At Any Speed,'' and this Congress, the Federal Government, the industry, embarked upon an aggressive program to make the automobile safer. As a result of extensive data collection, reengineering, legal regulation and, of course, the automobile for years has been personalized so it could only be operated by somebody authorized to use it, today we have seen spectacular increases in automobile safety and a reduction in deaths despite the fact that miles traveled have exploded.

Today, in many communities, gun violence is now surpassing the automobile as the major source of accidental death. Today, I sponsored a forum on Capitol Hill with three leading experts to deal with gun violence. For every 90 minutes in this country, another child dies. The evidence was

overwhelming from these experts that gun violence can in fact be reduced.

We had testimony from Professor Stephen Teret of the Johns Hopkins Center for Public Policy and Research; Dr. Steve Hargarten of the Firearm Injury Center at the Medical College of Wisconsin; and Dr. Garen Wintemute of the Violence Prevention Research Program at the University of California-Davis. What these gentlemen were able to demonstrate is that we can in fact take simple steps to do something about the epidemic of gun violence in our community.

First and foremost, we can promote policies that promote safe gun storage. Starting with the State of Florida, 15 States now have enacted legislation that promotes responsible gun ownership and safe gun storage and we have seen a resulting reduction in firearm violence among children.

Second, it does make a difference if we prevent criminals from gaining access to guns at the front end, and there is persuasive evidence that by extending the prohibitions under the Brady law to more criminals, to prevent them from access to guns, that we can have a reduction in their use of guns in their hands.

Finally, there was attention given to something that is often ignored, the design of weapons in the United States. Indeed, it is a sad commentary that there are more restrictions over the product safety of toy guns than of real guns. There is no reason for us to manufacture and sell guns in this country today that do not tell you whether or not there is a bullet in the chamber. There is no reason today that we have to have guns with automatic clips that when you disengage the clip that it does not sweep the bullet from the chamber. For a few cents to a few dollars, guns can be built that provide this safety device. Many have it. Tragically, too many do not.

Last, and I think most significant, there is no longer any reason for us not to personalize a gun just like we personalize a car with a key, so that somebody who steals that gun, somebody who wrestles a gun away from a law enforcement professional would have that gun disabled. The technology is available today and it is sad that we have not yet taken steps to make sure that it is available to us.

The same strategy that resulted in a dramatic reduction in automobile fatalities in this country can be employed to reduce gun violence. Get good information instead of spreading it over a dozen different agencies in the Federal Government. Have the courage to use and analyze that information and to implement policies that will make a difference for America's families. It is my fervent hope that as we talk about ways to make our communities more livable that we will take safe, simple, commonsense steps to reduce gun violence for the sake of our children. I hope this Congress has the courage to act.

GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida, Mr. BILIRAKIS, is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise proudly to celebrate Greek Independence Day, an event which marked the symbolic rebirth of democracy.

On March 25, 1821, Greece finally rebelled against more than four hundred years of Turkish oppression. The revolution of 1821 brought independence to Greece and emboldened those who still sought freedom across the world. I commemorate Greek Independence Day each year for the same reasons we celebrate our Fourth of July. It proved that a united people, through sheer will and perseverence, can prevail against tyranny. The lessons the Greeks and our colonial forefathers taught us provide strength to victims of persecution throughout the world today.

The Greek people, like our colonists, sought the right to govern themselves and determine their country's destiny. In drafting our constitution, American colonial leaders cited Greek and Roman sources. The very basis of our constitution derives from Aristotle and was put into practice in ancient Rome. Our Founding Fathers emulated the efforts of the ancient Greeks in order to establish a balance of powers. The framers sought to avoid the disintegration of government which marked other political systems throughout history. Polybius, an ancient Greek, wrote: "when one part, having grown out of proportion to the others, aims at supremacy and tends to become too dominant, none of the three is absolute."

And so, today, we celebrate the independence of Greece and the principles of democracy that have endured through the present day.

By honoring the Greek struggle for independence, we reaffirm the values and ideas that make our nation great. We also remember why freedom is so important. Abraham Lincoln said "what has once happened will invariably happen again, when the same circumstances which combined to produce it, shall again combine in the same way."

I want to provide some background on Greek Independence Day for the benefit of our colleagues who are not familiar with it. The war of independence, as many call it, began on March 25, 1821. Alexander Ypsilantis and 4,500 volunteers assembled near the Russian border to launch an insurrection against four centuries of Ottoman rule. The Turkish army initially massacred the Greek volunteers, who were poorly organized and insufficiently armed.

When news of Greek uprisings spread, the Turks killed Greek clergymen, clerics, and laity in a frigtening display of force. In a vicious act of vengeance in 1822, the Turks invaded the island of Chios and slaughtered 25,000 of the local residents. The invaders enslaved half the island's population of 100,000.

Although the Greeks lacked training, their leaders redoubled efforts to gain independence. "Eleftheria I thanatos"—liberty or death—became the Greek patriots' battle cry. Although many died, they were undeterred from their ultimate goal.

Many acts of heroism fill this history of the Greek war for independence. I would like to share some of these stories with you. Theodoros Kolokotronis was the leader of the Klephts, resilient Greeks who refused to submit to Turkish domination. The Klephts attacked from their mountain strongholds by surprise, battering their oppressors into submission. Kolokotronis assembled an army of 7,000 men who prevented their rivals from replenishing their provisions.

Another great battle took place near Corinth. After a few weeks, the Turks were eventually defeated. Kolokotronis was successful because ordinary citizens displayed extraordinary courage and morale. Despite the odds, Kolokotronis managed to capture Tripolitsa and engineer the Greek victory over the Turkish army of Dramali, which had invaded the Peloponnese with 30,000 men.

Another wave of rebellion against Turkish oppression was ignited by the Suliotes, villagers who took refuge from Turkish authorities in the mountains of Epirus. The fiercely patriotic Suliotes bravely fought the Turks in several battles. News of their victories spread throughout the region and encouraged other villages to revolt. When the Suliote women, left alone, learned that Turkish troops were fast approaching their village, they began to dance the "Syrtos," a patriotic Greek dance. One by one, they committed suicide by throwing themselves and their children off Mount Zalongo. They chose to die rather than surrender and face slavery.

I recount these stories because they underscore Greece's absolute commitment to independence. As we all know, the price of liberty can be very high . . . hundreds of thousands of lives. Socrates, Plato, Pericles, and many other great minds throughout history warned that we maintain democracy only at great cost. The freedom we enjoy today is due to the sacrifices made by men and women in the past.

To continue living freely, we must also live responsibly. If people are to govern themselves democratically, then they must also govern themselves responsibly. The same holds true for nations. If not, either anarchy or tyranny will follow.

Even as we speak, tensions persist around the globe, particularly between Greece and Turkey. One cannot enjoy the fruit of freedom without first planting the seeds of peace. Unfortunately, the struggle for peace continues in the republic of Cyprus today.

Turkey still illegally occupies a large part of Cyprus, as it has since its brutal invasion—code named "Attila"—in 1974. Since the invasion, 1,614 Greek-Cypriots and five Americans have been missing. Because of congressional influence, our government discovered the remains of one of these Americans—a young boy, Andrew Kasapis, last year.

Free people everywhere share a moral obligation to promote democracy and end oppression. The United States has exerted its influence to promote peace in the middle east and northern Ireland. Now it is time to do the same in Cyprus.

The United States cannot be the world's policeman, but we must help others who share

our passion for liberty and peace. Our nation has always been willing to fight for freedom for others. We must not—and cannot—remain idle while Cyprus remains divided.

The U.S. did not remain neutral when imperialism shook Europe's foundations during World War I. The U.S. did not fail to act when the clouds of German and Japanese atrocity descended upon the world during World War II. Throughout the history of the United States, we have answered freedom's call. As the leader of the free world, our nation must continue to actively oppose tyranny.

Finding a fair resolution for Cyprus will help stabilize a region marked more often by conflict than accord. Turkey continues to refute U.N. resolutions on Cyprus. Turkey's position contradicts the goals of seeking a peaceful solution in the island republic.

In the Aegean, Turkey more recently violated international law by claiming territorial ownership of the Grecian islet of Imia. Turkey blatantly disregarded previous treaties which clearly recognize Greece's sovereignty over Imia. Tensions between Greece and Turkey on this matter continue today. I have joined Congressman PALLONE in introducing legislation expressing the sense of Congress that Imia is a sovereign territory of Greece under international law.

Turkey also has failed to properly protect the ecumenical patriarchate in Istanbul. In 1997, his all holiness, Patriarch Bartholomew, graced the Congress with his visit here. The Patriarch is the spiritual leader of 300 million Orthodox Christians worldwide, including five million Americans. He was honored by the Congress, which awarded him the Congressional Gold Medal. It is important to remember that while the Patriarch spreads his message of peace throughout the entire world, the ecumenical patriarchate in Istanbul has been repeatedly subjected to terrorist attacks. My legislation urging the U.S. government to provide protection to the Patriarchate and its personnel became law last year. Unfortunately, the administration has failed to convince Turkey that we are serious about this matter.

Our nation has the influence to encourage Turkey to abide by international law and to respect Greek sovereignty. I only hope we have the corresponding will. To continue to permit aggression against Greece and Cyprus dishonors the legacy of Greek independence and the values we hold so dear.

Mr. Speaker, we celebrate Greek independence to reaffirm the common democratic heritage we share. Greek Independence Day, like the Fourth of July, reminds us that we have the duty to defend liberty—whatever the cost. To maintain our freedom, we can take neither it nor its architects for granted. That is why we honor those who secured independence for Greece so many years ago.

Mr. MCNULTY. Mr. Speaker, the American people join with the people of Greece in celebrating the 178th anniversary of the revolution that freed the Greek people from the Ottoman Empire.

The bedrock of our close relationship with Greece is our mutual devotion to freedom and democracy and our unshakable determination to fight, if need be, to protect these rights. Greek philosophers and political leaders—Cleisthenes and Pericles and their successors—had great influence upon America's Founding Fathers in their creation of these United States.

We, as a nation, owe a great debt to Greece. "To the ancient Greeks," Thomas Jefferson said, "we are all indebted for the light which led ourselves (American colonists) out of Gothic darkness."

Greece is the birthplace of American democracy. We will always remember the words of Pericles:

> Our administration favors the many instead of the few: this is why it is called a democracy. The laws afford equal justice to all alike in their private disputes, but we do not ignore the claims of excellence. When a citizen distinguishes himself, then he will be called to serve the state, in preference to others, not as a matter of privilege, but as a reward of merit; and poverty is no bar.

Democracy has been called the fastest growing form of government in the world. As we prepare to enter the 21st century, an increasing number of countries are throwing off the yoke of dictatorship and evolving into fledgling democracies.

In a broad sense the English poet, Percy Bysshe Shelley declared: "We are all Greeks! Our laws, our literature, our religion, our art, have their roots in Greece."

I congratulate the people of Greece and wish them a Happy National Birthday.

Mr. VISCLOSKY. Mr. Speaker, I join my colleagues today to recognize the 178th anniversary of Greek Independence Day. As the U.S. Representative of a region with over 5,000 people of Greek descent, I know that this important event will be joyously celebrated throughout Northwest Indiana.

I would like to honor not only this important day in Greek history, but the strong and unique relationship that exists today between the United States and Greece. The development of modern democracy has its roots in ancient Athens. The writings of Plato, Aristotle, Cicero and others were the first to espouse the basic tenets of a government of the people and by the people. While these ideals were not always followed in ancient Greece, these writings provided a roadmap for later governments in their attempts to establish democracy in their countries.

The Founding Fathers of the United States were particularly influenced by the writings of the ancient Greeks on democracy. A careful reading of "The Federalist Papers" reveals the significant part the early Greeks played in the formation of our government. Thomas Jefferson called upon his studies of the Greek tradition of democracy when he drafted the Declaration of Independence, espousing the ideals of a government representative of and accountable to the people. Decades later, these ideas were a catalyst in the Greek uprising and successful independence movement against the Ottoman Empire—the event we celebrate today.

On March 25, 1821, the Archbishop of Patros blessed the Greek flag at the Aghia Laura monastery, marking the proclamation of Greek independence. It took eleven years for the Greeks to finally defeat the Ottomans and gain their true independence. After this long struggle against an oppressive regime, Greece returned to the democratic ideals that its ancestors had developed centuries before.

Today, this country's relationship with Greece is as strong as ever. Greece has been our ardent supporter in every major international conflict of this century, and they play an important role in the North Atlantic Treaty Organization and the European Union. Greece is also a key participant in the United Nations peacekeeping force in Bosnia, providing troops and supplies. In turn, the United States has worked to attain a peaceful settlement to the conflict in Cyprus, the island nation that was brutally invaded by Turkey in 1974.

Mr. Speaker, I would thank our colleagues, Mr. BILIRAKIS and Mrs. MALONEY, for organizing this Special Order, and I join all of our House colleagues in recognizing Greek Independence Day. I salute the spirit of democracy and family that distinguish the Greek people, as well as their courage in breaking the bonds of oppression 178 years ago. I look forward to may more years of cooperation and friendship between our two nations.

Mr. COYNE. Mr. Speaker, I rise today to join in this special order commemorating Greek Independence Day. Congress recognizes Greek Independence Day each year because the struggle of the Greek people to win their freedom was an inspirational epic worthy of commemoration by all free people.

Americans, whose forbearers had to fight for their own freedom in the 1700s, have always been sympathetic to oppressed people around the world who fight to win their independence. Many Americans supported the struggles of the people of Central and South America to throw off the yoke of imperial Spain in the 1800s, for example. Americans in recent times have supported the efforts of the people of Eastern Europe and the Soviet Union to end their domination by that evil empire. And the United States strongly supported the movement to end colonial rule in the wake of World War II. Consequently, it should come as no surprise that many Americans supported the struggle of the Greek people when, in 1821, they undertook to free themselves and their lands from the rule of the Ottoman Empire.

The war for Greek Independence lasted nearly ten years, and many lives were lost. In the end, however, the Greek people won their freedom and established an independent nation. The Greek people's struggle was a popular cause in the United States not just because it echoed our own relatively recent struggle against an imperial power, but because Americans educated in the classics associated Greece with its heritage as the ancient birthplace of democracy and western culture.

Greece today is a trusted and valued ally of the United States, and many people of Greek ancestry are hardworking, productive American citizens. I am pleased to join my colleagues and our country's Greek-American citizens in celebrating Greek Independence Day.

Mr. McGOVERN. Mr. Speaker, I am very proud to rise on the floor of this chamber of American democracy in honor of Greek Independence Day.

Today we are marking the 178th anniversary of the beginning of the revolution that freed the Greek people from the Turkish Ottoman Empire and the 51st anniversary since the Greek people regained their independence after Nazi occupation in World War II.

This is a day that rings with the bells of liberty, the songs of freedom, and the choirs of democracy.

All the world looks to Greece as the fountain and inspiration for every modern-day democracy, including our own.

Greece is one of only three nations, beyond the former British Empire, that has been allied with the United States in every major international conflict this century. Over 600,000 Greeks died fighting on the side of the Allies in World War II and in the civil war that followed—that's nine percent of the entire population of Greece at that time.

During the early 1900s, one in every four Greek males between the ages of 15 and 45 departed for the United States, the ''founding fathers,'' if you will, of today's very successful Greek-American community. According to U.S. census data, the first Greeks who became U.S. citizens ranked only 18th of the 24 nationalities in education attainment. Their children, however, leapt to the top by 1970 to rank number one among American ethnic nationalities.

Among those Greek-Americans who have made major contributions to our national and international life are Dr. George Papnicolaou, who invented the Pap test for cancer; Dr. George Korzias, who developed L-dopa to combat Parkinson's disease; Maria Callas, the Brooklyn-born soprano, considered the greatest opera diva of all time; and Pete Sampras, the number one tennis player in the world for the past several years.

I also want to honor the contributions made by Greek-Americans in my own district in central Massachusetts. Since the turn of the century, over 5,000 Greek men, women and children have made Worcester, Massachusetts their home. Greek-Americans like Mrs. Katherine Singas, the owner of Worcester House of Pizza, and retired high school principal Christopher Dionis have contributed significantly to all aspects of civic life and community affairs.

The Greek Orthodox Cathedral of St. Spyridon in Worcester, under the leadership of Father Dean Paleologos, reminds us of this vibrant Greek-American community. In Worcester, this important day is celebrated by teaching children to recite poetry and songs commemorating their past and their heritage. Discussion groups are held to honor the memory and history of the heroic deeds and patriotism of the Greek and Greek-American men and women who fought and died for the freedom I and my constituents enjoy today.

Similar celebrations are held throughout my district—in Fall River and Dartmouth, in Attleboro and Seekonk.

No one standing on the floor of the U.S. House of Representatives can fail to honor the contributions of Greece to American democracy, freedom, literature and philosophy. Throughout this Capitol and this city, everywhere you might look, you will see homage to Greek ideas and ideals. They are engraved on our buildings, enshrined in our laws, and they surely influenced the minds and hearts of the men and women who founded this nation.

Greece is enjoying a new era of prosperity and looking forward to joining the European Economic and Monetary Union by January 1, 2001. The most recent report of the organization for Economic Cooperation and Development (OECD) issued in Paris on January 14, 1999, concludes that ''thanks to continuous efforts in recent years, the target date seems to be feasible for Greece.'' And like many of my House colleagues, I am looking forward to the 2004 Olympic Games, which will return to their home in Greece for the first time in 108 years. I'm sure that the Athens Games will help heal the wounds of the current scandals affecting the International Olympic Committee.

I want to thank the gentleman from Florida [Mr. MICHAEL BILIRAKIS]—a fine example of the contribution Greek heritage continues to make to American democracy—and to the gentlelady from New York [Mrs. CAROLYN MALONEY] for organizing this special order on this historic occasion.

I would like to remind them that, if Massachusetts would have had its way, we might have had two Greek-Americans as President of the United States. And so I thank them for their leadership of the Hellenic Caucus and for all their fine efforts to educate and involve other Members on the issues challenging Greek and U.S policy today.

Mr. KENNEDY of Rhode Island. Mr. Speaker, today, I wish to celebrate an important day in Greek history, the 178th anniversary of Greece's independence. I wish to thank my colleagues from Florida and New York for taking the initiative to organize this special order to honor Greece on this important day and for organizing the Congressional Caucus on Hellenic Issues. I am pleased to be part each year of this organized and concerted effort to speak out on those issues which are important to Greece, Cyprus, and our constituents of Hellenic descent.

Greek and American history are closely linked. Both nations owe a large part of their national identity today, to the influence of the other in the past. When Thomas Jefferson was writing the Declaration of Independence and our founding fathers were writing our Constitution, they drew upon the work of Greek scholars and philosophers. Indeed, our system of Democracy could never have existed without the influence of these ancient Greek scholars. Similarly, Greece looked to the United States and the American Revolution as a point of inspiration when it began its struggle for independence on March 25, 1821.

Furthermore, modern Greek culture has become a vital part of the culture of the United States through the entrance of Greek immigrants into the United States. Their hard work has made a tremendous impact on their communities. In my own state of Rhode Island, there are incredibly strong and productive Greek communities in Providence, Pawtucket, and Newport. In these cities, Greek immigrants built businesses, neighborhoods, churches, schools, and raised families. Our country is richer because of all that communities such as these have given.

Because of the influence of Ancient Greece upon our founding fathers, the contributions of Greek immigrants to American culture, and the American influence of a Greece's struggle of independence, it is quite fitting that we celebrate the anniversary of Greece's independence. Again, I thank my colleagues for all their hard work in making this Special Order possible and look forward to further work with the Hellenic Caucus.

Mrs. LOWEY. Mr. Speaker, I rise today to commemorate the 178th anniversary of Greece's independence from the Ottoman Empire, and to celebrate the shared democratic heritage of Greece and the United States. I thank Congressman BILIRAKIS and Congresswoman MALONEY for organizing this special order and for their leadership on issues of importance to the Greek-American community.

On March 25, 1821, after more than 400 years of Ottoman Turk domination, Greece declared its independence and resumed its rightful place in the world as a beacon of democracy.

The people of Greece and the United States share a common bond in their commitment to democracy. Our Founding Fathers looked to the teachings of Greek philosophy in their struggle for freedom and democracy. And the American experience in turn inspired the Greek people who fought so hard for independence 176 years ago.

This bond between our two peoples stretches beyond the philosophy of democracy. The relationship between the U.S. and Greece has grown stronger and stronger through the years, and Greece remains today one of our most important allies.

And the contribution Greece makes to life in America is even stronger than the ties between our two countries. Greek-Americans are a vital part of our cultural heritage. My district in New York would not be what it is today without the valuable contributions made by the Greek-American community.

I am proud to stand today in commemoration of Greek independence and in recognition of the contribution Greece and Greek-Americans have made to our country.

Mr. TIERNEY. Mr. Speaker, I rise today in honor of Greek Independence Day. A a member of the Congressional Caucus on Hellenic Issues, I join my colleagues in saluting the strong and enduring ties between the United States and Greece.

The link between our two great nations stretches back to the very beginning of the United States' days as an independent nation. Our founding fathers, recognizing the compelling example set by Greece's experience with democracy, were inspired by the writings of the ancient Greek philosophers. Indeed, our own experiment with democracy has proven successful to a large extent because of what we learned from the Greeks. The Greek influence can be seen throughout our society even as we gaze upon the architecture of this great building in which we serve.

Today, as we rise in tribute to the 178th anniversary of the beginning of Greece's struggle for independence, we are reminded of the importance of maintaining strong ties with Greece and its people. As a member of NATO, Greece has shown a commitment to the same values of international peace and security to which the United States aspires.

One of the great men from my home state of Massachusetts was Charles Eliot Norton. Norton, a professor at Harvard, was devoted to strengthening the ties between Greece and the United States. In 1879, he founded the Archaeological Institute of America, in an effort to foster greater appreciation of the treasures of Greek history. As Norton said, ''A knowledge of Greek thought and life, and of the arts

in which the Greeks expressed their thought and sentiment, is essential to high culture. A man may know everything else, but without this knowledge he remains ignorant of the best intellectual and moral achievements of his own race.''

These words are as true today as when Norton wrote them in 1885. The modern Greek nation continues to be an inspiration to the United States and the rest of the world. I look forward to joining in this weekend's related ceremonies in the Boston area, and I am pleased to be able to offer my congratulations to the people of Greece on this happy occasion.

Ms. PELOSI. Mr. Speaker, I rise today in honor of the 177th anniversary of Greek independence. There are, of course, no final victories in the long struggle to extend the principles of equality and democracy. Thus, we should take advantage of every appropriate opportunity to celebrate the triumphs of freedom over tyranny.

In this spirit, our annual remembrance of the Greek delivery from Ottoman oppression merits special attention, for it was Aristotle himself who said, ''Democracy arises out of the notion that those who are equal in any respect are equal in all respects; because men are equally free, they claim to be absolutely equal.'' In effect, we celebrate the 177 years that have followed the redemption of Aristotle's ancient promise.

As we listen to the urgent bulletins from the Balkans, we are reminded every day of the fragility of the ancient Greek ideal. Wherever tyranny and ethnic cleansing prevail, the principles of equality and democracy are under siege. Listen once again to the profound wisdom of Aristotle: ''If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.''

On this day, let us remember how intimately intertwined are the histories of the United States and Greece. Look at the Declaration of Independence. Look at the Constitution of the United States. Look at the very architecture of our beautiful Capitol. Greek to the core, all of them. Indeed, Thomas Jefferson was quite explicit about our connectedness: ''To the ancient Greeks,'' declared our third President, ''we are indebted for the light which led ourselves out of Gothic darkness.''

In turn, America has opened its heart to multitudes of Greek immigrants and has, of course, reaped the rewards of that enlightened generosity. In San Francisco, certainly, we have reaped enormous benefits from the vibrant presence of our spirited Greek-American community. And Americans also responded with the Marshall Plan, immediately following World War II, to the plight of a seriously weakened and imperiled Greece.

As we brood today over the darkening skies in the Balkan countries, we should pause for a moment to give thanks for the continuing relevance of ancient Greece and the continuing example of modern Greece.

Mr. DOYLE. Mr. Speaker, today marks a great anniversary for every Greek citizen and those who cherish Democracy and freedom worldwide. 178 years ago on this date, courageous Greeks, determined to cast off the chains of oppression, rose up against the Ottoman Empire and firmly sounded the cry of freedom. It was fitting that the nation that gave the world the very concept of democracy was to be a free and sovereign land once again.

Sadly, like all struggles for freedom, good people lose their lives striving to uphold what they believe. It is important that we as a democracy never forget the sacrifices of those brave individuals whose selfless sacrifices and dedication to democratic ideals gave us the freedoms and liberties we enjoy today.

I salute those gallant Greeks who stood against oppression so many years ago today and with happiness and joy for Greek citizens worldwide.

Mr. ACKERMAN. Mr. Speaker, I am honored to rise to acknowledge and celebrate the 178th Greek Independence Day. This great day in Greek history commemorates the successful struggle of the Greek people for national sovereignty. It is no secret that the United States and Greece have shared a close relationship since Greece's independence. In fact, Greece is one of the very few countries in the world that has stood alongside the United States during every major conflict of this last century.

The United States shares many common threads with Greece, including a commitment to democracy, peace, and respect for human rights. I think it's safe to say that the Founding Fathers of Greece and the United States would be proud of the tremendous achievements of both nations as well as their closeness. The strong bond that is shared by these two countries is now approaching its third century, and as we rapidly approach the twenty-first century, I think its imperative that we recognize countries such as Greece that are eager to move into the next millennium hand-in-hand with the United States.

Greek-Americans all around the country are celebrating this great day for their homeland. Parades, dances, songs and feasts will be occurring all over this country in celebration of Greek independence. The celebrations both here and in Greece will no doubt demonstrate the fortitude of its people. Throughout the past 200 years there have been repeated challenges to the independence of Greece, yet its people have stridently fought to maintain both their democracy and independence—and the United States and its people have been proud to stand by her and provide strength, assistance and friendship to overcome those struggles.

I am pleased to have this opportunity to once again celebrate Greek culture and toast the Greek people. It is an honor to rise and commemorate the 178th Greek Independence Day. On this day we celebrate more than just Greece's independence, we celebrate Greece as a country and as a friend.

Mr. WEYGAND. Mr. Speaker, I rise today to celebrate the 178th anniversary of Greek independence. This date marks the beginning in 1821 of the successful revolution to restore the ideals of democracy to the Greek people after almost 400 years of oppression and persecution under the Ottoman Empire.

One cannot stand in these chambers and participate in our system of representative democracy without recognizing the significant influence of the teachings of ancient Greek philosophers. In the words of Percy Bysshe Shelly, ''We are all Greeks! Our laws, our literature, our religion, our art, have their roots in Greece.'' Tragically, despite the democratic writings and dialogues of great thinkers like Aristotle, Plato, and Polybius, the Ottoman Empire ignored those inspirational principles of equality, freedom, and self rule, and stripped Greek citizens of their civil rights.

Thankfully, freedom fighters in Greece prevailed and restored the principles and benefits of democracy to the Greek people. Much as ancient Greece influenced our founding fathers, so did the United States in its infancy inspire those rebels who struggled against the Ottoman rulers. In fact, Greek intellectuals translated the Declaration of Independence and used it as their own declaration.

Since then, Greece has also battled and triumphed over the spread of Communism, losing nine percent of its own population in the process. Throughout all of this strife and upheaval, Greece has remained a staunch and loyal ally to the United States; furthermore, as President Dwight D. Eisenhower said, ''Greece asked no favor except the opportunity to stand for those rights which it believed, and it gave to the world an example of battle . . . a battle that thrilled the hearts of all free men and free women everywhere.''

I congratulate Greece on this day marking its 178th anniversary of independence, and I applaud the Greek people for their constant devotion to and fierce protection of the democratic principles of equality, freedom, and self rule. Let us all look to their example as inspiration in the continuing fight to promote and expand democracy throughout the world.

Mr. DEUTSCH. Mr. Speaker, I rise today to honor Greece, a trusted ally and partner of the United States, on the occasion of Greek Independence Day, which will be celebrated on March 25th.

It is especially fitting that we in the House of Representatives, the very embodiment of representative democracy, pay tribute to the accomplishments of a nation which gave us the gift of democracy and developed the concept of a government of the people, by the people, and for the people.

Beginning with ancient Greece, the cradle of democracy, and extending all the way into modern times, the people of Greece have continued to give gifts of political philosophy, culture, and friendship to the world. The special relationship between the United States and Greece has been reinforced throughout our country's short history, from the emulation of ancient Greek democracy by our founding fathers to our steadfast alliance during every major international conflict in the 20th century and our partnership in the North Atlantic Treaty Organization.

In tribute to Greece—our partner in times of war and peace, our reliable friend, and a nation which has, over the millennia, contributed key political and social principles to world society—I rise on the occasion of the 178th anniversary of the revolution which led to Greek independence from the Ottoman Empire. For the United States, this revolution was particularly auspicious, as it led to the creation of one of our most faithful allies.

Mrs. MALONEY of New York. Mr. Speaker, I am here with my colleagues to commemorate the 178th anniversary of Greek Independence Day which is a national day of celebration of Greek and American Democracy.

While commemorative resolutions are no longer allowed in the House, there is support for Greek Independence Day. Every year since 1986, a resolution has been cosponsored by over 50 Senators and passed in the Senate. The President has once again signed a proclamation this year recognizing this as Greek Independence Day, and I would like to insert a copy of this in the RECORD.

''Our Constitution is called a democracy because power is in the hands not of a minority but of the whole people. When it is a question of settling private disputes, everyone is equal before the law; when it is a question of putting one person before another in positions of public responsibility, what counts is not a membership of a particular class, but the actual ability which the man possesses,'' This could have been written by Thomas Jefferson, but it was written by Pericles in an address made in Greece 2,000 years ago.

Plato said, ''Democracy is a charming form of government, full of variety and disorder, and dispensing a kind of equality to equals and unequals alike.'' Isn't that a wonderful way to describe democracy?

Thomas Jefferson once said, ''. . . to the ancient Greeks . . . we are all indebted for the light which led ourselves out of Gothic darkness.''

Just as Greek ideas of democracy and individual liberties became the foundation of our government, the American Revolution became one of the ideals of the Greeks as they fought for their independence in the 1820's.

Greek intellectuals translated the Declaration of Independence of the United States and used it as their own declaration.

A Greek Commander in Chief (Petros Mavromichalis) appealed to the citizens of the United States, saying: ''Having formed the resolution to live or die for freedom, we are drawn toward you by a just sympathy since it is in your land that liberty has fixed her abode, and by you that she is prized as by our fathers. Hence, honoring her name, we invoke yours at the same time, trusting that in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you . . . it is for you, citizens of America, to crown this glory . . .''

Greece has been a long and trusted ally. In fact, they fought along side of us in every major international conflict this century.

During the early 1900s, one of every four Greek males between the ages of 15 and 45 departed for the United States. And, I might add that many of them settled in Astoria, Queens which I am fortunate enough to represent. Astoria is one of the largest and most vibrant communities of Greek and Cypriot Americans in this country.

It is truly one of my greatest pleasures as a Member of Congress to be able to participate in the life of this community, and the wonderful and vital Greek American friends that I have come to know are one of its greatest rewards.

I have also had the pleasure of establishing the Congressional Caucus on Hellenic Issues with the gentleman from Florida, Mr. BILIRAKIS. This caucus allows Members of the House to join together to find ways to work toward better United States-Greek and Cypriot relations.

We are here today because 177 years ago today, the revolution which freed the Greek people from the Ottoman Empire began. Greece had remained under the Ottoman Empire for almost 400 years, and during this time the people were deprived of all civil rights.

Many volunteers from various localities in the United States sailed to Greece to participate in Greece's war for independence.

On this joyous occasion, we should also direct our attention to the island of Cyprus which, for 25 years now, has been striving for an end to its tragic division and the illegal Turkish occupation of 37 percent of its territory. Again, Cyprus is on the verge of becoming a flashpoint for regional conflict because of Turkey's hardline stance with unrealistic conditions to any peace talks.

It is now time to reaffirm our commitment to a peaceful solution. We must use Cyprus's EU accession as an impetus for positive progress and not let Turkey use it as an excuse for heightened tensions.

A positive contribution by Turkey to help resolve the situation in Cyprus would facilitate Turkey's aspirations to become a member of the European Union. We should use our influence in the region to help Turkey understand this.

Hopefully, soon we will also celebrate Cyprus Day when once again the entire island will be united.

However, the reason that we are here today is to celebrate the 178th anniversary of Greek Independence.

Daniel Webster said of this time in Greek history, ''This [Greek] people, a people of intelligence, ingenuity, refinement, spirit, and enterprise, have been for centuries under the atrocious unparalleled Tartarian barbarism that ever oppressed the human race.''

There has always been a special bond of friendship between our two countries, and I would like to leave you with a quote from Percy Shelley.

''We are all Greeks! Our laws, our literature, our religion, our art, have their roots in Greece.''

Mr. CROWLEY. Mr. Speaker, it is my great pleasure to rise today to mark the 178th anniversary of Greek independence from the Turkish Ottoman Empire. I would like to thank Congressman BILIRAKIS and Congresswoman MALONEY for their steadfast leadership on Greek issues and for organizing this Special Order to recognize this historic event.

Mr. Speaker, for over two centuries, the United States and Greece have enjoyed a strong and enduring relationship. During the Second World War, fighting alongside American troops, more than 600,000 Greek soldiers died fighting against the Axis powers illustrating Greece's strong commitment to the United States and freedom loving people everywhere. Today, Greece's commitment to peace and democracy throughout our world continues through their participation in NATO, modern history's most successful alliance.

Our bonds are deeper still, however, for we are joined by blood, culture, and a profound commitment to shared values. Greek ideals of democracy and freedom inspired our Nation's founders and breathed life into America's experiment with democratic self-government. Generations of Greek Americans have enriched every aspect of our national life, in the arts, sciences, business, politics and sports. Through hard work, love of family and community, they have contributed greatly to the prosperity and peace that we all enjoy as Americans today.

Mr. Speaker, I have the great honor of representing a number of Greek-Americans in the Seventh District of New York. Their influence and active participation in the life of their communities has fostered economic, political and social growth throughout New York City.

But as we celebrate Greek independence, we must keep in mind the ongoing struggle for freedom and demand for human rights on the island of Cyprus.

Turkey's tragic and illegal occupation of 37 percent of the island and continued unwillingness to negotiate a peaceful settlement to the crisis threatens to ignite renewed fighting on the island, which would be devastating to chances for a lasting peace. I believe the United States and the international community must remain steadfast in our resolve to bring peace and unity to an island that has been home to violence and division for far, far too long.

In closing Mr. Speaker, let me reiterate my strong commitment to Greek communities in my district, the country, and throughout the world. Their strength and dedication to democracy and peace in the world has made them a shining star of modern civilization.

Mr. PALLONE. Mr. Speaker, I would like to thank the gentlemen from Florida, Mr. BILIRAKIS, and the gentlelady from New York, Ms. MALONEY for organizing this Special Order to honor the 178th anniversary of Greece's independence. They are tireless in their promotion of close ties between the United States and Greece, and I have enjoyed working with them over the years to strengthen relations with one of America's greatest allies.

I would like to begin by congratulating Greece and the Greek community in America for 178 years of independence. I would also like to reaffirm the special relationship the United States has with Greece.

The issue I want to focus on tonight is Turkey's threat to use military force against Greece in response to the Ocalan affair. Settling differences with military force is an option to be used only as the last resort after all diplomatic channels have been exhausted. Turkey, however, seems to salivate at the prospect of a military confrontation with Greece. At every conceivable opportunity Ankara threatens Greece with the use of military force.

Shortly before the Ocalan affair erupted, Turkey threatened to attack Greece if Greece deploys the defensive S–300 missile system in Crete. That deployment is scheduled as part of a gesture put forward by the Cypriot government to defuse tensions in Cyprus over the initial plan to deploy that system on Cyprus. I should also add that part of the Cypriot plan to defuse that crisis and move the peace process forward includes a reiteration of the standing offer to demilitarize the island accompanied by a new offer to pay for a peacekeeping force following the demilitarization.

This peaceful proposal has to date been rejected by the Turks, who, as I say seem interested only in threatening to use force against Greece.

As with all Turkish threats, the threat to use force in response to the Ocalan affair must be taken seriously. The endless stream of threats to use force by Ankara are destabilizing to the already tense Mediterranean region, to NATO and ultimately to all of Europe. They are also counter to US interests. In my view the United States government needs to be much more forceful in communicating to the Turks that these threats are unacceptable and that there will be severe consequences to US-Turkey relations if Ankara resorts to the use of military force.

Many in Greece and the Greek community in the United States speculate that one of the reasons why Turkey has been issuing threats as of late is to spark another confrontation over sovereign Greek territory in the Aegean. ''A short military confrontation,'' observes a recent editorial in the GreekAmerican on Turkey's claims to Greek territory ''may be just the ticket.''

Two years ago, Turkey was almost successful in sparking just such a confrontation over the Greek islets of Imia. The confrontation was avoided only after President Clinton personally intervened, but the issue is not resolved. Turkey continues to make unfounded claims of sovereignty over the islets of Imia. I am hopeful the Administration will be prepared to act swiftly should this issue again flare up. In order to keep it on the front burner, I introduced H Con Res 36 in February, which expresses the sense of Congress that the islets of Imia are sovereign territory under international law. It also states that Turkey should agree to bring this matter before the International Court of Justice at the Hague for a resolution.

Again, I think it is important to keep examples like these in mind in the wake of the Ocalan affair and discount Turkey's attempt to slander Greece's commitment and readiness to resolve conflicts peacefully and in full accordance with international law. It is precisely this commitment to peace and democracy that we must keep in mind as we celebrate 178 years of Greek independence. And I just want to point out, to its credit, the State Department has rejected Turkey's ridiculous assertion following Ocalan's capture that Greece supports terrorism.

Before I conclude, Mr. Speaker, there is one last observation I want to make about the way the US government has handled the Ocalan affair. Notwithstanding its rejection of Turkey's propaganda regarding Greece, there are aspects of this case that are very troubling.

The US government's role in helping the Turks capture Ocalan is well documented. What troubles me about the American government's role is its willingness to help the Turk's capture Ocalan knowing full well the chances he will receive a fair trial are slim to none. Already the Turks have refused to allow Ocalan's attorney's to defend him. Instead the Turkish courts appointed 15 lawyers to defend him, two of which recently resigned after receiving death threats. Unsurprisingly, the other 13 are also expected to resign. Ankara has also decided to bypass its regular court system and bring Ocalan before some kind of three-judge tribunal with no jury and no foreign observers.

The US government's claim that it was trying to upheld justice is specious at best. In turning Ocalan over to the Turks, the American government saw an opportunity to curry favor with Ankara. In my view, this was done in support of an inexplicable American policy toward Ankara that overlooks a myriad of unconscionable Turkish policies—most notably those involving Cyprus and Armenia—in exchange for continued access to Turkish military facilities and airspace.

It is the willingness of the US government to ignore the notorious abuses and show trials in the Turkish judicial system that I find troubling. If the US government was truly interested in insuring justice be carried out in a fair manner, it should have helped deliver him to a court where fair judicial proceedings are the norm, such as the International Court of Justice at the Hague.

With that, I once again congratulate Greece on the anniversary of its independence and thank my colleagues once again for holding this Special Order.

Mr. GILMAN. Mr. Speaker, this is an occasion for celebrating the strong ties and traditions that bind America with our friends in Greece. I commend the gentleman from Florida, Mr. BILIRAKIS, the co-chairman of our Hellenic Issues Caucus for his diligence in ensuring each year that the House mark this important day by way of a special order. In commemorating the 178th anniversary of the independence of Greece from the Ottoman overlords, we should bear in mind that it was to the practices and institutions of ancient Athens that our forefathers looked for an example and inspiration as they set in place the principles of democracy that have guided our great Nation and its people.

It was to our young nation, where the spirit of democracy was reborn in the modern era, that the people of Greece looked as they fought for and won their own independence in 1821.

Today, we are preparing for a new round of strife in the Balkans that could very likely involve the armed forces of our own country. We note with gratitude the efforts made by the government of Greece in trying to find a peaceful solution to the conflict in Kosovo. The leaders of Greece have made numerous trips to Belgrade in an effort to persuade Milosevic that he must yield to the demands of the international community and cease his brutal policies against the people of Kosovo. Greece is also in the forefront of those countries providing assistance to the government of Albania, helping to restore order to Albania's society after the civil strife that nearly destroyed the country 2 years ago.

Since 1821 when the people of Greece triumphed in their heroic fight for independence, the people of Greece and the United States of America have been as one in the struggle to promote and protect democratic freedoms and human rights around the world. Today, as we face new challenges to that tradition in the Balkans and elsewhere, we value our friends in Greece for their continued support and encouragement. Accordingly, I urge that our colleagues continue the effort to keep the mutual spirit of friendship thriving. Yasou. Efkaristo!

IN HONOR OF WORLD WAR I VETERAN WILLIAM ''CAPTAIN GLADY'' OGLESBY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, a French author once said, ''Freedom is a system based on courage.''

Madam Speaker, the freedoms we enjoy today are built upon a foundation of courage, fostered by the individuals who served and sacrificed for America, our Nation's veterans.

Last September marked the 80th anniversary of Armistice Day, a day to commemorate the signing of the armistice which marked the end of World War I. The United States sent over 4.5 million troops into battle during the war and over 100,000 never came home. They gave their lives to protect our country and our freedom. World War I was called ''the Great War'' and was fought to make the world safe for democracy.

Today, we have approximately 3,200 living United States World War I veterans. I am proud that the Third District of North Carolina, which I have the honor to represent, is home to at least one of these courageous soldiers, a gentleman who joined his fellow Americans in the fight against tyranny, Mr. William Gladstone Oglesby.

Madam Speaker, on April 2, 1917, then President Woodrow Wilson called Congress into session to condemn German warfare as a ''war against all nations.'' He said: ''It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things we have always carried dear to our hearts.''

Madam Speaker, President Wilson was speaking of democracy, freedom, and the brave men and women who risked their lives to protect it. Within 4 days, the United States had declared war against Germany. At the time, William Gladstone Oglesby of Morehead City, North Carolina, had just turned 21. Later that year, he would begin his service in the United States Army during the height of war. He would join the almost 2 million Americans sent across the ocean to fight alongside French soldiers and would serve in Company B, 322d Infantry Division as part of the American Expeditionary Forces.

Now, just shy of 103 years old, William Oglesby, or Captain Glady as he is more commonly known, is one of the surviving World War I veterans to receive France's highest decoration, the Legion of Honor medal.

The French government is marking the anniversary of the World War I armistice by honoring Captain Glady and

other surviving Americans and Allied personnel who fought in the Great War on French soil.

□ 2000

Madam Speaker, I cannot be more proud to represent such a fine soldier of freedom.

Madam Speaker, Captain Glady served with French soldiers for 1 year before receiving an honorable discharge. His efforts in the name of freedom are unforgettable and worthy of the recognition and tribute he has received.

Captain Glady's service to his country can only be matched by his service to his church, his community and his family. As one of the first honorably discharged veterans to join the American Legion, Captain Glady has dedicated 80 years to caring for other veterans and their widows.

After his discharge, Captain Glady spent 30 years working at sea in the North Carolina fishing industry. He spent 20 years as a menhaden fishing boat captain where he received his nickname, ''Captain Glady.'' He was married to his late wife, Ruth, for 72 years, and has a daughter, Sarita Shaw, and two granddaughters, Catherine Watkins and Elizabeth Duff.

Madam Speaker, William Gladstone Oglesby is a good man, a good American, and truly one of our Nation's soldiers of freedom. He answered his country's call to duty. His dedication to protect our country and preserve the principles that America was founded upon has helped to ensure and provide for the survival of this Nation.

As President Wilson said: ''To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have . . . with the pride of those who know that the day has come when America is privileged to spend her blood and her might for principles that gave her birth and happiness and the peace which she has treasured.''

Madam Speaker, my grandfather was gassed during World War I at the Battle of the Argonne forest. Thankfully he was fortunate to survive, but not everyone was as lucky. Many lost fathers, brothers, husbands and sons. Their courage and the courage of all who serve this Nation, have provided for the free and democratic Nation that we enjoy today.

Captain Glady and all who serve this country represent the America that rose to greatness on the shoulders of ordinary citizens. They are the men and women who accept the highest responsibility and make the ultimate sacrifice to preserve peace and freedom for all of its citizens.

Captain Glady, with your 103rd birthday approaching on April 4, I would like to extend to you a happy birthday, and best wishes to you, and I thank you and your country thanks you for your heroic courage in the name of freedom.

H.J. RES. 22—MAKING THE BIRTHDAY OF CESAR ESTRADA CHAVEZ A NATIONAL HOLIDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

Mr. RODRIGUEZ. Madam Speaker, I rise to honor an inspiring and beloved man, Cesar Estrada Chavez. Today we honor him in anticipation of his birthday next week, and I ask the Members of the House of Representatives to join us in paying respect to a man who brought dignity to men, women and children who have continued to struggle in the fields.

In January Cesar Chavez was bestowed one of the greatest honors when he was inducted into the U.S. Department of Labor's Hall of Fame. This honor is solely reserved for Americans whose contributions to the field of labor have enhanced the quality of lives of millions.

Not only did he enhance the lives of millions, but he touched us deeply with his compassion and commitment to La Causa. La Causa, the cause of the poor; La Causa, the cause of nonviolence; La Causa, representing those who do not have representation.

As my colleagues may know, Cesar Chavez rose from a fruit and vegetable picker to be the head of the United Farm Workers of America. From the beginning, Cesar Chavez instilled in the UFW the principles of nonviolence as practiced by Gandhi and Dr. Martin Luther King, Jr. When the United Farm Workers began the strike in the 1960's to protest the treatment of farm workers, the strikers took a pledge of nonviolence. Many of my colleagues may remember the 25-day fast conducted by Cesar Chavez which reaffirmed the United Farm Workers' commitment to nonviolence.

For those of us who lived through those years, those troubling years, in that time period, we heard of the great odds Chavez faced, and we recognized, a lot of us were involved directly in his efforts, as he led a successful 5-year strike boycott. Through this boycott Chavez was able to forge a national support coalition of unions, church groups, students, minorities and consumers. By the end of the boycott, everyone knew the chant that unified the group: ''Sí se puede,'' yes, we can, and it was a chant of encouragement, pride and dignity.

Although we knew him for his advocacy on behalf of farm workers, he was influential in various other areas. He helped communities to mobilize by assisting them with voter registration drives and insisting that minority communities had a right to an education, had a right to have access to a quality education.

Many of us today look to Cesar Chavez for inspiration, even here in the Halls of Congress. Those of us who continue this fight do so in order to give voices to the voiceless and dignity that is deserved by all laborers who, no matter what their work, will recognize their work and recognize them with dignity.

Throughout the country, like in San Antonio, there will be celebrations. I know in San Antonio Jamie Martinez, a labor leader, will be conducting a parade and a march in his honor, not only in his honor but on his causes and the importance of his cause.

Americans have seen few leaders such as Cesar Chavez. To honor his work and deeds I ask that you join myself and 56 other colleagues in supporting H.J. Res. 22 to make his birthday a national holiday. To all my colleagues on both sides of the aisle, I tell them tonight: ''Sí se puede.'' Together, yes, we can.

EXCHANGE OF SPECIAL ORDER TIME

Mr. THUNE. Madam Speaker, I ask unanimous consent that the time allocated to the gentleman from Pennsylvania (Mr. ENGLISH), that I be allowed to use that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

DO NOT BUY THE LIE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Mr. THUNE) is recognized for 5 minutes.

Mr. THUNE. Madam Speaker, for the past three months I have listened as our friends on the other side have extolled the virtues of the President's budget. Today we had an opportunity to vote on a series of alternative budgets, one of which was the President's budget, and I just have one question:

Where did all the President's men and all the President's women go when it came time to vote on that budget? The President's budget, today when it was voted on in the House, got two, two votes out of 435, and when it was voted on in the Senate the other day, it got two votes in the Senate.

Now we have to ask ourselves, why is that? Why did the President's budget only get two votes in the House and two votes in the Senate? I think that once the smoke had cleared and the dust had settled, it became clear that the charade was over.

Maybe it is because the President spends the Social Security surplus in his budget, maybe it is because the President's budget raises taxes by $172 billion. Maybe it is because in the President's budget there was no funding for priorities that he mentioned in his State of the Union address, priorities that rolled out like they were

never going to end, like agriculture, and he did not put any money in his budget for important priorities like reforming the crop insurance program.

Maybe there were only two votes in the House today on the President's budget because the President cuts Medicare. In spite of all the rhetoric about saving Medicare and putting aside 15 percent, the President's budget cut Medicare by about $10 million.

Maybe it was because the President's budget busted the budget caps. I mean it could be any of those reasons, but the fact of the matter is that when all the posturing was done in this Chamber and all the lofty rhetoric was put aside, it came time to vote, nobody was there to vote in favor of the President's budget.

So we rolled out an alternative, the Republican budget plan, today, and already for weeks our friends on the other side, the Democrats, have been assailing that budget. But then, as my colleagues know, the rhetoric started to tone down a little bit because they looked at it, and they said: ''Well, you know we want to attack the Republican budget for Social Security,'' and then they realized that we were locking up, walling off the Social Security Trust Fund, making sure that all the payroll tax was actually going into the trust fund where it should. And then they thought, well maybe we can attack the Republicans again on Medicare because they did not fall for the President's percentages game and say, well, we are going to do 15 percent here and 62 percent here, and 20 percent here, 10 percent here. But then they realized that by locking up the payroll tax the Republican budget puts aside more money for Social Security and Medicare than the President's budget.

So, that issue is off the table, and the fact of the matter is they could not attack, they want to attack for the veterans budget, but the Republican budget actually funded veterans at $1 billion more than the President's budget. It funded agriculture at $6 billion more than the President's budget.

So then it was the old traditional line about it is tax cuts for the rich. Well, as my colleagues know, if we look at the budget, there are not any tax cuts specified in there. Yes, we believe that we ought to have a debate. Once we have walled off Social Security and taken care of that program and Medicare, and there is $800 billion projected over the next 10 years that comes in over and above that, then we believe we ought to engage in debate in this city about whether or not to give that back to the American people or whether to spend it here in Washington. But we will have that debate when and if the time comes. But in the meantime we need to do the responsible thing and the honest thing, and that is to wall off Social Security and make sure that it is there for the next generation of Americans.

In fact, I want to read something here that AARP, Mr. Horace Deets, the Executive Director of AARP, said about the Republican budget plan. It says: ''AARP believes it is important to protect Social Security's growing reserves and is pleased that the House budget resolution provides that protection. Over the next 10 years, Social Security is projected to contribute $1.8 trillion of the unified surplus. Preserving Social Security's reserves not only allows our country to better prepare for the impending retirement of the baby boom generation, but also gives us greater financial flexibility to enact long-term reform in both Social Security and Medicare once the options have been carefully considered and their impact understood.''

That is from the AARP, and what I would simply say to the American people here this evening is:

''When you listen to all this rhetoric over the course of the next few months, who are you going to trust to solve these problems, Social Security and Medicare? Are you going to trust the people who are going to be honest with you and say that we are going to put the payroll tax, Social Security and Medicare, aside where it should be walled off to be used for those purposes, or are you going to trust the people who want to keep raiding it like we have in the past?''

I think the American people are wise, I think the Americans in this country who are currently benefiting from Social Security and Medicare have figured this out, and I have one simple message for them this evening, and that is:

Do not buy the lie. We have heard it before, we are going to hear it again. Work with us in a constructive way to build a better future for the 21st century.

Madam Speaker, I look forward to the opportunity, when we get past all the posturing and all the rhetoric, to work with my colleagues on the other side to come up with a budget that takes care of these important priorities.

TRANSPORTATION EMPLOYEE FAIR TAXATION ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. BAIRD) is recognized for 5 minutes.

Mr. BAIRD. Madam Speaker, I rise today to introduce important legislation to provide tax fairness for thousands of hard-working Americans throughout this Nation who are employed by interstate water carriers. I am talking about river boat pilots, I am talking about men and women who work on barges, and I am talking about other hard-working crew members who do an honest day's work and want a fair shake when it comes to paying their taxes.

Madam Speaker, I am deeply concerned that a significant number of interstate waterway employees who are employed on vessels that operate on the Columbia River, the Mississippi, the Ohio, the Missouri, the Kanawha, and many other inland waterways throughout this Nation may be double or even triple-taxed for their labor. These river pilots, officers and other crew members perform most of their work on rivers which flow through multiple States, and in many cases these folks are subject to income tax filings and additional withholdings from multiple States.

The rivers these folks navigate, whether it be for shipping, for transporting passengers, for tourism or other purposes often course through the territories of multiple States. That is a fact of nature, and because of that fact the folks who ply their trade on these rivers are subject to taxation by several States. That is simply not fair.

When truck drivers, railway workers and aviation employees go about their jobs, all of whom are required to conduct their work in States other than their home State, Congress has seen fit to grant them an exemption from this double or triple taxation unless a majority of the work is performed in another State.

□ 2015

This is not so for interstate waterway employees. No. If one is a crew member on a barge, they can be required to pay taxes in several States, and that is simply not fair.

An airline pilot, for example, is subject to taxation by the State in which the pilot resides, period. Only if pilots earn 50 percent or more of their income while working in another State are they subject to taxation by that other State. This restriction, for all practical purposes, exempts airline employees from multiple taxation. However, interstate water carriers, bargemen, river boat pilots, ferry boat operators, for some reason these people are treated differently, and that is simply not fair.

Frankly, Madam Speaker, it is a clear example of taxation without representation, an obvious oversight of this body.

Over the past 22 years, Congress has acted to address inequities in the Tax Code when it dealt with interstate transportation employees. I am asking my colleagues today to again take action to address and correct this problem.

Interstate waterway employees are devoted, hard working folks, who provide essential transportation services throughout our Nation and pay their fair share of taxes in their home States. Additionally, the companies which employ these workers contribute significantly to the economic well-being of the State's concerns. Yet,

Madam Speaker, due to an existing oversight, workers living in my district in southwest Washington may be subject to additional tax burdens imposed by other States along the Columbia River.

The current law allows States to impose additional taxes based on the percentage of time their vessel was docked or operating in those States' waters and I will say it again, that is simply not fair.

Madam Speaker, we can do something about that. We can make the law fair and we can make it apply equally to everyone.

Madam Speaker, the legislation I am introducing today, the Transportation Employee Fair Taxation Act of 1999, will correct this oversight.

My bill will expressly prohibit the taxation of income earned by waterway workers by States other than the ones in which the workers reside. It will close the unfortunate loophole that says we treat all the other groups of interstate workers one way and bargemen and river pilots the other.

It is not complex legislation. It is very straightforward. It is not lengthy legislation. It is a two-page bill. But it is good legislation. It is needed legislation and it is fair legislation. I am proud to say also that it is bipartisan legislation.

Of the 12 original cosponsors of this measure, 8 are Democrats and 4 are Republicans. So I urge my colleagues from both parties to join in this effort, to ensure tax fairness for all of our citizens by taking swift action to pass this bill.

NEEDED: JUSTICE AND A POLITICAL SOLUTION FOR THE KURDISH PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, before we adjourn for our spring district work period, I wanted to draw attention to the plight of the Kurdish people.

There was a lot of attention to this otherwise usually ignored issue last month with the apprehension of Abdullah Ocalan, the leader of the Kurdistan Workers Party, the PKK.

Mr. Ocalan has been fighting for autonomy for the Kurdish people who are the victims of oppression by Turkey, as well as Iraq, Iran and Syria. The Turkish regime refuses to even acknowledge the Kurds' existence, referring to them as Mountain Turks, prohibiting all expression of Kurdish culture and language in an effort to forcibly assimilate them, and jailing, torturing or killing Kurdish leaders.

The Iraqi regime has used poison gas on its Kurds and has destroyed 4,000 Kurdish villages. The Iranian regime has lined them up against firing squads, while the Syrian regime barely tolerates them with no rights.

Madam Speaker, while the treatment of the Kurds in Iraq, Iran and Syria is deplorable, the Turkish mistreatment of the Kurdish people is particularly shocking for a very basic reason. Turkey is considered an ally of the United States, a member of NATO, and the recipient over many years of millions in economic and especially military assistance courtesy of the American taxpayer. This embarrassing record of American support for the Turkish regime reached a new low last month when our intelligence and diplomatic services actually helped a Turkish commando team to capture Mr. Ocalan in Kenya. This action violates the spirit of the torture convention to which the United States is a signatory.

Mr. Ocalan, had he been here in the United States I cannot imagine that he would have been turned over to Turkey, just as Italy refused to do so when he was in Italy. This shameful collaboration with Turkey has resulted in Mr. Ocalan being held in solitary confinement on an island prison in Turkey with no access to his international team of lawyers.

Plans call for him to be tried in a secret military-type court with no jury and no foreign observers.

Given the unlawfulness of this abduction and the illegitimacy of the state security court's tribunal, there is ample reason to assume that Mr. Ocalan will not receive a fair trial.

Madam Speaker, I want to note that the injustice of the Ocalan abduction and trial and the much larger issue of the oppression of the Kurdish people has not gone unnoticed around the world. Here in Washington over the past weekend, a rally was held across the street from the Turkish Embassy. The Congressional Human Rights Caucus and the Human Rights Alliance recently commemorated the 11th anniversary of Saddam Hussein's massacre of over 5,000 Kurds in the village of Halabja.

The suffering of the Kurdish people has not gone completely unnoticed but we need to do more for the Kurdish people. The government of Turkey's undeclared war on the Kurds has claimed close to 40,000 lives and caused more than 3 million people to become refugees.

Mr. Ocalan's appearance in Rome with a pledge that he was ready to renounce violence presented an opportunity for peace but neither Turkey nor the United States took him up on his offer.

Madam Speaker, let me say it is not too late. We should use our leverage over Turkey to demand that an international tribunal prosecute Mr. Ocalan since Turkey is at war with the Kurds and cannot be expected to conduct a fair trial. I hope that the European Union to which Turkey is seeking admission will also put pressure on Turkey. We must demand a fair trial for Mr. Ocalan but this should only be a first step in our efforts to press Turkey to enter into negotiations to achieve a political solution to this ongoing struggle. This is fundamentally in Turkey's interest, too, in the long run, since they cannot continue to keep down 35 million people living in their midst.

On January 21, we celebrated, or the Kurds celebrated their new year, which is called Newroz, symbolizing a day of resistance and deliverance from tyranny for the Kurds. In that spirit, I hope that we will soon witness a turning point from the terrible tragedies that the Kurdish people have experienced and instead see the rebirth of a strong and free Kurdistan.

Madam Speaker, this week U.S. forces have gone into the battle in the former Yugoslavia in an effort to prevent the genocide of the Kosovar people. I strongly support that effort which shows America at its best and I hope that the same resolve and sense of outrage that caused us to act to protect the Kosovars will finally motivate America and the free world to put an end to the genocide of the Kurdish people.

Let me point out that the Kurdish new year, Madam Speaker, was actually last Sunday, March 21, Newroz, and that was the day when the Kurds celebrate their new year.

ILLEGAL IMMIGRATION FROM CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

Mr. UNDERWOOD. Madam Speaker, I take this opportunity to speak to one issue which is of some national significance because it evidences a pattern that is occurring, and that is illegal immigration from China.

I would like to point out that, Madam Speaker, that Guam is a very isolated community from Washington, DC. It is some 9,000 miles away and it is the closest U.S. soil to China.

During the past year, there has been an inordinate amount of illegal immigration into Guam from China, and we assumed that it was from perhaps nearby the Commonwealth of the Northern Marianas, but as it has turned out these are illegal immigrants who come in on fishing boats directly from the Province of Fuqing inside China.

This kind of illegal immigration is not the kind of illegal immigration that we normally assume exists, which is that people are fleeing either for political reasons or looking for an economic better way of life.

All of those might be part of this, but usually when we watch the kinds of

things that occur on our southern border or perhaps some of the illegal immigration which is coming from Haiti or in the Caribbean Sea, other parts of the Caribbean Sea, we witness people who are risking life and limb in order to better themselves economically. If they are successful, they go on and live their lives as members of individual families and indeed frequently find a better way of life.

In this case, what we have is an illegal stream of immigrants that is primarily orchestrated by criminal organizations inside China commonly referred to as ''snakeheads.'' Last year, and Guam last a very small population, it is estimated that over 700 arrived through this manner and since the beginning of this year alone there has already been 254, and some 97 were simply apprehended off the coast of Guam, in Agat, last weekend.

What these people undergo is that they pay anywhere from $10,000 to $30,000 for the privilege of being put in a fishing boat usually under a hundred feet and there may be as many as 200 or 300 of them inside this fishing boat. Then they are taken out in the open ocean and they arrive on Guam, and they usually try to come in on small boats so we do not know what exactly the dynamics of the stream is like. If they are caught, they immediately ask for political asylum.

If they are successful in this, and they invariably are, they then enter a period of what can only be termed as indentured servitude for these snakehead organizations for the next 10 to 20 years, probably working below the minimum wage in some underground economy inside this country.

So this problem, and the use of political asylum on Guam, and claims to political asylum by these illegal immigrants, do not necessarily benefit the immigrants themselves but is part of a well constructed, well organized criminal activity that is orchestrated from inside China in the Fuqing province.

The People's Republic of China themselves are embarrassed by this, as I understand it. These are criminal organizations that are acting on their own.

The way to solve this problem is to eliminate or narrow the gap for claims of political asylum on Guam. This in no way means that I myself or the people of Guam are not in favor of political asylum, but in this instance what has happened is that these snakehead organizations have used the political asylum mechanism in order to benefit their criminal activities, which are well documented in these articles by Brad Wong, Hiroshi Hiyama and Frieda Bush, and to create and to prey on the hopes of these people inside China and then to continue to prey upon them once they are successfully brought into this country.

I have introduced legislation for this purpose, to give latitude to INS officers in Guam, and this is possible under the Immigration and Naturalization Act, to carve out special laws and regulations for insular jurisdictions of the United States.

I hope that there is widespread support for this. This is an important issue not only for us but it is a good way to stop illegal immigration and to benefit criminal organizations inside China.

Madam Speaker, I would like to submit for the RECORD six articles of the Pacific Daily News. These articles point out in great detail the dynamics of this.

95 APPREHENDED IN AGAT—6 WOMEN, 12 CHILDREN AMONG GROUP IN INS CUSTODY

(By Hiroshi Hiyama.—Pacific Daily News)

Six women and a dozen children are among 95 Chinese nationals who were apprehended early yesterday morning after their ship ran aground on a reef off Agat.

It was the largest number of suspected illegal immigrants and smugglers caught at one time, followed by the 79 apprehended in January.

Yesterday's apprehension brings the tally to about 235 suspected illegal immigrants caught on and around Guam this year.

It began when 32 people were spotted on the beach by police Officer Frank Cepeda, who was patrolling near the old Agat cemetery around 2 a.m., according to police spokesman Marc Howard.

Their ship had run aground earlier on the reef off Agat, according to the U.S. Coast Guard. The rusty, 120-foot fishing vessel had no identifying markings.

After the accident, the ship's six-member crew jumped on a smaller boat, telling their passengers that they would go ashore to get help.

Shortly afterward, 32 passengers jumped off the fishing vessel, suspecting that the crew members wouldn't come back to rescue them, Coast Guard Chief Petty Officer John Howk said.

They were the group approached by Cepeda at the Agat beach. They offered no resistance, and a handful of police officers marched the group to the Agat precinct, Howard said.

At the same time, police contacted the Immigration and Naturalization Service. Guam police and fire officials launched their own boats to check the fishing vessel. The Coast Guard also launched the cutter Galveston Island and a Navy HC–5 helicopter to tend the vessel.

On the ship, local and federal officers found 57 people huddled together, waiting for assistance, Howk said.

Officials later caught the six crew members on an Agat shoreline, bringing the total number of apprehensions to 95, Howk said.

The Chinese nationals hadn't had food or water for the past few days, said Joe Galoski, INS supervisory special agent.

None showed signs of illness, and they were fed and cleaned by federal and local officials.

They spent roughly 11 days at sea traveling from the Fujian province in southern China to Guam, Galoski said.

They were taken to the Department of Corrections yesterday, where they spent the night with dozens of other suspected Chinese illegal immigrants who had been apprehended in previous incidents.

A few who have been here awhile have picked up a few English words and helped local prison officials to clean the newcomers' belongings.

The investigation into yesterday's apprehension will continue today, officials said.

The fishing vessel was towed to Victor Wharf, where the Coast Guard office is located.

Coast Guard officials said they haven't noticed any obvious signs of oil leaks, or other contaminants in the environment in the waters off Agat.

CHINESE DREAM OF LIFE ABROAD

(By Brad Wong)

FUQING, China—In an alleyway off a main shopping street in this coastal city of Fujian province, a group of peasants leaned against their rusty bicycles and chatted with one another in an open-air market one day last month.

With people buying food and milling about among pig heads, pile of leafy vegetables and mounds of oranges, one farmer stood next to his produce, spread on a plastic tarp on the ground. How much, he wondered would his cabbage cost in the United States?

In a black sedan with tinted windows that normally shuttles Taiwanese and Hong Kong business executives around town, a driver with thinning gray hair and a tan, weathered complexion offered a visitor $24,000 for help to immigrate to the United States, a place the Chinese call ''beautiful country.'' He boasted how his daughter could speak English, and called her on his cellular phone to prove it.

The man talked about a friend in the United States who gives him regular reports about living abroad. ''The homes are very good and there are a lot of vehicles,'' he said.

In the streets and alleys of this city, with its shiny new hotels and tiny brick huts, residents don't disclose it initially, but the dream is tucked in minds and hearts, never far from thought.

The desire: to go abroad, seek wealth and give their children better opportunities than they've had. And clerks, restaurant owners and others from all walks of life all say the same thing: They want to earn money in the United States. Some even cite a saying popular in the new market-oriented China to describe those who take risks in pursuing profits and opportunities.

They call it, ''Jumping in the sea.''

According to Chief Petty Officer John Howk, in charge of operations at the Coast Guard's Guam center, since April 1998, more than 500 smugglers and fortune seekers from this city and province have jumped and landed illegally on Guam or have been apprehended trying to make it to Guam's shores.

On Sunday, the Immigration and Naturalization Service took 97 Chinese nationals into custody after a fishing vessel from Fujian province hit the reef off Agat. It was the largest number of suspected illegal immigrants caught entering the United States' westernmost territory at any one time, but Howk said the Coast Guard believes that practice will either continue at its present rate of increase.

The immigrants are typically poor peasants from a country of 1.2 billion people, where such residents make up 70 percent of the population. Many Fujian residents say it's difficult to obtain a legal visa to live and work in the United States.

So they look to the sea as a way out and for new opportunities.

SNAKEHEADS

After a two-week boat trip from China, the immigrants often arrive on Guam wet, hungry and sometimes ill or carrying contagious diseases. They lack English language skills, Chinese passports and U.S. visas.

Behind the arrivals on Guam's shores are smugglers from this city and province. Called ''snakeheads'' in Chinese, these organized criminals orchestrate human-cargo shipments, charging as much as $15,000 per person for passage to Guam, $20,000 to Mexico and $30,000 to the continental United States, observers here say.

In return, the immigrants enter into modern-day contracts of indentured servitude, working in underground economies earning substandard U.S. wages to repay their transportation debts.

Still, the money they earn illegally in the United States—even if it's $1 an hour—is more than they can earn here as farmers.

The smugglers control almost every aspect of the immigrants' lives once they arrive at their destination.

They also wield enormous power in the immigrants' hometowns in case someone rebels, tries to flee or fails to pay back the debt, according to Chinese and U.S. observers.

DESTINATION GUAM

While residents of Fujian have followed family members and friends to New York City's Chinatown since the 1980s and to work in the Commonwealth of the Northern Mariana Islands' garment industry, observers say it's only recently that immigrants have started washing ashore in large numbers on Guam.

One reason Guam has become a gateway is because immigration officials in larger, more desirable destinations have clamped down on those entry points, according to a writer in Fuzhou, the provincial capital.

Lin Yan, who has written about emigration for Chinese newspapers, said smugglers are eyeing lightly protected areas where they can slip in unnoticed.

''Now, it's not easy to go to Japan and New York. So many Fujianese will go to Pacific Islands. But they don't know where they're going,'' he said through a translator. ''Their main purpose is to leave.''

Since last summer, Lin said, U.S. and Japanese authorities have repatriated between 20 and 30 groups of Fujian residents.

A chinese citizen is fined, but not heavily, after returning from an immigration attempt, he said.

[From the Pacific Daily News, Mar. 23, 1999]

CHINESE NATIONALS WAIT FOR DAY IN COURT

(By Frieda Bush)

It could be weeks before 97 Chinese nationals apprehended early Sunday morning will get their day in court.

Included in the group of suspected illegal immigrants are six women and 12 young males, said Robert Johnson, acting officer in charge of the Immigration and Naturalization Service on Guam.

The boys, who said they are minors, will visit a dentist today to help determine their age, Johnson said, but it is thought they are in their late teens.

INS and police officials initially reported 95 were apprehended Sunday. Officials were unavailable last night to resolve the discrepancy.

This latest group is the largest number of suspected illegal immigrants captured on Guam at one time, Johnson said. And it's the sheer volume of interviews the INS is required to conduct that will keep them from getting a rapid trial. Each person must be interviewed through an interpreter, Johnson said. As of yesterday, there were only three people on island qualified to do the interviews. Two of those interpreters flew in from Hawaii yesterday.

The suspected illegal immigrants are from Fujian province in southern China, said Joe Galoski, INS supervisory agent. Their rusty, 120-foot ship ran aground on a reef off Agat early Sunday morning. They were apprehended after a police officer found 32 people who had left the ship and come ashore.

In the meantime, the Chinese nationals will continue to cool their heels at the Department of Corrections facility in Mangilao. The $97-per-person per day cost of boarding the men and women there ultimately will be borne by the U.S. Immigration service, Galoski said.

All of the 97 people in custody are expected to ask for asylum, Johnson said.

That means asylum interviews must be flown in from California to determine whether the men and women have a ''credible fear'' of being harmed if they return to China.

''The initial level is easily met,'' Johnson said. After clearing the initial hurdle, immigrants must go before an immigration judge and prove they need to stay in the United States. The process, Johnson said, is long and complicated. ''But it's been my experience that most will (eventually) be ineligible.''

[From the Pacific Daily News, Mar. 24, 1999]

UNDERGROUND TRIP STARTS ON GUAM

(By Brad Wong)

(Editor's note. Pacific Daily News reporter Brad Wong has reported from China on the conditions that have led hundreds of residents of Fujian province to immigrate illegally to Guam. In this second of three parts, he describes the underground economies that support the immigrants. Look for the third and final installment of the story in Thursday, Pacific Daily News.)

Fuqing, China—Peter Kwong, an Asian-American Studies professor at Hunter College in New York City, is the author of ''Forbidden Workers,'' a book about illegal immigration, such as Guam has experienced in the past year.

No matter the entry point, established underground economies absorb the workers once they land, he said.

''Smugglers wouldn't send people there if they don't think they can get jobs and pay them back,'' Kwong said in a telephone interview from New York City.

It's not an idea,'' he said. ''It's something that already has been worked out.''

In its apparent status as a new gateway, Guam joins Mexico and the Caribbean as smaller entry points for Chinese immigrants en route to larger U.S. mainland cities, where there are more opportunities and better support networks.

FUELING A GROWING ECONOMY

The money the immigrant generate for smugglers, Chinese banks and all parties involved help buttress Fujian's rapidly-growing economy, Kwong said. In New York alone, he said Fujianese immigrants who work in small businesses, restaurants and the garment industry, paid smugglers $200 million in transportation debt in 1998—five times what Hong Kong, Taiwanese, Japanese, U.S. and European companies invested in the province during the same year, according to Professor Sun Shaozhen of the Fujian Teachers' University.

The underground economies that keep the immigrants working once they arrive in the United States have sprouted up in Atlanta, Los Angeles and in cities along the East Coast according to Kwong.

''It's spreading very far and very wide,'' he said.

The Fujianese immigrants arriving illegally by boat on Guam illustrate a philosophical dilemma; people trying to improve their standing in life—but contracting with organized criminals and breaking U.S. law to do so.

Provincial characteristics, geography and history all have combined to fuel this phenomenon, Sun said. Fujianese historically have been courageous, adventurous and daring, he said, referring to the lyrics of a local folk song that he says many have taken to heart: ''If you love the struggle, you will be the winner.''

According to Sun, acceptance of struggle as a way to economic salvation best explains why so many Fujianese risk their lives and attempt to emigrate over seas, often in crowded and unsafe boats.

Lin Yan, who has written about emigration for Chinese newspapers, tells of a Fujianese woman who traveled about 900 miles to China's southwest Yumnan province and crossed the borders into Burma.

After making her way to Cambodia, she departed from Laos by boat to Mexico. She lived with Mexican Indians and eventually climbed through the mountains into the United States, where authorities apprehended her.

CIRCUMSTANCES, DREAMS AND HISTORY

A shortage of arable land in Fujian also plays a part in the emigration. Mountains cover 90 percent of the densely populated province, leaving little room for farmers to grow crops.

And even if they are able to grow produce, many peasants are hard-pressed to earn enough.

The average Fujianese farmer's salary is about $33 per month, an increase from the $2 per month that a peasant earned in the early 1980s, but still too little to support families on, some growers said.

Western movies and television programs, like the popular beach show ''Baywatch,'' also influence residents' perceptions of life in the United States.

''They think America is so free and rich,'' Sun said. ''The cities are modern and the lifestyle is so relaxed.''

Emigration has been part of Fujianese history since the Ming and Qing dynasties and dates back at least 300 years, Sun and Lin said.

Famine and poor living conditions historically have prompted the Fujianese to leave the province, and many former residents of the province have helped develop Taiwan, Singapore, Southeast Asia and the United States. Some Fujianese have moved as far away as Hungary, Poland and Cyprus, according to Sun.

Those who have struck it rich in the United States and return for visits are seen as success stories that others want to emulate. And while some residents realize that life abroad can be difficult, others focus on the money—without examining how it was earned.

''Nobody tells them that they had a miserable life,'' Lin said. ''(Locals just) say, 'Oh, you've earned a lot of money.' ''

[Pacific Daily News, Mar. 25, 1999]

'THEY JUST WANT TO CHANGE THEIR LIFE'

(By Brad Wong)

FUQING, CHINA.—From this province, there are three main departure points along 300 miles of jagged shoreline nicked by inlets and peppered with tiny islands; Fuqing, Changle and Pingtan, on an island with many boats.

Peasants with little education and few opportunities to work in rural factories and small businesses are most likely to leave, according to Sun Shaozhen, a professor at Fujian Teachers' University. They sometimes think a Pacific island is part of the continental United States, he said.

Would-be emigrants can contract through an employment office that recruits people for overseas work or talk directly to the smugglers, said Lin Yan, who has written about emigration for Chinese newspapers.

Because family members often rely on the same network of contacts, residents often follow one another to the same destination. Families and entire villages have gone to California, Hawaii and New York. That pattern also may explain why so many people from Fuqing and Fujian show up on Guam.

The long and ragged shoreline makes it easy for smugglers to hide boats and people without being noticed, Sun and Lin said. The government doesn't have enough patrol boats to stop them, Sun said.

NO WAY OUT

Once a Chinese citizen enters into a contract with smugglers, it initiates a cycle that is difficult to escape according to Peter Kwong, an Asian-American studies professor at Hunter College in New York and author of ''Forbidden Workers,'' a book about illegal immigration.

If the peasants don't repay the transportation debt, the smugglers may intimidate them or their family members with threats of burning their homes or kidnapping their children, Sun and Lin said.

Many immigrants believe they can eventually pay off their contracts and earn their freedom, Kwong said. But the reality is different.

''It's simply you're making money mainly for the smugglers and these greedy employers,'' he said. ''If you pay off all your debt, you're still in the same trap. You're not going to be able to learn the language. You won't be assimilated into the mainstream.''

Smugglers and employers know that immigrants want freedom in the United States. So smugglers will raise transportation fees and employers will lower an immigrant's wages to keep the cycle working to their advantage, Kwong said.

Kwong, Coast Guard and Immigration and Naturalization Service officials said they don't know how many people from Fujian province might succeed in entering the United States illegally through Guam or what happens to those who do.

Kwong said such immigrants often succeeded in the past by working hard, saving money and buying restaurants or garment factories. But the explosive increase in the number of people attempting illegal immigration and the high costs of passage to the United States or elsewhere—$15,000 to Guam, $20,000 to Mexico or $30,000 to the continental United States—combine to keep many immigrants in underground service-sector, restaurant and construction jobs that pay less than minimum wage, Kwong said.

Even if law enforcement officials arrest the immigrants and repatriate them, they are still bound to pay off the contract for the overseas passage. And the debt, crushing especially by Chinese standards, essentially bars an individual from returning to earn an average salary. So they often look to the sea again for escape.

''It's impossible to earn that amount of money in China, so they try again,'' Lin said.

While repatriated immigrants used to face prison time during the 1960s and 1970s, today the Chinese government fines them for trying to leave the country, Lin and Sun said. Sun estimates the fine at between $300 and $500. The Chinese government has sentenced smugglers to prison, he said.

A GROWING CHINA

Ironically, the immigrants' arrival on Guam comes in the midst of an aggressive push by China to modernize and grow economically.

Before the Asian financial crisis in 1997, the country experienced double-digit economic growth this decade, surpassing the United States' growth rate and dazzling business and Wall Street analysts.

China also has weathered the Asian economic turmoil better than South Korea, Japan and Thailand, though it has felt the sting and residents say business has fallen off.

Since China opened its doors to the West in the late 1970s, international investors have poured billions of dollars into the country, particularly into small- and medium-sized factories in Fujian.

Since the 1980s, Taiwanese business executives—including many whose families came from Fujian—have funneled $224 billion in investments in this coastal province, according to Sun.

U.S. fast-food giant McDonald's has planted its golden arches in this coastal area of about 200,000 people, and gleaming new hotels clad in marble and glass cater to the business classes from Hong Kong and Taiwan. New concrete apartments house residents, and modern buses shuttle them between cities.

But as new buildings continue to go up, peasants from this area and poorer neighboring provinces line Fuqing's streets, sitting on stools and waiting to shine shoes for 12 to 24 cents a pair.

While this coastal city develops, the surrounding countryside and the region's mountainous inland are still waiting for infusions of wealth.

In many inland areas, peasants live in wooden huts with single light bulbs hanging from the ceilings. Their narrow rows of crops are crowded in between railroad tracks and rocky, unfarmable mountains.

WHY SO CROWDED?

In part, Guam and the other Pacific Islands that are among the new destinations for these modern-day Chinese immigrants are feeling the impact of the large work force envisioned by former Chairman Mao Tse-tung. Mao, a peasant himself, pushed for a large population during the Cultural Revolution from 1966 to 1970 so he could have a formidable work force to build his socialist state.

Sun believes that if peasants can pool enough money together to send a family member overseas or anticipate that they can raise the necessary amount, they should invest it in a growing China.

''It's foolish, because if you have $30,000, you can do some business here,'' he said.

Still, emigrating to the United States in search of a better life remains a goal for many.

Many peasants, especially in Fujian's mountainous regions, live in brick huts that are constantly cold during the winter. They dream about having a warm room—and they'll do anything to get more money.

''It's hard to imagine,'' Lin said.

''The poorest try their best to become rich, so they do their best to become a foreigner,'' Sun said. ''They just want to change their life conditions.''

That quest for wealth and a better life consumes even the better off among Fuqing's residents. Even the sedan driver, the one with the thinning hair and the daughter who can speak English, hands out a business card with a phone number where he can be reached.

On the card next to his name in Chinese characters is a picture of a shiny new sports car.

[From the Pacific Daily News, Mar. 24, 1999]

CHINESE DETAINEES START ASYLUM PROCESS

(Hiroshi Hiyama)

Dozens of suspected illegal Chinese immigrants caught on a boat off Agat last weekend will go through expedited immigration proceedings because they hadn't entered the United States when they were apprehended.

Immigration officials apprehended a total of 97 suspected illegal Chinese immigrants and smugglers Sunday. They caught 95 in the morning, and Guam police apprehended two others in the afternoon.

Dental examinations conducted yesterday indicated that nine of the suspected illegal immigrants are minors. The youths will be sent to a juvenile detention facility on the U.S. mainland, said Robert Johnson, acting officer in charge of the Immigration and Naturalization Service's Guam office. A dozen people originally claimed they were minors, Johnson said.

All 88 adults will continue to stay at the Department of Corrections in Mangilao, where federal officials are interviewing them for possible indictment. Six are suspected smugglers. Six women have been housed in the women's facility at the Department of Corrections, Johnson said.

The suspected illegal immigrants were apprehended after their rusty fishing boat ran aground on a reef off Agat sometime between Saturday night and early Sunday morning. Of the 97 people on the ship, 40 left the ship to come ashore, while 50 remained on board.

Those who arrived on shore are suspected of having made illegal entry into the United States and will face regular deportation and asylum processes, Johnson said.

The other 57 people, whom U.S. law enforcement officials apprehended while they were still on the boat, will go through expedited removal procedure, Johnson said. They will see federal asylum officers before they appear before an immigration judge for further proceedings.

The overwhelming majority of the immigrants are expected to apply for asylum, Johnson said.

It's not clear how long the suspects will stay at the Department of Corrections.

It costs $97.71 per person to house people at the department's detention center, but the federal government doesn't have the money to move them to mainland federal facilities or to pay for them to stay on Guam, Johnson said.

The government of Guam has made a commitment not to release the suspected illegal immigrants. Gov. Carl Gutierrez is working with federal attorneys and immigration officials to come up with ways to pay the costs of caring for the detainees, said Ginger Cruz, Gutierrez's spokeswoman.

As of yesterday morning, the INS had 166 illegal immigrants stayed at the Department of Corrections, Johnson said. The detainees include some who have overstayed their visas, Johnson said.

Angel Sablan, director of corrections, said his facility already is crowded with local inmates and it doesn't have space to hold additional federal detainees.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. ARMEY) for today until 12 noon on account of her mother's surgery.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. BROWN of California, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. GUTIERREZ, for 5 minutes, today.

Mr. BECERRA, for 5 minutes, today.

Mr. BERMAN, for 5 minutes, today.

Ms. PELOSI, for 5 minutes, today.

Mr. BAIRD, for 5 minutes, today.

Mr. WAXMAN, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. NETHERCUTT, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. THUNE, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 68. An act to amend section 20 of the Small Business Act and make technical corrections in title III of the Small Business Investment Act.

H.R. 92. An act to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse''.

H.R. 158. An act to designate the United States courthouse located at 315 North 26th Street in Billings, Montana, as the ''James F. Battin United States Courthouse''.

H.R. 233. An act to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building''.

H.R. 396. An act to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building''.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 314. An act to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 68. To amend section 20 of the Small Business Act and make technical corrections in title III of the Small Business Investment Act.

H.R. 92. To designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse''.

H.R. 158. To designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the ''James F. Battin United States Courthouse''.

H.R. 233. To designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building''.

H.R. 396. To designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building''.

ADJOURNMENT

Mr. UNDERWOOD. Madam Speaker, pursuant to Senate Concurrent Resolution 23, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of Senate Concurrent Resolution 23 of the 106th Congress, the House stands adjourned until 12:30 p.m., Monday, April 12, 1999, for morning hour debates.

Thereupon (at 8 o'clock and 29 minutes p.m.), pursuant to Senate Concurrent Resolution 23, the House adjourned until Monday, April 12, 1999, at 12:30 p.m., for morning hour debates.

OATH OF OFFICE—MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 106th Congress, pursuant to the provisions of 2 U.S.C. 25:

Attachment

ALABAMA

1. Sonny Callahan
2. Terry Everett
3. Bob Riley
4. Robert B. Aderholt
5. Robert E. (Bud) Cramer, Jr.
6. Spencer Bachus
7. Earl F. Hilliard

ALASKA, At Large, Don Young

ARIZONA

1. Matt Salmon
2. Ed Pastor
3. Bob Stump
4. John B. Shadegg
5. Jim Kolbe
6. J. D. Hayworth

ARKANSAS

1. Marion Berry
2. Vic Snyder
3. Asa Hutchinson
4. Jay Dickey

CALIFORNIA

1. Mike Thompson
2. Wally Herger
3. Doug Ose
4. John T. Doolittle
5. Robert T. Matsui
6. Lynn C. Woolsey
7. George Miller
8. Nancy Pelosi
9. Barbara Lee
10. Ellen O. Tauscher
11. Richard W. Pombo
12. Tom Lantos
13. Fortney Pete Stark
14. Anna G. Eshoo
15. Tom Campbell
16. Zoe Lofgren
17. Sam Farr
18. Gary A. Condit
19. George Radanovich
20. Calvin M. Dooley
21. William M. Thomas
22. Lois Capps
23. Elton Gallegly
24. Brad Sherman
25. Howard P. 'Buck' McKeon
26. Howard L. Berman
27. James E. Rogan
28. David Dreier
29. Henry A. Waxman
30. Xavier Becerra
31. Matthew G. Martinez
32. Julian C. Dixon
33. Lucille Roybal-Allard
34. Grace F. Napolitano
35. Maxine Waters
36. Steven T. Kuykendall
37. Juanita Millender-McDonald
38. Stephen Horn
39. Edward R. Royce
40. Jerry Lewis
41. Gary G. Miller
42. George E. Brown, Jr.
43. Ken Calvert
44. Mary Bono
45. Dana Rohrabacher
46. Loretta Sanchez
47. Christopher Cox
48. Ron Packard
49. Brian P. Bilbray
50. Bob Filner
51. Randy ''Duke'' Cunningham
52. Duncan Hunter

COLORADO

1. Diana DeGette
2. Mark Udall
3. Scott McInnis
4. Bob Schaffer
5. Joel Hefley
6. Thomas G. Tancredo

CONNECTICUT

1. John B. Larson
2. Sam Gejdenson
3. Rosa L. DeLauro
4. Christopher Shays
5. James H. Maloney
6. Nancy L. Johnson

DELAWARE, At Large, Michael N. Castle

FLORIDA

1. Joe Scarborough
2. Allen Boyd
3. Corrine Brown
4. Tillie K. Fowler
5. Karen L. Thurman
6. Cliff Stearns
7. John L. Mica
8. Bill McCollum
9. Michael Bilirakis
10. C. W. Bill Young
11. Jim Davis
12. Charles T. Canady
13. Dan Miller
14. Porter J. Goss
15. Dave Weldon
16. Mark Foley
17. Carrie P. Meek
18. Ileana Ros-Lehtinen
19. Robert Wexler
20. Peter Deutsch

21. Lincoln Diaz-Balart
22. E. Clay Shaw, Jr.
23. Alcee L. Hastings

GEORGIA

1. Jack Kingston
2. Sanford D. Bishop, Jr.
3. Mac Collins
4. Cynthia A. McKinney
5. John Lewis
6. Johnny Isakson
7. Bob Barr
8. Saxby Chambliss
9. Nathan Deal
10. Charlie Norwood
11. John Linder

HAWAII

1. Neil Abercrombie
2. Patsy T. Mink

IDAHO

1. Helen Chenoweth
2. Michael K. Simpson

ILLINOIS

1. Bobby L. Rush
2. Jesse L. Jackson, Jr.
3. William O. Lipinski
4. Luis V. Gutierrez
5. Rod R. Blagojevich
6. Henry J. Hyde
7. Danny K. Davis
8. Philip M. Crane
9. Janice D. Schakowsky
10. John Edward Porter
11. Jerry Weller
12. Jerry F. Costello
13. Judy Biggert
14. J. Dennis Hastert
15. Thomas W. Ewing
16. Donald A. Manzullo
17. Lane Evans
18. Ray LaHood
19. David D. Phelps
20. John Shimkus

INDIANA

1. Peter J. Visclosky
2. David M. McIntosh
3. Tim Roemer
4. Mark E. Souder
5. Stephen E. Buyer
6. Dan Burton
7. Edward A. Pease
8. John N. Hostettler
9. Baron P. Hill
10. Julia Carson

IOWA

1. James A. Leach
2. Jim Nussle
3. Leonard L. Boswell
4. Greg Ganske
5. Tom Latham

KANSAS

1. Jerry Moran
2. Jim Ryun
3. Dennis Moore
4. Todd Tiahrt

KENTUCKY

1. Ed Whitfield
2. Ron Lewis
3. Anne M. Northup
4. Ken Lucas
5. Harold Rogers
6. Ernest L. Fletcher

LOUISIANA

1. Bob Livingston
2. William J. Jefferson
3. W. J. (Billy) Tauzin
4. Jim McCrery
5. John Cooksey
6. Richard H. Baker
7. Christopher John

MAINE

1. Thomas H. Allen
2. John Elias Baldacci

MARYLAND

1. Wayne T. Gilchrest
2. Robert L. Ehrlich, Jr.
3. Benjamin L. Cardin
4. Albert Russell Wynn
5. Steny H. Hoyer
6. Roscoe G. Bartlett
7. Elijah E. Cummings
8. Constance A. Morella

MASSACHUSETTS

1. John W. Olver
2. Richard E. Neal
3. James P. McGovern
4. Barney Frank
5. Martin T. Meehan
6. John F. Tierney
7. Edward J. Markey
8. Michael E. Capuano
9. John Joseph Moakley
10. William D. Delahunt

MICHIGAN

1. Bart Stupak
2. Peter Hoekstra
3. Vernon J. Ehlers
4. Dave Camp
5. James A. Barcia
6. Fred Upton
7. Nick Smith
8. Debbie Stabenow
9. Dale E. Kildee
10. David E. Bonior
11. Joe Knollenberg
12. Sander M. Levin
13. Lynn N. Rivers
14. John Conyers, Jr.
15. Carolyn C. Kilpatrick
16. John D. Dingell

MINNESOTA

1. Gil Gutknecht
2. David Minge
3. Jim Ramstad
4. Bruce F. Vento
5. Martin Olav Sabo
6. Bill Luther
7. Collin C. Peterson
8. James L. Oberstar

MISSISSIPPI

1. Roger F. Wicker
2. Bennie G. Thompson
3. Charles W. 'Chip' Pickering
4. Ronnie Shows
5. Gene Taylor

MISSOURI

1. William (Bill) Clay
2. James M. Talent
3. Richard A. Gephardt
4. Ike Skelton
5. Karen McCarthy
6. Pat Danner
7. Roy Blunt
8. Jo Ann Emerson
9. Kenny C. Hulshof

MONTANA, At Large, Rick Hill

NEBRASKA

1. Doug Bereuter
2. Lee Terry
3. Bill Barrett

NEVADA

1. Shelley Berkley
2. Jim Gibbons

NEW HAMPSHIRE

1. John E. Sununu
2. Charles F. Bass

NEW JERSEY

1. Robert E. Andrews
2. Frank A. LoBiondo
3. Jim Saxton
4. Christopher H. Smith
5. Marge Roukema
6. Frank Pallone, Jr.
7. Bob Franks
8. Bill Pascrell, Jr.
9. Steven R. Rothman
10. Donald M. Payne
11. Rodney P. Frelinghuysen
12. Rush D. Holt
13. Robert Menendez

NEW MEXICO

1. Heather Wilson
2. Joe Skeen
3. Tom Udall

NEW YORK

1. Michael P. Forbes
2. Rick Lazio
3. Peter T. King
4. Carolyn McCarthy
5. Gary L. Ackerman
6. Gregory W. Meeks
7. Joseph Crowley
8. Jerrold Nadler
9. Anthony D. Weiner
10. Edolphus Towns
11. Major R. Owens
12. Nydia M. Velázquez
13. Vito Fossella
14. Carolyn B. Maloney
15. Charles B. Rangel
16. José E. Serrano
17. Eliot L. Engel
18. Nita M. Lowey
19. Sue W. Kelly
20. Benjamin A. Gilman
21. Michael R. McNulty
22. John E. Sweeney
23. Sherwood L. Boehlert
24. John M. McHugh
25. James T. Walsh
26. Maurice D. Hinchey
27. Thomas M. Reynolds
28. Louise McIntosh Slaughter
29. John J. LaFalce
30. Jack Quinn
31. Amo Houghton

NORTH CAROLINA

1. Eva M. Clayton
2. Bob Etheridge
3. Walter B. Jones
4. David E. Price
5. Richard Burr
6. Howard Coble
7. Mike McIntyre
8. Robin Hayes
9. Sue Wilkins Myrick
10. Cass Ballenger
11. Charles H. Taylor
12. Melvin L. Watt

NORTH DAKOTA, At Large, Earl Pomeroy

OHIO

1. Steve Chabot
2. Rob Portman
3. Tony P. Hall
4. Michael G. Oxley
5. Paul E. Gillmor
6. Ted Strickland
7. David L. Hobson
8. John A. Boehner
9. Marcy Kaptur
10. Dennis J. Kucinich
11. Stephanie Tubbs Jones
12. John R. Kasich
13. Sherrod Brown
14. Thomas C. Sawyer
15. Deborah Pryce
16. Ralph Regula
17. James A. Traficant, Jr.
18. Robert W. Ney
19. Steven C. LaTourette

OKLAHOMA

1. Steve Largent
2. Tom A. Coburn
3. Wes Watkins
4. J. C. Watts, Jr.
5. Ernest J. Istook, Jr.
6. Frank D. Lucas

OREGON

1. David Wu
2. Greg Walden
3. Earl Blumenauer
4. Peter A. DeFazio
5. Darlene Hooley

PENNSYLVANIA

1. Robert A. Brady
2. Chaka Fattah
3. Robert A. Borski
4. Ron Klink
5. John E. Peterson
6. Tim Holden
7. Curt Weldon
8. James C. Greenwood
9. Bud Shuster
10. Don Sherwood
11. Paul E. Kanjorski
12. John P. Murtha
13. Joseph M. Hoeffel
14. William J. Coyne
15. Patrick J. Toomey
16. Joseph R. Pitts
17. George W. Gekas
18. Michael F. Doyle
19. William F. Goodling
20. Frank Mascara
21. Phil English

RHODE ISLAND

1. Patrick J. Kennedy
2. Robert A. Weygand

SOUTH CAROLINA

1. Marshall 'Mark' Sanford
2. Floyd Spence
3. Lindsey O. Graham
4. Jim DeMint
5. John M. Spratt, Jr.
6. James E. Clyburn

SOUTH DAKOTA, At Large, John R. Thune

TENNESSEE

1. William L. Jenkins
2. John J. Duncan, Jr.
3. Zach Wamp
4. Van Hilleary
5. Bob Clement
6. Bart Gordon
7. Ed Bryant
8. John S. Tanner
9. Harold E. Ford, Jr.

TEXAS

1. Max Sandlin
2. Jim Turner
3. Sam Johnson
4. Ralph M. Hall
5. Pete Sessions
6. Joe Barton
7. Bill Archer
8. Kevin Brady
9. Nick Lampson
10. Lloyd Doggett
11. Chet Edwards
12. Kay Granger
13. Mac Thornberry
14. Ron Paul
15. Rubéon Hinojosa
16. Silvestre Reyes
17. Charles W. Stenholm
18. Sheila Jackson-Lee
19. Larry Combest
20. Charles A. Gonzalez
21. Lamar S. Smith
22. Tom DeLay
23. Henry Bonilla
24. Martin Frost
25. Ken Bentsen
26. Richard K. Armey
27. Solomon P. Ortiz
28. Ciro D. Rodriguez
29. Gene Green
30. Eddie Bernice Johnson

UTAH

1. James V. Hansen
2. Merrill Cook
3. Chris Cannon

VERMONT, At Large, Bernard Sanders

VIRGINIA

1. Herbert H. Bateman
2. Owen B. Pickett
3. Robert C. Scott

4. Norman Sisisky
5. Virgil H. Goode, Jr.
6. Bob Goodlatte
7. Tom Bliley
8. James P. Moran
9. Rick Boucher
10. Frank R. Wolf
11. Thomas M. Davis

WASHINGTON

1. Jay Inslee
2. Jack Metcalf
3. Brian Baird
4. Doc Hastings
5. George R. Nethercutt, Jr.
6. Norman D. Dicks
7. Jim McDermott
8. Jennifer Dunn
9. Adam Smith

WEST VIRGINIA

1. Alan B. Mollohan
2. Robert E. Wise, Jr.
3. Nick J. Rahall II

WISCONSIN

1. Paul Ryan
2. Tammy Baldwin
3. Ron Kind
4. Gerald D. Kleczka
5. Thomas M. Barrett
6. Thomas E. Petri
7. David R. Obey
8. Mark Green
9. F. James Sensenbrenner, Jr.

WYOMING, At Large, Barbara Cubin

PUERTO RICO, At Large, Carlos A. Romero-Barceló

AMERICAN SAMOA, At Large, Eni F.H. Faleomavaega

DISTRICT OF COLUMBIA, At Large, Eleanor Holmes Norton

GUAM, At Large, Robert A. Underwood

VIRGIN ISLANDS, At Large, Donna MC Christensen

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1282. A letter from the Acting Assistant Secretary for Force Management Policy, Department of Defense, transmitting the Department of Defense Education Activity (DoDEA) Accountability Report and the Accountability Profiles for the Department of Defense Dependents Schools, pursuant to 20 U.S.C. 924; to the Committee on Education and the Workforce.

1283. A letter from the AMD—Performance Evaluation and Records Management, Federal Communication Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (West Tisbury, Massachusetts) [MM Docket No. 98–235; RM–9379] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1284. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Department's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Long Beach and Shallotte, North Carolina) [MM Docket No. 98–149; RM–9331] received March 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1285. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Refugio, Texas) [MM Docket No. 98–165; RM–9322] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1286. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Implementation of Torture Convention In Extradition Cases [Public Notice 2991] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1287. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions—received March 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1288. A letter from the Secretary of Transportation, transmitting the revised performance goals and corporate management strategies for the Department of Transportation's fiscal year (FY) 1999 Performance Plan; to the Committee on Government Reform.

1289. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 981222313–8320–02; I.D. 021299B] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1290. A letter from the Senior Attorney, Department of Transportation, transmitting the Department's final rule—Disclosure of code-sharing arrangements and long-term wet leases [Docket Nos. 49702 and 48710] (RIN: 2105–AC10) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1291. A letter from the Chief, Regs and Admin Law, USCG, DOT, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area: Navigable Waters within the First Coast Guard District [CGD01–98–151] (RIN: 2115–AE84) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1292. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AlliedSignal Avionics, Inc. Models GNS-Xls and GNS-X1 Flight Management Systems [Docket No. 97–CE–07–AD; Amendment 39–11064; AD 97–05–03 R1] (RIN: 2120–AA64) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1293. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C,L, and L1 and L2 Helicopters [Docket No. 98–SW–01–AD; Amendment 39–11068; AD 99–06–04] (RIN: 2120–AA64) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1294. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. SA226 and SA227 Series Airplanes [Docket No. 98–CE–65–AD; Amendment 39–11066; AD 99–06–02] (RIN: 2120–AA64) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1295. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. Models PA–31, PA–31–300, PA–31–325, PA–31–350, and PA–31P–350 Airplanes [Docket No. 97–CE–152–AD; Amendment 39–11065; AD 99–06–01] (RIN: 2120–AA64) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1296. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS–365N, N1, and N2 Helicopters [Docket No. 97–SW–64–AD; Amendment 39–11067; AD 99–06–03] (RIN: 2120–AA64) received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1297. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Fort Dodge, IA [Airspace Docket No. 98–ACE–61] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1298. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Columbus, NE [Airspace Docket No. 98–ACE–62] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1299. A letter from the Director, Office of Management and Budget, transmitting the annual report on the Federal government's use of voluntary consensus standards, pursuant to Public Law 104–113, section 12(d)(3) (110 Stat. 783); to the Committee on Science.

1300. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Trade or Business Expenses [Revenue Ruling 99–14] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1301. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 99–15] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. DELAHUNT, Mr. DELAY, Mrs. MCCARTHY of New York, Mr. WEXLER, Mr. HILL of Montana, Mr. BLAGOJEVICH, Mr. GEKAS, Mr. SCARBOROUGH, Mr. JONES of North Carolina, Mr. HILLEARY, Mr. PORTMAN, Mr. DIXON, Mr. BARTLETT of Maryland, Mr. GIBBONS, Mr. COBLE, Mr. ROTHMAN, Mr. GRAHAM, Mr. SALMON, Mr. ENGLISH, Mr. GONZALEZ, Mrs. MORELLA, Mr. HULSHOF, Mrs. CHENOWETH, Mr. WEINER, Mr. BAKER, Mr. MEEHAN, Mr. TIERNEY, Mr. RAHALL, Mr. BRYANT, Mr. BORSKI, Mr. HEFLEY, Mr. TRAFICANT, Mr. BOEHNER, Mr. HAYES, Mr. MCCOLLUM, and Mr. ROGAN):

H.R. 1281. A bill to allow media coverage of court proceedings; to the Committee on the Judiciary.

By Mr. BARRETT of Wisconsin:

H.R. 1282. A bill to amend title 11, United States Code, to limit the value of certain real and personal property that an individual

debtor may elect to exempt under State or local law; to make nondischargeable consumer debts for luxury goods and services acquired in the 90-day period ending on the date a case is commenced under such title; and to permit parties in interest to request the dismissal of cases under chapter 7 of such title; to the Committee on the Judiciary.

By Mr. HYDE (for himself, Mr. MORAN of Virginia, Mr. ARMEY, Mr. DELAY, Mr. SENSENBRENNER, Mr. GEKAS, Mr. BURTON of Indiana, Mr. MANZULLO, Mr. STENHOLM, Mr. HOSTETTLER, Mr. BONILLA, Mr. NORWOOD, Mr. FOLEY, Mr. DEAL of Georgia, Mr. CALVERT, Mr. BRADY of Texas, Mr. WELLER, Mr. CANNON, and Mr. WATTS of Oklahoma):

H.R. 1283. A bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself, Mr. POMBO, Mr. SCHAFFER, and Mr. RADANOVICH):

H.R. 1284. A bill to provide for protection of the Minnesota Valley National Wildlife Refuge and endangered species and other protected species of fish and wildlife that inhabit or use that refuge, to ensure that scarce wildlife refuge land in and around the Minneapolis, Minnesota, metropolitan area is not subjected to physical or auditory impairment, and to ensure that the National Environmental Policy Act of 1969 is adequately implemented; to the Committee on Resources.

By Mrs. MALONEY of New York (for herself, Mrs. KELLY, Mr. RANGEL, Mr. MATSUI, Mr. GILMAN, Mrs. MINK of Hawaii, Mrs. MORELLA, Ms. SCHAKOWSKY, Mr. FROST, Mr. LANTOS, Mr. GUTIERREZ, Mr. CROWLEY, Mr. CUMMINGS, and Mr. SANDLIN):

H.R. 1285. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage of cancer screening; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS (for himself, Ms. BERKLEY, Mr. FILNER, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. PETERSON of Minnesota, Ms. CARSON, Mr. REYES, Mr. RODRIGUEZ, Mr. SHOWS, Mr. OLVER, Mr. HINCHEY, Ms. MCKINNEY, Mr. FRANK of Massachusetts, Ms. MILLENDER-MCDONALD, Mr. UNDERWOOD, Mr. KLECZKA, and Mr. FROST):

H.R. 1286. A bill to amend title 38, United States Code, to expand the list of diseases presumed to be service connected with respect to radiation-exposed veterans; to the Committee on Veterans' Affairs.

By Mr. WELLER (for himself, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. PORTMAN, Mr. ENGLISH, Mr. QUINN, Mr. LAHOOD, Mrs. KELLY, Mr. LOBIONDO, and Mr. METCALF):

H.R. 1287. A bill to amend the Internal Revenue Code of 1986 to grant relief to participants in multiemployer plans from certain section 415 limits on retirement plans; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mrs. CAPPS, Mr. NADLER, Mr. FILNER, Mr. HOLDEN, Mr. BISHOP, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. SERRANO, Mr. LATOURETTE, Mr. KIND, Mr. DEFAZIO, and Mr. CLYBURN):

H.R. 1288. A bill to require Medicare providers to disclose publicly staffing and performance in order to promote improved consumer information and choice, to protect employees of Medicare providers who report concerns about the safety and quality of services provided by Medicare providers or who report violations of Federal or State law by those providers, and to require review of the impact on public health and safety of proposed mergers and acquisitions of Medicare providers; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. DINGELL, Mr. RANGEL, and Mr. LEWIS of Georgia):

H.R. 1289. A bill to amend title XIX of the Social Security Act to direct the Secretary of Health and Human Services to waive recoupment of the Federal government Medicaid share of tobacco-related State settlements under certain conditions; to the Committee on Commerce.

By Mr. JONES of North Carolina (for himself, Mr. CLEMENT, Mr. SAXTON, Mr. TAYLOR of Mississippi, Mr. BAKER, Mr. TRAFICANT, Mr. BARCIA, Mr. TAUZIN, and Mr. ARMEY):

H.R. 1290. A bill to amend the Federal Water Pollution Control Act relating to wetlands mitigation banking, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. UPTON (for himself, Mr. TAUZIN, Mr. OXLEY, Mr. WHITFIELD, Mr. BILBRAY, Mr. ARMEY, Mr. EWING, Mr. POMBO, Mr. GUTIERREZ, Mr. RAHALL, Mr. GILMAN, Mr. DICKEY, Mr. WELLER, Mr. MICA, Mr. BLAGOJEVICH, Mr. SENSENBRENNER, Mr. REGULA, Mr. WOLF, Mr. GOODE, Mr. MCINNIS, Mr. SHOWS, Mr. GREEN of Wisconsin, Mr. CANADY of Florida, Mr. FOLEY, Mr. LOBIONDO, Mr. GILCHREST, Mr. KUYKENDALL, Mr. SHERMAN, Mr. CLYBURN, Mrs. EMERSON, Mr. TANCREDO, Mr. DEAL of Georgia, Mr. SHIMKUS, Mr. BILIRAKIS, Mr. STEARNS, Mrs. CUBIN, Mr. BROWN of Ohio, Mr. STRICKLAND, Mr. BLUNT, Mr. NETHERCUTT, Mr. LAZIO, Mr. PETERSON of Pennsylvania, Mr. LAHOOD, Mr. KOLBE, Mr. SAM JOHNSON of Texas, Mr. BAKER, Mrs. ROUKEMA, Mr. PACKARD, Mr. LINDER, Mr. GIBBONS, Mr. DUNCAN, Mr. NORWOOD, Mr. CHAMBLISS, Mr. OSE, Mr. CAMP, Mr. GOODLATTE, Mrs. KELLY, Mr. MCHUGH, Mr. MASCARA, Mr. KLECZKA, Mr. LIPINSKI, Mr. GILLMOR, Mr. RAMSTAD, Mr. BARCIA, and Mr. SCARBOROUGH):

H.R. 1291. A bill to prohibit the imposition of access charges on Internet service providers, and for other purposes; to the Committee on Commerce.

By Mr. WELLER (for himself, Mr. MATSUI, Mr. PORTER, and Mr. HAYWORTH):

H.R. 1292. A bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs; to the Committee on Ways and Means.

By Mr. BAIRD (for himself, Mr. BOSWELL, Mr. EVANS, Ms. LEE, Mr. LIPINSKI, Mr. MCDERMOTT, Mr. METCALF, Mr. NETHERCUTT, Mr. SHOWS, Mr. SIMPSON, Mr. STRICKLAND, Mr. TERRY, and Mr. WISE):

H.R. 1293. A bill to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels; to the Committee on the Judiciary.

By Mr. BAKER (for himself, Mr. MCCRERY, and Mr. SESSIONS):

H.R. 1294. A bill to amend the Internal Revenue Code of 1986 to extend the period for filing for a credit or refund of individual income taxes from 3 to 7 years; to the Committee on Ways and Means.

By Mr. BARR of Georgia:

H.R. 1295. A bill to amend the Individuals with Disabilities Education Act to provide for the explusion from school and termination of educational services with respect to a child with a disability who carries a weapon to school or to a school function; to the Committee on Education and the Workforce.

H.R. 1296. A bill to direct the Secretary of Veterans Affairs to establish an outpatient clinic in the Seventh Congressional District of Georgia; to the Committee on Veterans' Affairs.

By Mr. BENTSEN:

H.R. 1297. A bill to amend the National Flood Insurance Act of 1968 to reduce losses caused by repetitive flooding, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1298. A bill to amend title XIX of the Social Security Act to permit public schools and certain other entities to determine presumptive eligibility for children under the Medicaid Program; to the Committee on Commerce.

By Mr. BERRY (for himself and Mrs. EMERSON):

H.R. 1299. A bill to provide a safety net for farmers through reform of the marketing loan program under the Agricultural Market Transition Act, expansion of land enrollment opportunities under the conservation reserve program, and maintaining opportunities for foreign trade in United States agricultural commodities; to the Committee on Agriculture.

By Mr. BOEHLERT (for himself, Mr. RAHALL, Mr. BARCIA, Mr. DOOLEY of California, Mr. CLYBURN, Mr. HORN, Mr. GILCHREST, Mr. DEFAZIO, Mr. QUINN, Mr. TRAFICANT, Mr. EHLERS, Mr. TAYLOR of Mississippi, Mr. BASS, Mrs. TAUSCHER, Mr. GILMAN, Mr. BERRY, Mr. PORTER, Mr. MORAN of Virginia, Mr. WALSH, Mrs. THURMAN, Mr. LEACH, Mr. MATSUI, Mr. SENSENBRENNER, Mr. CLEMENT, Mr. CASTLE, Mr. GOSS, Mrs. JOHNSON of Connecticut, Mr. KING, Mr. CRAMER, Mrs. BIGGERT, Mr. THUNE, Ms. DANNER, Mr. COOK, and Mr. MCHUGH):

H.R. 1300. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote brownfields redevelopment, to reauthorize and reform the Superfund program, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUNT (for himself, Mrs. EMERSON, Ms. DANNER, Mr. TAUZIN, Mr. TALENT, Mr. GRAHAM, Mr. SMITH of Michigan, Mr. BACHUS, and Mr. SKELTON):

H.R. 1301. A bill to amend the Clean Air Act to prohibit the listing of liquefied petroleum gas under section 112(r) of that Act; to the Committee on Commerce.

By Mr. BOEHNER (for himself and Mr. ANDREWS):

H.R. 1302. A bill to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself and Mr. PRICE of North Carolina):

H.R. 1303. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for dry cleaning equipment which uses reduced amounts of hazardous substances; to the Committee on Ways and Means.

By Mr. CAMPBELL (for himself, Mr. CONYERS, Mr. MILLER of Florida, Mr. HOEFFEL, Mr. BAKER, Mr. LAFALCE, Mr. COOKSEY, Mr. PALLONE, Mr. NADLER, Mr. HORN, Mr. FROST, Mr. FILNER, Mr. BOUCHER, Mr. WEXLER, Mr. SCARBOROUGH, Ms. SCHAKOWSKY, Mr. SHOWS, Mr. SANDLIN, Mr. TOWNS, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. PAUL, Mr. COBURN, Mr. GANSKE, Mr. DELAHUNT, Mr. ROHRABACHER, Mr. MCCOLLUM, and Mr. KLINK):

H.R. 1304. A bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of health care professionals and health plans and health insurance issuers in the same manner as such laws apply to collective bargaining by labor organizations under the National Labor Relations Act; to the Committee on the Judiciary.

By Mr. CAMPBELL:

H.R. 1305. A bill to prohibit funding to the International Monetary Fund (IMF) until debt owed to the United States by heavily indebted poor countries has been canceled; to the Committee on Banking and Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 1306. A bill to amend title 28, United States Code, to provide for an additional place of holding court for the Western Division of the Central Judicial District of California; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. BOEHLERT, Mr. BOEHNER, Ms. BROWN of Florida, Ms. CARSON, Mrs. CHRISTENSEN, Mr. DOYLE, Mr. FOLEY, Mr. GALLEGLY, Mr. GILCHREST, Mr. GILMAN, Mr. GREEN of Texas, Mr. INSLEE, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mrs. KELLY, Mr. LAZIO, Mr. LUTHER, Mr. MCHUGH, Mr. QUINN, Mr. REGULA, Mr. SAWYER, Mr. SHAYS, Mr. SHOWS, Mr. UPTON, Mrs. WILSON, and Mr. WISE):

H.R. 1307. A bill to provide for grants, a national clearinghouse, and a report to improve the quality and availability of after-school programs; to the Committee on Education and the Workforce.

By Mrs. CHRISTENSEN (for herself and Mr. UNDERWOOD):

H.R. 1308. A bill to extend the supplemental security income benefits program to Guam and the United States Virgin Islands; to the Committee on Ways and Means.

By Mr. COOK:

H.R. 1309. A bill to authorize the Secretary of Energy to provide compensation and increased safety for on-site storage of spent nuclear fuel and high-level radioactive waste; to the Committee on Commerce.

By Mr. CRANE (for himself, Mr. COYNE, Mr. HERGER, and Mrs. THURMAN):

H.R. 1310. A bill to amend the Internal Revenue Code of 1986 to allow non-itemizers a deduction for a portion of their charitable contributions; to the Committee on Ways and Means.

By Mr. CRANE (for himself and Mr. NEAL of Massachusetts):

H.R. 1311. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mrs. THURMAN, Mr. STARK, Mr. SANDERS, Mr. WEYGAND, Mr. COYNE, and Mr. GEORGE MILLER of California):

H.R. 1312. A bill to impose a moratorium on increases in the rates charged for cable television service, to require the Federal Communications Commission to conduct an inquiry into the causes of such increases and the impediments to competition, and for other purposes; to the Committee on Commerce.

By Ms. DEGETTE (for herself, Mr. STARK, Ms. DELAURO, Mrs. MORELLA, Mr. WAXMAN, Ms. KILPATRICK, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. SANDERS, Mr. LANTOS, Mr. MARTINEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. CROWLEY, Mrs. CAPPS, Ms. PELOSI, Mr. FORD, Mr. MCGOVERN, Mr. WYNN, Ms. SCHAKOWSKY, Mr. CUMMINGS, and Ms. BERKLEY):

H.R. 1313. A bill to amend title XI of the Social Security Act to restrict the use of physical and chemical restraints and seclusion in certain facilities receiving Medicare or Medicaid funds, to require recording and reporting of information on that use and on sentinel events occurring in those facilities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DICKS (for himself, Mr. INSLEE, Mr. SMITH of Washington, Mr. BAIRD, and Mr. MCDERMOTT):

H.R. 1314. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Resources.

By Mr. DREIER:

H.R. 1315. A bill to amend the Housing and Community Development Act of 1974 to eliminate the fiscal year limitation on the cap on the percentage of community development block grant funds received by the City and County of Los Angeles, California, that may be used to provide public services and to provide that all communities in the County of Los Angeles receiving such block grant funds may use the same percentage of such amounts to provide public services as the City and County of Los Angeles; to the Committee on Banking and Financial Services.

By Mr. DREIER (for himself and Mr. JEFFERSON):

H.R. 1316. A bill to amend the Internal Revenue Code of 1986 to reduce employer and employee Social Security taxes to the extent there is a Federal budget surplus; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUNN (for herself, Mr. LEWIS of Georgia, Mr. COLLINS, and Mr. HERGER):

H.R. 1317. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit for taxpayers owning certain commercial power takeoff vehicles; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. BERMAN, and Mr. CRANE):

H.R. 1318. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kyrgyzstan; to the Committee on Ways and Means.

By Ms. ESHOO:

H.R. 1319. A bill to assure that innocent users and businesses gain access to solutions to the year 2000 problem-related failures through fostering an incentive to settle year 2000 lawsuits that may disrupt significant sectors of the American economy; to the Committee on the Judiciary.

H.R. 1320. A bill to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes; to the Committee on Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY:

H.R. 1321. A bill to amend the Internal Revenue Code of 1986 to reduce the holding period for long-term capital gain treatment to 6 months; to the Committee on Ways and Means.

By Mr. GALLEGLY (for himself, Mrs. EMERSON, Mr. FROST, Mr. SHOWS, and Mr. WEYGAND):

H.R. 1322. A bill to amend the Internal Revenue Code of 1986 to increase the limits on the amount of nondeductible contributions to individual retirement plans and to adjust the amount of deductible contributions to individual retirement accounts for inflation; to the Committee on Ways and Means.

By Mr. GREEN of Texas (for himself, Mr. SHERMAN, Mr. SANDERS, Mr. DEFAZIO, Mr. FROST, Mr. LAFALCE, Mr. BENTSEN, Mr. SANDLIN, Mr. BALDACCI, Ms. STABENOW, Mr. FILNER, Mr. BROWN of Ohio, Mrs. MALONEY of New York, Mr. UNDERWOOD, Ms. PELOSI, Mr. WAXMAN, Mr. SHOWS, Mr. JEFFERSON, Mr. LAMPSON, Mr. MCNULTY, Ms. DEGETTE, Mr. HORN, Ms. JACKSON-LEE of Texas, Mrs. THURMAN, Mr. FORD, Ms. CARSON, Mr. GILMAN, Mr. MALONEY of Connecticut, Mr. RANGEL, Mr. ENGEL, Ms. NORTON, Ms. RIVERS, Mrs. EMERSON, Ms. KAPTUR, Mr. PAYNE, Mr. WYNN, Mr. PALLONE, Mr. GONZALEZ, Mrs. WILSON, Mr. WHITFIELD, Mr. HULSHOF, and Mr. KIND):

H.R. 1323. A bill to promote research to identify and evaluate the health effects of silicone breast implants, and to ensure that women and their doctors receive accurate information about such implants; to the Committee on Commerce.

By Mr. HALL of Ohio (for himself and Mrs. EMERSON):

H.R. 1324. A bill to amend the Emergency Food Assistance Act of 1983 to authorize appropriations to purchase and to make available to emergency feeding organizations additional commodities for distribution to needy persons; to the Committee on Agriculture.

By Mr. HALL of Ohio (for himself and Mr. HOUGHTON):

H.R. 1325. A bill to amend the Internal Revenue Code of 1986 to clarify the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes; to the Committee on Ways and Means.

By Mr. HEFLEY (for himself, Mr. EDWARDS, Mr. GALLEGLY, and Mr. HILL of Indiana):

H.R. 1326. A bill to continue and expand the program to provide assistance to separated and retired members of the Armed Forces to obtain certification and employment as teachers, to transfer the jurisdiction over the program to the Secretary of Education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY of Oregon:

H.R. 1327. A bill to designate the United States Postal Service building located at 34480 Highway 101 South in Cloverdale, Oregon, as the ''Maurine B. Neuberger United States Post Office''; to the Committee on Government Reform.

By Mr. HOUGHTON (for himself, Mr. LEVIN, Ms. SLAUGHTER, Mr. CLYBURN, Mr. BOEHLERT, Mr. WELLER, Mr. SKEEN, Mr. INSLEE, Mr. FOLEY, Mrs. THURMAN, Mr. SHOWS, Ms. KILPATRICK, Mr. DOOLITTLE, Ms. LOFGREN, Mr. DIAZ-BALART, Mr. WELDON of Pennsylvania, Mr. MCDERMOTT, Mr. DOOLEY of California, Mr. CRANE, Mr. WATKINS, Mr. CAMP, Mr. METCALF, Mr. ENGLISH, and Mr. KLECZKA):

H.R. 1328. A bill to amend the Internal Revenue Code of 1986 to allow the research credit for expenses attributable to certain collaborative research consortia; to the Committee on Ways and Means.

By Mr. HUNTER (for himself and Mrs. BONO):

H.R. 1329. A bill to amend the Internal Revenue Code of 1986 to provide that tips received for certain services shall not be subject to income or employment taxes; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 1330. A bill to amend title 18, United States Code, to increase the mandatory minimum penalties provided for possessing, brandishing, or discharging a firearm during and in relation to a crime of violence or drug trafficking crime; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mr. CLAY, Mr. LATOURETTE, Mr. KILDEE, Mr. PETERSON of Pennsylvania, Mr. FROST, Mr. ENGLISH, Mr. LAMPSON, Mr. ABERCROMBIE, Ms. WOOLSEY, Mr. ROMERO-BARCELO, Mrs. MCCARTHY of New York, Mr. NADLER, Mrs. CHRISTENSEN, Mr. SANDERS, Mr. CUMMINGS, Mr. MARTINEZ, Mr. BERMAN, Mr. HINOJOSA, Mr. THOMPSON of Mississippi, Ms. KILPATRICK, Mr. DAVIS of Illinois, Mr. PAYNE, and Mr. GUTIERREZ):

H.R. 1331. A bill to promote youth entrepreneurship education; to the Committee on Education and the Workforce.

By Mr. LAFALCE (for himself, Mr. VENTO, Mr. FRANK of Massachusetts, and Mr. HINCHEY):

H.R. 1332. A bill to amend the Truth in Lending Act to expand protections for consumers by adjusting statutory exemptions and civil penalties to reflect inflation, to eliminate the Rule of 78s accounting for interest rebates in consumer credit transactions, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mr. BENTSEN, Ms. HOOLEY of Oregon, Mr. WEYGAND, Ms. LEE, Mr. MOORE, Mr. FROST, Mr. MENENDEZ, Mr. NADLER, Ms. KILPATRICK, Mr. TOWNS, Mr. HINCHEY, Mr. FILNER, Mr. SISISKY, Mrs. MINK of Hawaii, Mr. GEJDENSON, Ms. LOFGREN, Mr. CLYBURN, Mr. BARRETT of Wisconsin, and Mr. DEUTSCH):

H.R. 1333. A bill to amend the Internal Revenue Code of 1986 to provide assistance to first-time homebuyers; to the Committee on Ways and Means.

By Mr. LAHOOD (for himself, Mr. BLUNT, and Mr. HASTINGS of Washington):

H.R. 1334. A bill to provide for the enhanced implementation of the amendments made to the Federal Food, Drug, and Cosmetic Act by the Food Quality Protection Act of 1996, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMPSON (for himself, Mr. SANDERS, Mr. COSTELLO, Mr. STARK, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, Mr. FROST, Mr. GREEN of Texas, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mrs. TAUSCHER, Mr. SANDLIN, Mr. VENTO, Mr. SHOWS, and Mr. ABERCROMBIE):

H.R. 1335. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses; to the Committee on Education and the Workforce, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAZIO (for himself, Mr. LEACH, and Mr. WALSH):

H.R. 1336. A bill to authorize the Secretary of Housing and Urban Development to provide enhanced vouchers for rental assistance under section 8 of the United States Housing Act of 1937 for low-income elderly and disabled tenants of housing projects with expiring contracts for Federal rental assistance to ensure that such tenants can afford to retain their previously assisted dwelling units, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LEWIS of Kentucky (for himself, Mr. ENGLISH, Mr. WATKINS, Mrs. JOHNSON of Connecticut, Mr. MCNULTY, Mr. LEWIS of Georgia, Mr. COBURN, Mr. KLECZKA, Ms. PRYCE of Ohio, Ms. KILPATRICK, Mr. PAUL, Mr. MCDERMOTT, Mr. FOLEY, Mr. HOSTETTLER, Mr. WYNN, Mr. SHOWS, Ms. SANCHEZ, Mr. MCCRERY, Ms. DUNN, Mr. MCHUGH, Mrs. THURMAN, Mrs. CHRISTENSEN, Mr. HOUGHTON, Mrs. KELLY, Mr. WAXMAN, Mr. GONZALEZ, and Mr. SHAW):

H.R. 1337. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on vaccines to 25 cents per dose; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself and Mr. HOYER):

H.R. 1338. A bill to authorize appropriations for the Federal Election Commission for fiscal year 2000 and succeeding fiscal years; to the Committee on House Administration.

By Mr. MARKEY:

H.R. 1339. A bill to require insured depository institutions, depository institution holding companies, and insured credit unions to protect the confidentiality of financial information obtained concerning their customers, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1340. A bill to require brokers, dealers, investment companies, and investment advisers to protect the confidentiality of financial information obtained concerning their customers, and for other purposes; to the Committee on Commerce.

By Mr. MARTINEZ (for himself and Mr. WAXMAN):

H.R. 1341. A bill to amend the Older Americans Act of 1965 to establish a national family caregiver support program, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York:

H.R. 1342. A bill to protect children from firearms violence; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself and Mrs. MALONEY of New York):

H.R. 1343. A bill to provide for the continued maintenance and preservation of Governors Island, New York, by the Administrator of General Services; to the Committee on Government Reform.

By Mr. NUSSLE (for himself, Mr. MCINTYRE, Mrs. EMERSON, Mr. STENHOLM, Mr. BEREUTER, Mr. KIND, Mr. MORAN of Kansas, Mr. OBERSTAR, Mr. THORNBERRY, Mr. STUPAK, Mr. HILL of Montana, Mr. DEFAZIO, Mr. PETERSON of Pennsylvania, Mr. HILLIARD, Mr. BERRY, Mr. HERGER, Mr. LEACH, Mr. LATHAM, Mr. MCHUGH, Mr. NEY, Mr. NORWOOD, Mr. MASCARA, Mr. WALSH, Mr. FROST, Mr. BOSWELL, Mr. SKELTON, Mr. BAIRD, Mr. FALEOMAVAEGA, Mr. PHELPS, Mr. BARRETT of Nebraska, Mr. BOUCHER, and Mr. RAHALL):

H.R. 1344. A bill to promote and improve access to health care services in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBEY (for himself and Mr. KLECZKA):

H.R. 1345. A bill to eliminate the mandate that States require people to provide their Social Security numbers on applications for recreational licenses; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 1346. A bill to amend the Federal Food, Drug, and Cosmetic Act to safeguard public health and provide to consumers food that is safe, unadulterated, and honestly presented; to the Committee on Commerce.

By Mr. PICKERING (for himself and Mr. MORAN of Kansas):

H.R. 1347. A bill to provide for a Medicare subvention demonstration project for veterans, to improve the Department of Defense TRICARE program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself and Mr. TAYLOR of Mississippi):

H.R. 1348. A bill to establish a moratorium on the Foreign Visitors Program at the Department of Energy nuclear laboratories and to require the establishment of a counterintelligence program at each of those laboratories; to the Committee on Armed Services.

By Mr. SALMON (for himself, Mr. SHOWS, Mr. SMITH of New Jersey, Mr. MARTINEZ, Mr. COBURN, Mr. TAYLOR of Mississippi, Mr. SCHAFFER, Mr. HAYWORTH, Mr. NETHERCUTT, Mr. ENGLISH, Mr. GILMAN, Mr. COOK, Mr. BARTON of Texas, Mr. FOLEY, and Mr. CASTLE):

H.R. 1349. A bill to amend title 18, United States Code, to combat the over-utilization of prison health care services and control rising prisoner health care costs; to the Committee on the Judiciary.

By Ms. SANCHEZ (for herself, Mr. KENNEDY of Rhode Island, Mrs. MORELLA, Mrs. TAUSCHER, Ms. LOFGREN, Ms. DELAURO, Mr. RUSH, Mr. MEEHAN, Ms. NORTON, Mr. OLVER, Ms. MILLENDER-MCDONALD, Ms. LEE, Mrs. JOHNSON of Connecticut, Mr. MALONEY of Connecticut, Ms. WATERS, Mr. FARR of California, Mr. EVANS, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. FILNER, Mr. SANDERS, Mrs. MINK of Hawaii, Mr. ANDREWS, Ms. MCKINNEY, Mr. SHERMAN, Ms. PELOSI, Mr. CLAY, Mr. BENTSEN, Mr. CUMMINGS, Mr. THOMPSON of California, Mr. BALDACCI, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. MCGOVERN, Mr. FROST, Mr. GEJDENSON, Mr. BERMAN, Ms. SCHAKOWSKY, Mrs. MEEK of Florida, Ms. WOOLSEY, Ms. CARSON, Mr. ROTHMAN, Mr. GEORGE MILLER of California, Mr. FRANK of Massachusetts, Mr. WAXMAN, Mr. MATSUI, Mr. HINCHEY, Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Mr. DAVIS of Florida, Mr. GUTIERREZ, and Mr. ABERCROMBIE):

H.R. 1350. A bill to restore freedom of choice to women in the uniformed services serving outside the United States; to the Committee on Armed Services.

By Mr. SCARBOROUGH:

H.R. 1351. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and gift tax; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 1352. A bill to provide housing assistance to domestic violence victims; to the Committee on Banking and Financial Services.

By Mr. SESSIONS (for himself, Mr. BACHUS, Mr. PAUL, Mr. ARMEY, Mr. BARTON of Texas, Mr. SAM JOHNSON of Texas, Ms. GRANGER, Mr. FROST, Mr. ARCHER, Mr. BRADY of Texas, Mr. THORNBERRY, Mr. COMBEST, Mr. SMITH of Texas, Mr. DELAY, and Mr. BONILLA):

H.R. 1353. A bill to authorize the conveyance of the Naval Weapons Industrial Reserve Plant No. 387 in Dallas, Texas; to the Committee on Armed Services.

By Mr. SESSIONS (for himself, Mr. BACHUS, Mr. PAUL, Mr. MCCOLLUM, Mr. BOEHNER, and Mr. BEREUTER):

H.R. 1354. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Ways and Means.

By Mr. SHAYS (for himself, Mrs. LOWEY, Mr. LEACH, and Mr. ENGEL):

H.R. 1355. A bill to make available funds appropriated for the payment of United Nations arrearages; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself and Ms. KAPTUR):

H.R. 1356. A bill to end international sexual trafficking, and for other purposes; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUDER (for himself, Mr. FROST, Mr. FOSSELLA, Mrs. EMERSON, Mr. SHOWS, Mr. FORBES, Mr. PAUL, Mr. WYNN, Mr. HOSTETTLER, Mr. NETHERCUTT, Mr. BURR of North Carolina, and Mr. GARY MILLER of California):

H.R. 1357. A bill to amend the Internal Revenue Code of 1986 to increase the maximum amount which may be contributed annually to an individual retirement plan to $5,000 and to increase the maximum amount which may be contributed annually to an education individual retirement account to $2,000; to the Committee on Ways and Means.

By Mr. THOMAS (for himself, Mr. RANGEL, Mr. HERGER, Mr. RAMSTAD, Mr. ENGLISH, and Mr. LIPINSKI):

H.R. 1358. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for making energy efficiency improvements to existing homes and for constructing new energy efficient homes; to the Committee on Ways and Means.

By Mr. TRAFICANT:

H.R. 1359. A bill to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the ''Frank J. Battisti and Nathaniel R. Jones Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. WALSH (for himself, Mr. HOUGHTON, Ms. SLAUGHTER, Mr. ROGERS, Mr. BOEHLERT, and Mr. FORBES):

H.R. 1360. A bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Mrs. MEEK of Florida, Ms. KAPTUR, Mr. BONIOR, Mrs. MALONEY of New York, Mr. DEFAZIO, Mr. PAYNE, Mr. FATTAH, Ms. BROWN of Florida, Mr. CLYBURN, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Mr. MEEKS of New York, Mr. OWENS, and Mr. TOWNS):

H.R. 1361. A bill to bar the imposition of increased tariffs or other retaliatory measures against the products of the European Union in response to the banana regime of the European Union; to the Committee on Ways and Means.

By Ms. WOOLSEY:

H.R. 1362. A bill to make satisfactory progress toward completion of high school or a college program a permissible work activity under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Ms. ESHOO (for herself, Mrs. MORELLA, Mrs. LOWEY, and Mr. BERMAN):

H. Con. Res. 78. Concurrent resolution expressing the commitment of the Congress to continue the leadership of the United States in the United Nations by honoring the financial obligations of the United States to the United Nations; to the Committee on International Relations.

By Ms. GRANGER (for herself and Ms. MILLENDER-MCDONALD):

H. Con. Res. 79. Concurrent resolution expressing the sense of the Congress regarding the regulatory burdens on home health agencies; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. BILIRAKIS, Mrs. MALONEY of New York, Mr. RUSH, Mr. PORTER, Mr. MENENDEZ, Mr. SHERMAN, Mr. FRANKS of New Jersey, Mr. PALLONE, Mr. DEUTSCH, Mr. HORN, Mr. HINCHEY, Mr. DIAZ-BALART, Mr. CAPUANO, Mr. TIERNEY, Mr. DOYLE, and Mr. BLAGOJEVICH):

H. Con. Res. 80. Concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus; to the Committee on International Relations.

By Mrs. CAPPS (for herself, Mrs. ROUKEMA, Ms. KAPTUR, Mrs. JOHNSON of Connecticut, Ms. DEGETTE, Mr. BROWN of Ohio, Mr. SHAYS, Mr. WAXMAN, Mrs. MORELLA, Ms. SLAUGHTER, Mr. HORN, Mr. LEACH, Mr. GEJDENSON, Mrs. KELLY, Mrs. BONO, Ms. PELOSI, Mrs. CHRISTENSEN, Mr. MCNULTY, Mr. SANDERS, Mr. FARR of California, Mr. GREEN of Texas, Mr. SHOWS, Mrs. MCCARTHY of New York, Mr. STARK, Mr. BAIRD, Mr. FRANK of Massachusetts, Ms. DELAURO, Ms. KILPATRICK, Mr. FILNER, Mr. WISE, Mr. PAYNE, Mr. SNYDER, Mr. BALDACCI, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. UNDERWOOD, Mr. WEXLER, Mr. PRICE of North Carolina, Mr. FROST, Mr. CLEMENT, Mr. MEEHAN, Mr. MATSUI, Mrs. MALONEY of New York, Mr. SANDLIN, Mr. GONZALEZ, Mr. ROMERO-BARCELO, Ms. SCHAKOWSKY, Mr. ROEMER, Mrs. JONES of Ohio, Ms. BERKLEY, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. RANGEL, Mr. LUTHER, Ms. CARSON, Mr. SERRANO, Mr. MALONEY of Connecticut, Ms. WOOLSEY, Mr. LAFALCE, Mr. BENTSEN, Mr. STRICKLAND, Mr. DELAHUNT, Mr. FOLEY, Ms. STABENOW, Mr. NEAL of Massachusetts, Ms. RIVERS, Mrs. CLAYTON, Ms. LOFGREN, Ms. BROWN of Florida, Ms. SANCHEZ, Mr. BERMAN, Mr. LANTOS, Mr. RAHALL, Mr. RUSH, Mr. WYNN, Mr. TRAFICANT, Mrs. THURMAN, Mr. THOMPSON of Mississippi, Ms. DANNER, Mr. JEFFERSON, Mr. CROWLEY,

Mrs. MEEK of Florida, Mr. LEWIS of Georgia, Mr. DIXON, Mr. CUMMINGS, Mr. SCOTT, Mr. CLYBURN, Mr. HASTINGS of Florida, Ms. MCKINNEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. ROYBAL-ALLARD):

H. Res. 133. A resolution recognizing the significance to society of issues relating to mental illness and expressing full support for the White House Conference on Mental Health; to the Committee on Commerce.

By Mr. LANTOS (for himself, Mr. SAWYER, and Mr. LAHOOD):

H. Res. 134. A resolution supporting National Civility Week, Inc. in its efforts to restore civility, honesty, integrity, and respectful consideration in the United States; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Ms. KILPATRICK and Mr. MICA.

H.R. 7: Mrs. EMERSON, Mr. PAUL, Mr. KNOLLENBERG, Mr. WATKINS, Mr. GREEN of Wisconsin, Mr. PITTS, Mr. TANCREDO, Mr. SESSIONS, and Mr. PETERSON of Pennsylvania.

H.R. 8: Mr. BLUNT, Mr. PICKERING, Mr. PORTMAN, Mr. NUSSLE, Mr. WALSH, and Mr. KINGSTON.

H.R. 25: Mr. WALSH.

H.R. 39: Mr. GREENWOOD.

H.R. 44: Mr. BILBRAY and Mr. DICKS.

H.R. 49: Mr. FOLEY.

H.R. 51: Mr. RUSH and Ms. GRANGER.

H.R. 53: Mr. PICKERING, Mr. WISE, Mr. COSTELLO, Mr. POMBO, Mr. HERGER, Mr. GARY MILLER of California, and Mr. BURTON of Indiana.

H.R. 58: Mr. KENNEDY of Rhode Island.

H.R. 65: Mr. DICKS and Mr. BILBRAY.

H.R. 82: Ms. BERKLEY.

H.R. 111: Mr. KILDEE, Mrs. CUBIN, Mr. PETERSON of Pennsylvania, Mr. TOWNS, and Ms. SCHAKOWSKY.

H.R. 116: Mr. GARY MILLER of California.

H.R. 119: Mr. CUMMINGS, Mr. GALLEGLY, Mr. WOLF, Mr. POMBO, Mr. BARCIA, and Ms. BERKLEY.

H.R. 120: Mr. POMBO.

H.R. 122: Mr. POMBO.

H.R. 123: Mrs. EMERSON, Mr. ARCHER, Mr. BURTON of Indiana, Mr. TALENT, Mr. COX, Mr. HILLEARY, Mr. HORN, Mr. HILL of Montana, Mr. COBLE, Mrs. CHENOWETH, Mr. LAHOOD, Mr. TAYLOR of Mississippi, Mr. TAYLOR of North Carolina, Mr. HAYWORTH, Mr. NORWOOD, Mr. BLUNT, Mr. BARRETT of Nebraska, Mr. GEKAS, Mr. WICKER, Mr. LUCAS of Oklahoma, Mr. CALLAHAN, Mr. RILEY, Mr. REGULA, Mr. COBURN, Mr. RADANOVICH, Mr. CAMPBELL, Mr. SISISKY, Mr. POMBO, Mr. EVERETT, Mr. MCKEON, Mr. BAKER, Mr. ISAKSON, Mr. EHLERS, Mr. LINDER, Mr. DELAY, Mr. SPENCE, Mrs. FOWLER, Mr. ROYCE, Mr. BALLENGER, Mr. ISTOOK, Mr. HERGER, Mr. GRAHAM, Mr. DEAL of Georgia, Mrs. MYRICK, Mr. LARGENT, Mr. BURR of North Carolina, Mr. FOLEY, Mr. GARY MILLER of California, Mr. SANFORD, Mr. STEARNS, Mr. HUNTER, Mr. PORTER, Mr. NEY, Mr. MCCRERY, Mr. SAXTON, Mrs. ROUKEMA, Mr. CLEMENT, Mr. LATHAM, Mr. TRAFICANT, Mrs. BONO, Mr. CRANE, Mr. LIPINSKI, Mr. SALMON, Mr. SHUSTER, Mr. SHOWS, Mr. ROHRABACHER, Mr. WELDON of Pennsylvania, Mr. KASICH, Mr. STUMP, Mr. BLILEY, Mr. BOEHNER, Mr. HOEKSTRA, Mr. KNOLLENBERG, Mr. CHAMBLISS, Ms. DANNER, Mr. SOUDER, Mrs. CUBIN, Mr. COLLINS, Mr. GUTKNECHT, Mr. GANSKE, MR. GIBBONS, Mr. HEFLEY, Mr. HALL of Texas, Mr. GOODE, Mr. TIAHRT, Mr. GOODLATTE, Mr. HUTCHINSON, Mr. SENSENBRENNER, Mr. TANCREDO, Mr. DOOLITTLE, Mr. PETERSON of Pennsylvania, Mr. DICKEY, Mr. ADERHOLT, Mr. WAMP, Mr. LATOURETTE, Mr. MASCARA, Mr. SAM JOHNSON of Texas, Mr. BILBRAY, Mr. PICKERING, and Mr. PACKARD.

H.R. 147: Mr. STUMP.

H.R. 148: Mr. LUCAS of Kentucky, Mr. LARSON, and Mr. CONDIT.

H.R. 152: Mr. CAPUANO.

H.R. 165: Ms. PELOSI and Ms. SCHAKOWSKY.

H.R. 170: Mrs. TAUSCHER, Mr. DAVIS of Illinois, and Mr. STUMP.

H.R. 175: Mr. COSTELLO, Mr. ETHERIDGE, Mr. HALL of Texas, Mr. SHAYS, Mr. MOAKLEY, Mrs. CLAYTON, Mr. SHIMKUS, Mr. WAXMAN, and Mr. GOODLING.

H.R. 202: Mr. BAKER, Ms. PRYCE of Ohio, Mrs. ROUKEMA, Mr. SESSIONS, Mr. BOEHLERT, Mr. LATOURETTE, Mr. PASTOR, and Mr. FOLEY.

H.R. 237: Mr. HALL of Texas, Mr. NUSSLE, and Mr. TAYLOR of North Carolina.

H.R. 261: Mr. DAVIS of Illinois.

H.R. 262: Mr. ABERCROMBIE, Mr. HINCHEY, Mr. GEORGE MILLER of California, and Mr. NEY.

H.R. 274: Mr. HOLT and Mr. PALLONE.

H.R. 303: Mr. DICKS and Mr. BILBRAY.

H.R. 311: Ms. MCKINNEY.

H.R. 325: Mr. BAIRD.

H.R. 347: Mr. METCALF.

H.R. 351: Mr. LIPINSKI, Mr. LAZIO, and Mr. PASTOR.

H.R. 352: Mr. BOUCHER, Mr. KILDEE, Mr. SHADEGG, Mr. POMBO, and Mr. CLEMENT.

H.R. 357: Mr. SMITH of Washington.

H.R. 371: Mr. BERMAN and Mr. SCARBOROUGH.

H.R. 380: Mr. DELAHUNT, Mr. SCOTT, Mr. VENTO, and Mr. REYNOLDS.

H.R. 383: Mr. FRANKS of New Jersey, Mr. LAFALCE, Mr. KIND, Mr. KING, Mr. BOUCHER, Mr. MCHUGH, Mr. ROMERO-BARCELO, Mr. GILMAN, Mr. PRICE of North Carolina, Mrs. MCCARTHY of New York, Mr. FROST, Mrs. MALONEY of New York, Mr. LAMPSON, Mr. ROTHMAN, and Mr. RUSH.

H.R. 392: Mr. CONYERS and Mr. BROWN of California.

H.R. 423: Mr. GARY MILLER of California and Mr. FROST.

H.R. 424: Mr. SESSIONS, Ms. LOFGREN, Mr. RODRIGUEZ, Mr. TURNER, and Mr. FORD.

H.R. 425: Mr. NADLER, Ms. LOFGREN, Mr. THOMPSON of Mississippi, Ms. LEE, Mr. KUCINICH, and Ms. CARSON.

H.R. 464: Mr. FORBES, Mr. GOODE, Mr. FORD, and Mr. BURR of North Carolina.

H.R. 488: Mr. VENTO.

H.R. 492: Mr. METCALF.

H.R. 516: Ms. PRYCE of Ohio.

H.R. 528: Mrs. THURMAN.

H.R. 531: Mr. SPENCE, Mr. BURTON of Indiana, Mr. TANCREDO, Mr. BOEHLERT, MR. PRICE of North Carolina, and Mr. LIPINSKI.

H.R. 538: Mr. TURNER.

H.R. 541: Mr. ENGEL and Mr. TIERNEY.

H.R. 544: Mr. RANGEL.

H.R. 552: Mr. GOODLING, Mr. SWEENEY, Mr. JEFFERSON, and Ms. LOFGREN.

H.R. 555: Mr. RANGEL.

H.R. 561: Ms. LEE, Mr. SAXTON, Mr. HOEFFEL, Mr. MENENDEZ, and Ms. VELÁZQUEZ.

H.R. 566: Mr. KLINK and Mr. KENNEDY of Rhode Island.

H.R. 573: Mr. HUNTER, Mr. MICA, Mr. SHADEGG, Mr. SKEEN, Mr. TAUZIN, Mr. LEACH, Mr. PORTER, Mr. MCCOLLUM, Mr. GILLMOR, Mr. OSE, Mr. TALENT, Mr. NEY, Mr. WELDON of Florida, Mr. CALLAHAN and Mr. SHAYS.

H.R. 576: Mr. BROWN of California.

H.R. 580: Mr. NEAL of Massachusetts and Mr. TRAFICANT.

H.R. 582: H.R. Mr. HINCHEY.

H.R. 586: Mr. WYNN.

H.R. 588: Mr. SHUSTER.

H.R. 597: Ms. CARSON, Mr. GREENWOOD, Mr. KENNEDY of Rhode Island, Ms. LOFGREN, Mr. BARRETT of Wisconsin, Mr. RUSH, Ms. MCKINNEY, Mr. SHAYS, Mr. NADLER, and Mr. WATT of North Carolina.

H.R. 600: Mr. BLILEY and Mr. PITTS.

H.R. 608: Mr. PICKERING and Mr. GOODLING.

H.R. 629: Mr. BENTSEN, Mr. FARR of California, and Mr. JEFFERSON.

H.R. 644: Mr. FILNER.

H.R. 664: Ms. BALDWIN and Ms. DEGETTE.

H.R. 682: Mr. PICKERING.

H.R. 691: Mr. CANADY of Florida.

H.R. 701: Mr. COLLINS, Mr. BISHOP, Mr. EWING, Mr. LUCAS of Kentucky, Mr. LEWIS of Kentucky, and Mr. CLYBURN.

H.R. 708: Ms. MCKINNEY.

H.R. 710: Mr. SESSIONS, Mr. MCCRERY, Mr. TAYLOR of North Carolina, Ms. STABENOW, Mr. COOK, Mr. HERGER, Mr. SOUDER, Mr. DOOLEY of California, Mr. HEFLEY, Mr. CLYBURN, Mr. ROHRABACHER, Mr. CHAMBLISS, Mr. MALONEY of Connecticut, Mr. LEWIS of Kentucky, Mr. REYNOLDS, and Mr. HINCHEY.

H.R. 716: Mr. TANNER, Mr. LARSON, Mrs. MEEK of Florida, Mr. MOORE, and Mr. BISHOP.

H.R. 721: Mr. BARRETT of Nebraska, Mr. BEREUTER, Mr. COOK, Ms. ESHOO, Mr. GEJDENSON, Mr. HOUGHTON, Mr. KUCINICH, Mr. MARTINEZ, Mr. NEAL of Massachusetts, Mr. TANNER, and Mr. TERRY.

H.R. 728: Mr. ANDREWS, Mr. HOLDEN, Mr. WICKER, Mr. TRAFICANT, and Mr. WISE.

H.R. 738: Mr. COOK and Mr. ENGLISH.

H.R. 742: Mr. CLYBURN, Mr. COSTELLO, Mr. FORBES, Mr. THOMPSON of Mississippi, and Mr. WU.

H.R. 746: Mr. DEUTSCH.

H.R. 749: Mr. GOODLATTE.

H.R. 750: Mr. BROWN of California, Mr. GREEN of Texas, Mr. GRAHAM, Mr. RANGEL, and Mr. VENTO.

H.R. 760: Mr. BOEHLERT, Mr. CUNNINGHAM, Mr. SHOWS, Mr. COSTELLO, Mr. METCALF, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCCOLLUM, Mr. FROST, Mr. BURR of North Carolina, Mr. WAXMAN, and Mr. HINCHEY.

H.R. 772: Mr. COSTELLO, Mr. PHELPS, Mr. RUSH, and Mr. LIPINSKI.

H.R. 773: Mr. DOOLEY of California, Mr. EDWARDS, Mr. KENNEDY of Rhode Island, Mrs. LOWEY, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. ORTIZ, Mr. RANGEL, Mr. SCOTT, Mr. SPRATT, Mr. TOWNS, Mr. ROMERO-BARCELÓ, Mr. BISHOP, and Ms. NORTON.

H.R. 775: Mr. BRYANT, Mr. MCINTOSH, Mr. HAYWORTH, Mr. STUMP, Mr. SHIMKUS, Mr. OXLEY, Mr. GOSS, Mr. ARMEY, Mr. SHADEGG, Mrs. CUBIN, Mr. WAMP, Mr. LATHAM, Mr. BOEHNER, Mr. KASICH, Mr. PICKERING, Mr. COOKSEY, Mr. RAMSTAD, Mr. ENGLISH, and Mr. TANCREDO.

H.R. 783: Mr. ROTHMAN and Mr. KLINK.

H.R. 784: Mr. WOLF, Mr. MICA, Mr. GIBBONS, Ms. BERKLEY, Mrs. BONO, Mr. BARRETT of Nebraska, Mr. FROST, and Mr. METCALF.

H.R. 785: Ms. VELÁZQUEZ, Mr. FROST, and Mr. SANDLIN.

H.R. 792: Mr. ROGAN, Mr. SALMON, Mr. PORTER, Mr. BARTLETT of Maryland, Mr. DEMINT, Mr. ARCHER, Mr. BACHUS, Mr. STENHOLM, and Mr. CHABOT.

H.R. 793: Mr. HILLEARY.

H.R. 796: Mr. CARDIN.

H.R. 806: Ms. PELOSI, Mrs. CLAYTON, Mr. GEJDENSON, Mr. FARR of California, Ms. ROYBAL-ALLARD, Mr. DIXON, and Mr. FROST.

H.R. 817: Mrs. EMERSON and Mr. WALSH.

H.R. 828: Mr. ROTHMAN.
H.R. 833: Mr. BOYD.
H.R. 835: Ms. PRICE of Ohio, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. MINGE, and Mr. BERMAN.
H.R. 837: Mr. BERMAN.
H.R. 844: Mr. TERRY, Mr. MCNULTY, Mr. LEWIS of Kentucky, Mr. BOEHLERT, and Mr. SMITH of Michigan.
H.R. 845: Mr. ENGLISH, Mr. MCGOVERN, and Ms. SCHAKOWSKY.
H.R. 850: Mr. FOLEY, Mr. TERRY, and Mr. SHOWS.
H.R. 852: Mr. MOORE, Mr. COBURN, Mr. POMBO, and Mr. PHELPS.
H.R. 854: Mr. SHOWS, Mr. RODRIGUEZ, Mr. SANDERS, Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. FROST, Mr. GONZALEZ, Mrs. CAPPS, Ms. LOFGREN, Mr. DEFAZIO, Mr. GALLEGLY, Mr. NADLER, Mr. WAXMAN, and Mrs. EMERSON.
H.R. 864: Mr. FORD, Mr. QUINN, Mr. LUCAS of Kentucky, Mr. PICKETT, Mr. WATT of North Carolina, Mr. CAMPBELL, Mr. ETHERIDGE, Mr. NETHERCUTT, Mrs. CLAYTON, Mr. GUTKNECHT, Mr. DIAZ-BALART, Mr. BAIRD, Mr. VENTO, Mr. BERRY, Mrs. EMERSON, Mr. GOODLING, and Ms. MCCARTHY of Missouri.
H.R. 872: Mr. SANDLIN, Ms. NORTON, Mrs. CHRISTENSEN, and Mrs. MALONEY of New York.
H.R. 883: Mr. NUSSLE, Mr. MILLER of Florida, and Mr. HYDE.
H.R. 884: Mr. EVANS, Mr. MALONEY of Connecticut, Ms. DANNER, and Mr. TIERNEY.
H.R. 899: Mr. LAZIO.
H.R. 904: Mr. CLYBURN and Mr. SPENCE.
H.R. 906: Mr. BROWN of California.
H.R. 909: Mr. UDALL of Colorado, Mr. TOWNS, Mr. OWENS, Mr. TURNER, and Mr. TIERNEY.
H.R. 927: Mr. GORDON.
H.R. 932: Mrs. CLAYTON and Mr. GEORGE MILLER of California.
H.R. 950: Mr. MARKEY, Mr. FARR of California, and Mr. ALLEN.
H.R. 957: Mr. MASCARA, Mr. EVERETT, Mr. GILLMOR, Mr. PICKERING, Mr. THOMPSON of Mississippi, Mr. MOORE, Mr. GILMAN, Mr. SCOTT, Mr. GREENWOOD, Mr. CANNON, Mr. GANSKE, and Mr. GOODLING.
H.R. 959: Mr. BROWN of California, Mr. BLAGOJEVICH, Mr. RANGEL, Mr. BONIOR, Ms. BERKLEY, and Mr. DAVIS of Illinois.
H.R. 961: Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. BONIOR, Mrs. THURMAN, Mrs. MORELLA, Ms. MILLENDER-MCDONALD, Mr. JEFFERSON, Ms. SANCHEZ, and Mrs. MEEK of Florida.
H.R. 984: Mr. HOUGHTON, Mr. DREIER, Mr. HINOJOSA, and Mr. ENGLISH.
H.R. 989: Mr. SMITH of New Jersey and Mr. WEYGAND.
H.R. 993: Mrs. KELLY.
H.R. 997: Mrs. MALONEY of New York, Mr. MENENDEZ, Mr. WEXLER, Mr. WYNN, and Mr. BOEHLERT.
H.R. 998: Mr. JONES of North Carolina, Mr. BALLENGER, Mr. GORDON, Mr. HILLEARY, Mr. BURR of North Carolina, Mr. GOODLATTE, and Mr. COBLE.
H.R. 999: Mrs. JONES of Ohio.
H.R. 1000: Mr. PASCRELL, Mr. QUINN, and Mr. EVANS.
H.R. 1001: Mrs. KELLY, Mr. LEWIS of Kentucky, Mr. GARY MILLER of California, Mr. SESSIONS, and Mr. NEAL of Massachusetts.
H.R. 1002: Mr. GOODLING.
H.R. 1017: Mr. NUSSLE.
H.R. 1021: Mr. SHOWS, Mr. SESSIONS, Mr. LAMPSON, Mr. FROST, and Mr. PAUL.
H.R. 1032: Mr. HILLEARY.
H.R. 1039: Mr. MALONEY of Connecticut and Mr. GARY MILLER of California.
H.R. 1043: Ms. LEE.
H.R. 1046: Mr. GARY MILLER of California.
H.R. 1051: Mr. MASCARA, Mr. KLINK, and Mr. ENGLISH.
H.R. 1053: Mr. STARK.
H.R. 1054: Mr. MICA, Mr. TIAHRT, Mr. LARGENT, and Mr. HAYWORTH.
H.R. 1057: Mr. DOYLE, Ms. KILPATRICK, Mr. GONZALEZ, Mr. BAIRD, Mr. MEEHAN, Mrs. MEEK of Florida, and Ms. SCHAKOWSKY.
H.R. 1062: Mr. KENNEDY of Rhode Island, and Mrs. MCCARTHY of New York.
H.R. 1064: Mr. WOLF.
H.R. 1070: Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. COOK, and Mr. GIBBONS.
H.R. 1075: Mr. BOUCHER and Mr. BONIOR.
H.R. 1076: Mr. BOUCHER and Mr. BONIOR.
H.R. 1082: Mr. WALSH and Mr. TIERNEY.
H.R. 1083: Mr. BARTON of Texas, Mr. ADERHOLT, Mr. RILEY, Mr. PICKERING, Mr. CALLAHAN, Mrs. THURMAN, Mr. BAIRD, Mr. MORAN of Virginia, and Mrs. JOHNSON of Connecticut.
H.R. 1084: Mr. TALENT and Mr. PAUL.
H.R. 1085: Mr. SHOWS.
H.R. 1086: Mr. RUSH, Mr. GUTIERREZ, Mr. BRADY of Pennsylvania, and Mr. MCGOVERN.
H.R. 1091: Mr. SHADEGG, Mr. WELLER, and Mr. KING.
H.R. 1093: Mr. HALL of Ohio, Mr. WU, Mr. COSTELLO, Mr. MORAN of Virginia, Mr. GORDON, Ms. JACKSON-LEE of Texas, Mr. LAZIO, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. PETERSON of Minnesota, Mr. ROMERO-BARCELO, and Mrs. MCCARTHY of New York.
H.R. 1097: Mrs. THURMAN, Mr. BROWN of California, Mr. TIERNEY, and Mr. ENGLISH.
H.R. 1107: Mr. SHOWS, Mr. KUCINICH, and Mr. FROST.
H.R. 1111: Mr. RAHALL.
H.R. 1116: Mr. COMBEST, Mr. LARGENT, Mr. WATTS of Oklahoma, and Mr. COBURN.
H.R. 1118: Mr. WELDON of Pennsylvania.
H.R. 1123: Ms. BALDWIN.
H.R. 1129: Ms. PELOSI, Ms. KILPATRICK, Mr. TRAFICANT, Mr. ORTIZ, Mr. SANDERS, Mr. COSTELLO, Mr. MCGOVERN, Mrs. KELLY, Mr. FRANK of Massachusetts, Ms. LOFGREN, Mr. PAUL, Mrs. MEEK of Florida, Mr. CUMMINGS, Mr. ETHERIDGE, Mr. PRICE of North Carolina, and Mr. FROST.
H.R. 1130: Mr. HINCHEY.
H.R. 1142: Mr. GIBBONS, Mr. HAYWORTH, Mr. STUMP, and Mr. SHOWS.
H.R. 1144: Mr. TURNER, Mr. STEARNS, Mr. MARTINEZ, Mrs. CAPPS, and Mr. PETERSON of Pennsylvania.
H.R. 1145: Mr. STEARNS.
H.R. 1146: Mr. ADERHOLT and Mrs. MYRICK.
H.R. 1154: Mr. PICKERING, Ms. RIVERS, Mr. LEACH, and Mr. GOODLING.
H.R. 1159: Mr. GREENWOOD, Mrs. KELLY, Mr. ENGLISH, Mr. BOEHLERT, and Mr. CASTLE.
H.R. 1160: Mr. FROST and Mr. MASCARA.
H.R. 1172: Mr. RANGEL, Mr. COYNE, Mr. WELLER, Mr. HOLDEN, Mr. TAUZIN, Ms. GRANGER, Mr. TRAFICANT, Mr. LEWIS of Kentucky, Mr. NEAL of Massachusetts, and Mr. CASTLE.
H.R. 1177: Mrs. EMERSON.
H.R. 1180: Ms. STABENOW, Mr. CUNNINGHAM, Mr. NUSSLE, and Mr. ALLEN.
H.R. 1187: Mr. FORBES, Mr. GARY MILLER of California, Mr. COX, Mr. WELDON of Pennsylvania, Mr. JONES of North Carolina, Mrs. EMERSON, Mr. SMITH of Washington, Mr. DICKEY, Mr. KLINK, Mr. COOK, and Mr. DEUTSCH.
H.R. 1190: Mr. SISISKY, Mr. THOMPSON of Mississippi, Mr. REGULA, Mr. MCINTOSH, Mr. GREEN of Wisconsin, Mr. ROEMER, Ms. CARSON, Mr. SHUSTER, Mr. HILL of Indiana, Mr. LATOURETTE, Mr. LUTHER, Mr. BRADY of Pennsylvania, and Mr. NEY.
H.R. 1193: Mr. BARRETT of Nebraska, Mr. FORBES, Mr. BLAGOJEVICH, Mr. SPENCE, and Mr. HINCHEY.
H.R. 1203: Mrs. BONO, Mr. BILBRAY, and Mr. ENGLISH.
H.R. 1206: Mr. RYUN of Kansas.
H.R. 1213: Mr. LEWIS of Georgia and Mr. JEFFERSON.
H.R. 1214: Mr. FARR of California.
H.R. 1216: Mr. QUINN, Mr. KENNEDY of Rhode Island, Mr. BALLENGER, and Mr. MARTINEZ.
H.R. 1219: Mr. SCARBOROUGH.
H.R. 1222: Mr. FROST.
H.R. 1233: Mr. BLAGOJEVICH.
H.R. 1244: Mr. MCHUGH, Mr. CAMP, Mr. DAVIS of Virginia, and Mr. HALL of Texas.
H.R. 1250: Mr. ORTIZ and Mr. BONIOR.
H.R. 1259: Mr. GALLEGLY and Mrs. KELLY.
H.J. Res. 1: Mr. JONES of North Carolina.
H.J. Res. 5: Ms. ROS-LEHTINEN.
H.J. Res. 22: Ms. BERKLEY and Ms. SCHAKOWSKY.
H.J. Res. 25: Mr. MCGOVERN, Mr. SNYDER, Mrs. KELLY, Mr. SAXTON, Mr. SESSIONS, Mr. RYAN of Wisconsin, Ms. KILPATRICK, Mr. WHITFIELD, Mr. MALONEY of Connecticut, Mr. WALSH, Mr. TAYLOR of Mississippi, Mr. BERMAN, MR. YOUNG of Florida, Mr. CANADY of Florida, and Ms. MCKINNEY.
H.J. Res. 31: Mr. SOUDER.
H. Con. Res. 8: Mr. PHELPS.
H. Con. Res. 17: Mr. SHAYS, Mr. INSLEE, Mr. HINCHEY, Mr. SANDERS, Mr. LEWIS of Georgia, and Ms. BALDWIN.
H. Con. Res. 22: Mr. GALLEGLY and Mr. WU.
H. Con. Res. 25: Mr. GREEN of Wisconsin.
H. Con. Res. 30: Mr. DOOLITTLE.
H. Con. Res. 31: Ms. BERKLEY.
H. Con. Res. 51: Mr. DAVIS of Florida and Mr. PORTER.
H. Con. Res. 54: Mr. TIERNEY, Ms. KAPTUR, Mr. LUTHER, and Mr. RAMSTAD.
H. Con. Res. 57: Mrs. FOWLER, Mr. LAHOOD, Mr. HINCHEY, Mr. ENGLISH, Mr. MORAN of Virginia, Mr. LIPINSKI, and Mr. CANADY of Florida.
H. Con. Res. 58: Ms. KAPTUR, Mr. HILL of Indiana, Mrs. LOWEY, Mrs. MYRICK, and Mrs. THURMAN.
H. Con. Res. 59: Mr. ROTHMAN, Mr. RAMSTAD, and Mr. DOYLE.
H. Con. Res. 60: Mr. LAMPSON, Mr. KLINK, Ms. NORTON, Mr. LIPINSKI, Mr. RANGEL, Mr. KLECZKA, and Ms. STABENOW.
H. Con. Res. 64: Ms. BERKLEY, Mr. GANSKE, Mr. TOWNS, Mr. FORBES, Mr. LUTHER, Mr. HINOJOSA, and Mr. PRICE of North Carolina.
H. Con. Res. 66: Mr. SHERMAN, Mr. KENNEDY of Rhode Island, and Mr. BATEMAN.
H. Con. Res. 75: Mr. OLVER and Mr. WAXMAN.
H. Con. Res. 77: Mr. MCKEON, Mr. BARRETT of Nebraska, Mr. FOLEY, MR. CAPUANO, Mr. RANGEL, and Mr. DIXON.
H. Res. 15: Mr. BROWN of California.
H. Res. 19: Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. LOFGREN, Mr. BLUMENAUER, Ms. DEGETTE, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, Ms. SLAUGHTER, Mr. WALSH, Mr. FRANKS of New Jersey, Mr. METCALF, Mr. DIXON, Mr. HORN, Mrs. CLAYTON, Mr. RANGEL, Mr. SANDLIN, and Mr. BATEMAN.
H. Res. 35: Mr. FRANKS of New Jersey, Mr. SWEENEY, Mrs. PELOSI, Mr. WU, Mr. JEFFERSON, Mr. SERRANO, Mr. KIND, Mr. KLINK, Mr. PRICE of North Carolina, and Mr. UDALL of New Mexico.
H. Res. 41: Mr. COBLE, Ms. WOOLSEY, Ms. PRYCE of Ohio.
H. Res. 89: Mr. GOSS and Mr. HOEFFEL.
H. Res. 106: Mr. FRANK of Massachusetts, Mr. FALEOMAVAEGA, Mr. TIERNEY, Mr. TAUZIN, and Mrs. FOWLER.

H. Res. 109: Mr. SHOWS, Mr. SAXTON, Mr. SKELTON, Mr. ENGLISH, Mr. JENKINS, Mr. MORAN of Virginia, Mr. KASICH, Mrs. CUBIN, Mr. MCNULTY, Mr. GOODE, Mr. BUYER, Mr. FARR of California, Mr. TAUZIN, and Mr. COSTELLO.

H. Res. 115: Mr. KING, Ms. BERKLEY, Mr. FOLEY, Mr. KLINK, and Mr. BROWN of California.

SENATE—*Thursday, March 25, 1999*

The Senate met at 9 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Gracious Father, thank You for this time of prayer when our minds and hearts can be enlarged to receive Your Spirit. You are the answer to our deepest need. More than any secondary gift You give, we long for the primary gift of Yourself, offered in profound love and acceptance. We have learned that when we abide in Your presence and are receptive to Your guidance, You inspire our minds with insight and wisdom, our hearts with resiliency and courage, and our bodies with vigor and vitality.

In the quiet of this moment, we commit all our worries to You. We entrust to You our concerns over the people in our lives. Our desire is to give ourselves to the work of this day with freedom and joy. Especially give the Senators strength when they are weary, fresh vision when their wells run dry, and indefatigable hope when others become discouraged. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

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

SCHEDULE

Mr. SPECTER. I thank the distinguished President pro tempore.

On behalf of our distinguished majority leader, I have been asked to make the following announcement. This morning the Senate will immediately resume consideration of Senate Concurrent Resolution 20. There are now 10 hours remaining for consideration of the bill. As announced last night, there will be no rollcall votes this morning prior to 11:00 a.m. However, Members should expect rollcall votes throughout the remainder of today's session as the Senate attempts to complete action on the budget bill.

All Members will be notified of the voting schedule today as it becomes available. Also, the leader has announced that if the Senate completes action on the budget resolution today, there will be no rollcall votes during Friday's session.

Finally, all Senators are reminded that pursuant to a unanimous consent agreement reached yesterday, all first-degree amendments must be offered by 12 noon today.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. COLLINS). Under the previous order, leadership time is reserved.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

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

The legislative clerk read as follows:

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

The Senate resumed consideration of the concurrent resolution.

Pending:

Specter/Harkin amendment No. 157, to provide for funding of biomedical research at the National Institutes of Health.

Craig amendment No. 146, to modify the pay-as-you-go requirement of the budget process to require that direct spending increases be offset only with direct spending decreases.

Dodd amendment No. 160, to increase the mandatory spending in the Child Care and Development Block Grant by $7.5 billion over five years, the amendment reduces the resolution's tax cut and leaves adequate room in the revenue instructions for targeted tax cuts that help families with the costs of caring for their children, and that such relief would assist all working families with employment related child care expenses, as well as families in which one parent stays home to care for an infant.

Voinovich amendment No. 161, to use on-budget surplus to repay the debt instead of tax cuts.

Reed amendment No. 162, to provide for certain Federal revenues, total new budget authority, and total budget outlays.

Crapo/Grams amendment No. 163, to create a reserve fund to lock in additional non-Social Security surplus in the outyears for tax relief and/or debt reduction.

Graham amendment No. 164, to express the sense of the Senate that funds recovered from any Federal tobacco-related litigation should be set-aside for the purpose of first strengthening the medicare trust fund and second to fund a medicare prescription drug benefit.

Graham amendment No. 165, to express the sense of the Senate that the Congress and the President should offset inappropriate emergency funding from fiscal year 1999 in fiscal year 1999.

Lautenberg amendment No. 166, to express the sense of the Senate on saving Social Security and Medicare, reducing the public debt, and targeting tax relief to middle-income working families.

Lautenberg (for Schumer) amendment No. 167, to express the sense of the Senate that the Community Oriented Policing Services (COPS) Program should be reauthorized in order to provide continued Federal funding for the hiring, deployment, and retention of community law enforcement officers.

Lautenberg (for Feinstein) amendment No. 168, to express the sense of the Senate regarding school construction grants, and reducing school sizes and class sizes.

Lautenberg (for Feinstein) amendment No. 169, to express the sense of the Senate on the social promotion of elementary and secondary school students.

Lautenberg (for Reid) amendment No. 170, to express the sense of the Senate regarding social security ''notch babies'', those individuals born between the years 1917 and 1926.

Lautenberg (for Boxer) amendment No. 171, to ensure that the President's after school initiative is fully funded for fiscal year 2000.

Lautenberg (for Murray) amendment No. 172, to fully fund the Class Size Initiative, the amendment reduces the resolution's tax cut by ten billion dollars, leaving adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools.

Lautenberg (for Murray) amendment No. 173, to express the sense of the Senate on women and Social Security reform.

Lautenberg (for Hollings) amendment No. 174, to continue Federal spending at the current services baseline levels and pay down the Federal debt.

Lautenberg (for Boxer) amendment No. 175, to ensure that the substantial majority of any income tax cuts go to middle and lower income taxpayers.

AMENDMENT NO. 157

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, parliamentary inquiry. Yesterday evening, the pending amendment which had been offered on behalf of Senator HARKIN and myself, as principal sponsors, on the National Institutes of Health, was debated shortly before 8 p.m., when voting started on four items. I believe the order was that we would resume consideration today with that pending amendment. My inquiry is, is that correct?

The PRESIDING OFFICER. The Senator is correct. The Senator has 5 minutes 20 seconds remaining under his control.

Mr. SPECTER. Parliamentary inquiry, Madam President. That seems not correct to me. I debated this issue for maybe 10 minutes at the most yesterday. Isn't there an hour allotted to each side on each amendment?

The PRESIDING OFFICER. Under the previous order, the amount allocated to the amendment was reduced to a half-hour for each side for all first-degree amendments.

Mr. SPECTER. A half-hour for each side for all first-degree amendments?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPECTER. We did not use 24 minutes yesterday, Madam President.

The PRESIDING OFFICER. The Senator from Pennsylvania spoke from 7:40 to 7:55. The Senator from Iowa spoke from 9:28 to 9:38.

Mr. SPECTER. Madam President, I am advised by my staff that it would be appropriate to ask for some time off the bill. I ask for an additional 15 minutes off the bill.

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

Mr. SPECTER. I thank the Chair.

Madam President, to briefly recapitulate, this amendment seeks to add $1.4 billion to the allocation for the National Institutes of Health. The NIH is the crown jewel of the Federal Government, having made really phenomenal advances on medical research in its drive to conquer so many of the maladies confronting mankind today.

Last year the budget for NIH was increased by $2 billion and, in the view of the Members, at least the chairman and the ranking, on the appropriations subcommittee having jurisdiction over the Department of Health and Human Services, $2 billion are absolutely necessary by way of increase of the existing budget for NIH, which now is $15.6 billion. There have been really remarkable advances in so many lines, with the research on stem cells having been completed, posing the opportunity for curing so many of the very, very serious ailments.

Testimony was given before the appropriations subcommittee that with diseases like Parkinson's, the cure may be in the range of 5 to 10 years. Great strides have been made on Alzheimer's, on cancer, and so many very other serious matters. We have an offset to cover the $1.4 billion by changing the rules on deductibility from the tobacco settlement.

Madam President, after consulting with the managers on the second slot, which had been reserved, it is my intention to offer a sense-of-the-Senate resolution on behalf of Senator THURMOND, Senator HATCH, Senator SESSIONS, Senator ASHCROFT, Senator SCHUMER, and myself which would increase the funding to the Department of Justice on the prosecution of gun cases from $5 to $50 million. We have seen examples, in Richmond, VA, in Philadelphia, PA, and in Boston, MA, where gun cases have been handled with great success. This follows the passage in 1984 of the armed career criminal bill which provided that any career criminal, someone with three or four major convictions, found in possession of a firearm, would receive a sentence up to life imprisonment.

In 1988, there was an experiment with a program called Trigger Lock in the Eastern District of Pennsylvania which produced extraordinary results, again, focusing on guns. It was a national model. More recently, in Richmond, VA, there has been experience with prosecutions as to guns and also a special program again in the Eastern District of Pennsylvania, coordinated with New Jersey across the river, with $1.5 million going to the Eastern District of Pennsylvania and $800,000 to New Jersey—again, very remarkable results.

In this year's budget, the Department of Justice has allocated only $5 million to this important function. An important hearing was held on Monday of this week, presided over jointly by Senator THURMOND and Senator SESSIONS, on two Judiciary Committee subcommittees. And there the evidence was very forceful about the effectiveness of this gun program.

Madam President, I am not going to offer this amendment at this time, but I did want to utilize just a few moments, as I have, this morning to explain the purpose of the amendment. It will be offered in due course.

How much time remains, Madam President?

The PRESIDING OFFICER. The Senator has used 4 and a half minutes.

Mr. SPECTER. Madam President, I wonder if I might make an inquiry of the distinguished chairman of the Budget Committee, if I might have the attention of Senator DOMENICI.

The second slot was reserved, Mr. Chairman, and has been used for a sense of the Senate on guns, as I have just explained. I wonder if it would be acceptable to the managers if the amendment was sent to the desk and offered at this time, or would it be preferable to wait until a later point to make the submission for the Record?

Mr. DOMENICI. I say to the Senator, if you are asking me, it would be preferable to wait, if you would.

Mr. SPECTER. I will be glad to accommodate the chairman's schedule.

Mr. DOMENICI. I thank the Senator.

Mr. SPECTER. I thank the Chair, and I also thank the Chair for the additional time. And I yield back the remainder of my time.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

AMENDMENT NO. 176

(Purpose: To express the sense of the Senate regarding the modernization and improvement of the medicare program)

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

The PRESIDING OFFICER. Without objection, the previous amendments will be set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] for himself, Mr. BREAUX, Mr. FRIST, Mr. KERREY, Mr. GRAMM, Mr. DOMENICI, Mr. NICKLES, Mr. GRASSLEY and Mr. HATCH, proposes an amendment numbered 176.

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

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

The amendment is as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE MODERNIZATION AND IMPROVEMENT OF THE MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) The health insurance coverage provided under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is an integral part of the financial security for retired and disabled individuals, as such coverage protects those individuals against the financially ruinous costs of a major illness.

(2) Expenditures under the medicare program for hospital, physician, and other essential health care services that are provided to nearly 39,000,000 retired and disabled individuals will be $232,000,000,000 in fiscal year 2000.

(3) During the nearly 35 years since the medicare program was established, the Nation's health care delivery and financing system has undergone major transformations. However, the medicare program has not kept pace with such transformations.

(4) Former Congressional Budget Office Director Robert Reischauer has described the medicare program as it exists today as failing on the following 4 key dimensions (known as the "Four I's"):

(A) The program is inefficient.

(B) The program is inequitable.

(C) The program is inadequate.

(D) The program is insolvent.

(5) The President's budget framework does not devote 15 percent of the budget surpluses to the medicare program. The federal budget process does not provide a mechanism for setting aside current surpluses for future obligations. As a result, the notion of saving 15 percent of the surplus for the medicare program cannot practically be carried out.

(6) The President's budget framework would transfer to the Federal Hospital Insurance Trust Fund more than $900,000,000,000 over 15 years in new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public, and these new IOUs would increase the gross debt of the Federal Government by the amounts transferred.

(7) The Congressional Budget Office has stated that the transfers described in paragraph (6), which are strictly intragovernmental, have no effect on the unified budget surpluses or the on-budget surpluses and therefore have no effect on the debt held by the public.

(8) The President's budget framework does not provide access to, or financing for, prescription drugs.

(9) The Comptroller General of the United States has stated that the President's medicare proposal does not constitute reform of the program and "is likely to create a public misperception that something meaningful is being done to reform the medicare program".

(10) The Balanced Budget Act of 1997 enacted changes to the medicare program which strengthen and extend the solvency of that program.

(11) The Congressional Budget Office has stated that without the changes made to the medicare program by the Balanced Budget Act of 1997, the depletion of the Federal Hospital Insurance Trust Fund would now be imminent.

(12) The President's budget proposes to cut medicare program spending by $19,400,000,000 over 10 years, primarily through reductions in payments to providers under that program.

(13) While the recommendations by Senator John Breaux and Representative William Thomas received the bipartisan support of a majority of members on the National Bipartisan Commission on the Future of Medicare, all of the President's appointees to that commission opposed the bipartisan reform plan.

(14) The Breaux-Thomas recommendations provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring new IOUs to the Federal Hospital Insurance Trust Fund that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume the following:

(1) This resolution does not adopt the President's proposals to reduce medicare program spending by $19,400,000,000 over 10 years, nor does this resolution adopt the President's proposal to spend $10,000,000,000 of medicare program funds on unrelated programs.

(2) Congress will not transfer to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public.

(3) Congress should work in a bipartisan fashion to extend the solvency of the medicare program and to ensure that benefits under that program will be available to beneficiaries in the future.

(4) The American public will be well and fairly served in this undertaking if the medicare program reform proposals are considered within a framework that is based on the following 5 key principles offered in testimony to the Senate Committee on Finance by the Comptroller General of the United States:

(A) Affordability.

(B) Equity.

(C) Adequacy.

(D) Feasibility.

(E) Public acceptance.

(5) The recommendations by Senator Breaux and Congressman Thomas provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(6) Congress should move expeditiously to consider the bipartisan recommendations of the Chairmen of the National Bipartisan Commission on the Future of Medicare.

(7) Congress should continue to work with the President as he develops and presents his plan to fix the problems of the medicare program.

Mr. ROTH. Madam President, this amendment is sponsored by myself, Mr. BREAUX, Mr. FRIST, Mr. KERREY, Mr. GRAMM, Mr. DOMENICI, Mr. NICKLES, Mr. GRASSLEY, and Mr. HATCH.

Madam President, one of the most important bipartisan efforts we will undertake in the months ahead will be to address the challenges confronting the Medicare program—a program whose reach and importance in the lives of Americans cannot be overstated. In years past we have looked at the demographics, studied the statistics, and struggled with a sense of vulnerability concerning Medicare and its future.

Our population is aging. Health care costs seem to be growing exponentially. New and necessary technologies are becoming more expensive. And the financial base of the Medicare program provided by working Americans is shrinking in proportion to the number of seniors who depend on it. In less than 10 years, the population of Medicare beneficiaries will begin growing at a rate unseen in the program's history.

In the past, the Medicare population has grown by about 1 percent a year. Beginning very soon, that growth rate will begin to double. In just 10 years, the Medicare program will be required to serve a population that is 20 percent larger than it is today—that is, 46 million seniors—and at that point the baby-boom generation will have only just begun to retire.

Concerning the growth in the cost of health care services, Gene Steuerle of the Urban Institute recently testified before the Finance Committee that an average couple retiring now receives about $250,000 in lifetime Medicare benefits. Once the baby-boom generation is in full retirement, that amount will double. As a result, we will need to dedicate a larger and larger portion of the Nation's budget to pay for Medicare. Medicare is expected to consume an expanding share of the Nation's economy.

In 1998, Medicare spending was an estimated 2.6 percent of the gross domestic product. It is projected to grow to $518 billion—or 3.5 percent of GDP—in 2010. By 2030, Medicare is forecasted to grow to $2.2 trillion, representing 5.9 percent of the GDP.

It is good news that people are living longer, that they are spending almost a decade more in retirement than they were when the Medicare program began. These are demographics we have worked long and hard to bring to pass and we should celebrate them.

However, these were, and continue to be, serious challenges to the Medicare trust fund. The balance in the Part A Hospital Insurance Trust Fund is declining. The end-of-year balance began to drop in 1995, when payments from the trust fund began to exceed income to the trust fund. The Balanced Budget Act of 1997 helped to delay the bankruptcy of the trust fund for a few years, but it will still occur in our lifetimes if something is not done now.

As I said, each of these represents a serious concern, Madam President. But as of late, there appears to be a growing sense of optimism that we can take the favorable economic conditions our Nation is enjoying and, with bipartisan leadership, we can find long-term solutions to these pressing challenges.

Not only is there consensus on both sides of the aisle that something must be done, but there is growing confidence that something can be done. An important component of the answer, we have come to see, rests in the potential of a strong economy and with the willingness of the American people.

Toward meeting the challenges confronting Medicare, we must be guided by five specific criteria:

First, our efforts, if they are to succeed, must have bipartisan support, and they will require leadership from the White House. President Clinton must articulate his strategy for securing and strengthening the Medicare program.

Second, we must assure that the measures we adopt do not undermine the economic growth our Nation needs to continue providing jobs, opportunity, and security for Americans now and in the future.

Third, we must see that our policies are fair, that those who are being called upon to strengthen the system in the short term have the confidence of knowing that the system will be there for them in the long run.

Fourth, reform measures must be holistic in nature, taking into account the challenges we have to preserve and strengthen Social Security and to coordinate other programs that can serve the same constituency benefited by the Medicare and Social Security programs.

Fifth, our reform efforts must find acceptance with the American people. They must take what has been a good program and make it better—make it better by making it financially sound and easily accessible to those who depend on it.

I am hopeful that the President will provide the genuine leadership required to address the future of Medicare. I encourage him and his administration to come work with us on the Finance Committee. We look forward to working with them. Certainly there are few issues as important as this one.

It demands our immediate attention, and the best effort we have to offer. Our work must go beyond the few items he included in his budget. It must take into account the long-term needs of the program, a careful analysis of benefit expansion, such as pharmaceutical drugs, and other concerns.

We must look at how we can best serve the Medicare program in a way that the reforms we offer will positively affect Medicaid. Too often lost in the debate over Medicare reform is the direct impact that Medicare changes will have on Medicaid. These two programs are most obviously linked through the 5.4 million low-income elderly and disabled individuals who are eligible for both. For this dually eligible population, Medicaid essentially serves as a source of wraparound benefits, providing among other

important services nursing home care and prescription drugs.

In addition, nearly 600,000 low-income Medicare beneficiaries receive Medicaid financial support to meet Medicare's cost-sharing requirements.

Together, these six million individuals represent 16 percent of the Medicare population, but they consume 30 percent of all Medicare spending and 35 percent of all Medicaid spending. Medicare reform proposals that would impact these low-income populations must be very carefully undertaken to avoid simply shifting costs or responsibilities from one program to the other.

As we face the challenges of reforming the Medicare program, we must explore opportunities to substantially improve the health care experiences of these dually eligible populations. Currently, efforts to coordinate the services covered by the two programs are stymied by barriers to integration.

These barriers include the need for complicated waivers, arbitrary restrictions on mingling Medicare and Medicaid dollars, and difficulties in coordinating program oversight. A reform process undertaken by this Senate presents an opportunity to better meet the needs of a very vulnerable population.

Immediately after passage of this budget, I will begin, as chairman of the committee that has jurisdiction over the Medicare and Medicaid programs, the process of developing a bipartisan, consensus proposal for real Medicare reform. In developing this plan, the Finance Committee will conduct a series of hearings to take testimony from Medicare consumers, trustees, providers, and other experts who are intricately involved with this program and who are in a position to make worthy recommendations on how to proceed with improving the Medicare program.

We will indeed carefully study the recommendations of the bipartisan Commission on the Future of Medicare led by Senator BREAUX. Senator BREAUX and the other members of the bipartisan Commission on the Future of Medicare worked very hard and committed a great deal of time during the past year to try to find a solution to the impending Medicare crisis. They deserve our appreciation for their efforts. The discussions that they had has certainly furthered the Medicare debate and will be invaluable to us as we proceed with this important work. In addition to these measures, the committee will also take into consideration the many concerns and proposals of Senators—on both sides of the aisle—for improving this program which is so important for all of those we represent and are here to serve.

Our effort to lay a solid foundation for the future of Medicare will be a major undertaking. I believe that the budget resolution we are considering now provides the necessary framework. The budget committee has set aside on-budget surplus funds of up to $133 billion that—if needed—can be used for Medicare reform, including prescription drug benefits. Once we have achieved a bipartisan agreement on a comprehensive Medicare plan, we may indeed find it necessary to revisit this budgetary framework—and I expect that we would be able to obtain the necessary votes to proceed with such adjustments.

I strongly urge my colleagues to set aside attempts to legislate Medicare reform in the budget resolution. This is not the time or place for such a complex undertaking. Instead, I urge that we work together over the next few months on a Medicare reform plan. Such a plan should provide the nation's current and future seniors the assurance of health care that is comprehensive in benefits, superior in quality and financially sustainable. This is important to them. It is important to the future. And it is something that can and will be done.

I yield the floor.

Mr. DOMENICI. Madam President, how much time has the Senator used?

The PRESIDING OFFICER. The Senator has used 15 minutes.

Mr. DOMENICI. Senator ROTH is in control of 15 more minutes, so if the Senator desires to yield time.

Mr. ROTH. I yield to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I want to ask a couple of questions, if I may, because I'm struck by a paragraph on page 5, beginning with line 8:

> This resolution does not adopt the President's proposal to reduce medicare spending by $19,400,000,000 over 10 years, nor does the resolution adopt the President's proposal to spend $10,000,000,000 of medicare program. . .

That is followed by:

> Congress will not transfer to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public.

Would that preclude any use of surpluses if there were additional surpluses that arose?

How can you attribute a tax increase, or more borrowing, directly to this? This is out of the general revenues, and I am curious how the connection is made and whether or not a surplus would be able to be used.

Mr. ROTH. I say to my distinguished colleague that if there are surpluses in the budget, they could be used for Medicare.

Mr. LAUTENBERG. So we are specifically targeting raising taxes. Could this be competitive by using—and this is said with all due respect to the distinguished chairman of the Finance Committee. If tax cuts are put into place, or attempted to be put into place, would the response be, then—and if we prohibit that by virtue of an agreement here and in the House, would that be considered raising taxes if we didn't cut taxes? Would that, in turn, be considered a tax increase?

Mr. ROTH. If I understand your question, no. If we fail to make a tax cut, I don't see that in and of itself being considered a tax increase.

Mr. LAUTENBERG. So that it is possible that there could be a competitive environment where tax cuts are competing with our capacity to continue to fund Medicare. You know, we have a debate about these transfers and whether IOUs are really significant. If we transferred $1 billion in cash to the Medicare trust fund—the insurance trust fund, and they were to go out into the public marketplace and buy $1 billion worth of insurance bonds, or what have you, those IOUs would have established their value—that cash, rather, I am sorry, would have established its value.

Why wouldn't an IOU from the Federal Government, which is where so many companies and individuals put their money because it is the full faith and credit of our Nation, thereby guaranteed by strength more there than anyplace else—why wouldn't those IOUs be considered the same as a cash transfer? It is true that they are going to come out of general revenues to be paid for, but it would also ensure that no pressure on the Appropriations Committee could say, all right, we are not going to be able to fund that, and then a later Congress says, OK, we are going to have to cut back on benefits by raising age or raising deductible, raising copays, or what have you. This at least ensures that that money will be there; those funds will be there off into the future; am I correct or not on that?

Mr. ROTH. Well, let me answer you in general, and then I will ask the distinguished chairman of the Budget Committee. But it is our position that there are adequate funds both to provide reform of the Medicare program, to ensure its solvency in the long term, as well as to provide for a tax cut and, of course, protect and strengthen Social Security. As to the specifics, I yield to my distinguished colleague.

Mr. KENNEDY addressed the Chair.

Mr. LAUTENBERG. Madam President, I yield 4 minutes to Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I am interested in asking, is there anything in this proposal of the Senator from Delaware that will provide the additional funding for Medicare, as we are attempting to move forward, to try to bring about the reforms? These two members of the Budget Committee are here. I am interested in understanding,

as we are trying, in the final hours of the budget debate, to make sure the budget is going to have the additional 15 percent so that we can put it on a sound financial basis. I am wondering if there is any indication in this proposal that the Senator from Delaware wants to make sure of the financial security of Medicare before tax cuts, before we are going to go ahead with tax cuts. Is there anything in this resolution I have just received—maybe the Senator from North Dakota or the Senator from New Jersey can show me anyplace in here where this resolution says, all right, let's move ahead with the reform of Medicare before we go ahead and provide these major tax cuts. Is there anything in this resolution that the ranking minority member can tell the membership?

That is really what I think has been the heart of the debate of the proposal of the Senator from North Dakota and others—that we are going to put in place a sound, solid solvency for the Medicare system before we go to tax cuts. And now that we have a new resolution, I am just wondering whether this resolution says we are going to defer the tax cuts, we are going to make sure of the financial stability of the Medicare system and move toward perhaps even a consideration of the Breaux proposal as we consider reforms in the future.

Mr. LAUTENBERG. Madam President, I ask the Senator from North Dakota to oblige, or we will refer it to the author of it.

Mr. KENNEDY. Maybe you should ask the author of the proposal. I ask the author of the proposal whether there is any provision in this part that says we are going to defer tax cuts for wealthy individuals, across-the-board tax cuts that are mentioned in the report of the budget—that we are going to defer that until we get Medicare on a sound financial basis? Is there any reference to that in the proposal? Or if we accept this proposal, is it still the position that we are still going to go ahead and have the tax cuts now in the budget?

Mr. ROTH. In answer to my friend and colleague, I say there is no language in the budget resolution that sets these priorities. But as I said earlier, it is my intent, as chairman of the Finance Committee, which has jurisdiction over these matters, to begin hearings and to develop a consensus on Medicare when we return from the Easter recess. This will be a bipartisan effort. There is no way we can get anything done unless we are able to develop, as I said, a bipartisan consensus. It is my intent to move as expeditiously as possible upon our return.

Mr. KENNEDY. Just to clarify it further, then, it is the position of the Senator from Delaware to go ahead and pass a budget resolution that commits us on a course for significant tax cuts prior to the time that we are going to have the hearings in the Finance Committee to develop a bipartisan proposal on Medicare; that is his position? Or are you going to recommend that we defer the tax cuts until we have the kind of hearings the Senator has suggested and really shape a proposal to put Medicare on both a sound fiscal basis and also to deal with some of the inadequacies of Medicare, like the prescription drug issue?

Mr. ROTH. Well, as I indicated, it is the intent of the chairman to proceed expeditiously, upon our return, with hearings and developing a program on Medicare. As far as tax cuts are concerned, I don't intend to begin work on them probably until sometime early fall. But it is my intention to work immediately on Medicare.

Mr. LAUTENBERG. Madam President, the Senator from Massachusetts asked the very question that I was trying to find out about. And that is that it has the appearance of another attempt to limit the development of a solvent Medicare program in deference to the possibility of across-the-board taxes. That is the sense, with all due expect, that I get out of this. I don't know whether the Senator from Massachusetts views it the same way. But it would be good if we could kind of straighten that out before a vote occurs on it.

Mr. KENNEDY. If I could just ask, because I see others on their feet, on page 2 of the proposal, at the bottom, line 22 says, ''The President's budget framework does not devote 15-percent budget surpluses to the Medicare Program.''

This has been the intention of the Senator from New Jersey and the Senator from North Dakota. It is a goal I support—that we provide at 15 percent. The Senator's resolution says it does not devote the 15 percent. Would the Senator tell us whether he would support the 15-percent allocation? He has it in the resolution, saying that the Federal budget does not devote the 15 percent. Does the Senator want us to devote that 15 percent, or not?

Mr. ROTH. Madam President, let me just point out that as far as the so-called 15 percent is concerned, the Comptroller General said that the President's proposal does nothing to alter the imbalance between the program's tax receipts and benefits payments. It has been cash deficits since 1992, and remains a cash deficit even with the new Treasury securities. Thus, the President's proposal does provide additional claims on the Treasury, not additional cash to pay benefits.

Let me make it very clear, under this resolution we intend to do three things: To strengthen and preserve Social Security, to reform Medicare, and to provide a major tax cut for the working people of America.

Let me stress that this resolution has been carefully crafted by the chairman and others on the Budget Committee to do exactly that. That is our intent, and we shall follow through on the policies laid down in this resolution.

I think the distinguished Senator from Louisiana may care to comment.

The PRESIDING OFFICER. The Senator from Louisiana.

Who yields time to the Senator?

Mr. ROTH. I yield 10 minutes to the distinguished Senator.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. ROTH. Madam President, before that, may I ask that Senator THOMPSON be added as a cosponsor? I did include Senator GRASSLEY and Senator HATCH.

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

The Senator from Louisiana.

Mr. BREAUX. Madam President, I support the Senator's sense-of-the-Senate resolution. I will start off by saying that sense-of-the-Senate resolutions are pretty senseless, because it really is not making law; it is just an expression of what people think. To that extent, it is very important.

Let me just start off by saying that if the debate on Medicare is whether we want a tax cut or whether we want to reform Medicare, we will never reform Medicare. Medicare has been here since 1965, and it has been a political football every year. Every year that we run out of money with Medicare, we fix it by using the SOS approach—same old, same old. Every year when there was a shortfall, we simply tried to reduce reimbursements to doctors and hospitals and said, ''Well, we fixed it because we gave them less money to treat 40 million Americans who need health care in this country.''

The President's budget this year again talks about approximately $20 billion in further cuts to the Medicare program. That is $20 billion less that is going to be available to provide medical benefits to 40 million seniors. That, I would suggest, is not reform. That, I would suggest, doesn't fix anything. That, I would suggest, just makes the problem greater and not less.

The reason I call into question the concept that a 15-percent transfer of the surplus in the form of IOUs to the Medicare trust fund is not what it seems to be is that, in fact, it is not.

The GAO came to the Senate Finance Committee and they testified very specifically on this proposal. What they said, in bipartisan, unequivocal economic language that I think everyone can understand, is the following. They said this transfer ''. . . has no effect on the current and projected cash-flow deficits that have faced the [Medicare program] since 1992—deficits that taxpayers will continue to finance through higher taxes, lower spending elsewhere

or lower pay downs of publicly-held debt than the baseline. Importantly, the President's proposal would not provide any new money to pay for medical services.''

So the concept of saying we are going to fix Medicare by taking 15 percent of the surplus and putting IOUs in the trust fund and that somehow we have fixed the problem is nonsensical. It does not make any sense economically. It is not good policy. It gives us a false sense of security that somehow we have solved Medicare by loading up the trust fund with IOUs. That is not reform. That is not saving the program. That is not giving the program one nickel more in money. It is merely giving the trust fund more IOUs. We are in effect transferring publicly held debt from one account and putting it in another account and saying we fixed the program.

I could not live with that, because I don't think it does anything. It doesn't help the program. It doesn't hurt the program, but it doesn't fix the program.

This resolution says in essence that we are going to have to work in a bipartisan fashion to look at real reform. Our National Bipartisan Commission worked on this for a year. We have a recommendation which will be submitted in the form of legislation. We will have hearings in the Senate Finance Committee. I would like them to report on exactly what we send over there. But if they don't, hopefully it will be something similar. Hopefully, it will be real reform. Hopefully, it will be something that we can quit arguing about—whether we want tax cuts, or whether we want to save Medicare.

The program needs more money. There is no question about that. But it desperately needs reform. The 1965 model runs like a 1965 car, and putting more gas in an old car, it is still an old car. And putting more IOUs in the Medicare trust fund doesn't make it a modern, efficient delivery system for health care in this country.

I think the resolution is a good resolution. It is offered in a bipartisan fashion. It is a sense of the Senate. Big deal. I don't think it will change public policy. But it is so important that it needs a discussion on how we solve this particular issue. It says that Congress should move expeditiously in a bipartisan fashion to reform the program. Yes; we should. It says that Congress should continue to work with the President as he develops and presents his plan to fix the problem with the Medicare program. Yes; he should.

We are not going to fix it. We are going to be looking for issues to beat each other over the head once again. That is the old way of doing it. That is old politics. And people are sick and tired of it on both sides of the political spectrum outside of Washington. Maybe in Washington we love to play political games. We beat them up, they beat us up, and nothing gets done. We end up arguing about failure: It is their fault we didn't fix it. No; it is your fault we didn't fix it. And absolutely nothing is ever fixed with that kind of a procedure.

How much better would it would be for us to gather and work together and fix it? And we can always argue the political argument about who fixed it: We fixed it. No; they fixed it. But at least we are arguing about success about fixing something instead of trying to argue about whose fault it is that nothing gets done on something as important as Medicare, and trying to figure out which wedge issue we are going to use this week and which wedge issue they are going to use next week. Is it not time that we kind of come together and say, ''Look, we have a big problem''?

Today, we spend more money in Medicare than we take in in revenues to pay for it. Today, not in 20 years. Today. If you use all of the revenues in the trust fund, plus the revenues coming in, we are totally insolvent in the year 2008. My fear is that in the year 2007 we are going to still be arguing about whether we want to fix Medicare or whether we want to have a tax cut. That is not the appropriate argument. That is not the discussion we should be engaged in. We can argue whether we need a tax cut, and how we should craft it, and who should benefit from it. That is a separate argument.

We should concentrate now on how to reform Medicare in a bipartisan fashion. I think this sense-of-the-Senate resolution suggests that.

It makes the point that the 15-percent surplus is nothing more than IOUs in the trust fund. It does not add a nickel to the trust fund. That is a correct statement, and that is why I support the resolution.

I yield the floor.

Mr. KENNEDY. Madam President, will the Senator yield?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President and fellow Senators, we have before us a historic resolution, a sense-of-the-Senate resolution with historic and brave Senators on it. If we adopt this and follow it, we will save the Medicare program instead of arguing about it. The basic contention here, plain and simple, is that prominent Democrat Senators are joining with Republicans saying let's quit arguing; let's fix it.

That is the principal thrust of this resolution. I say to Senator BREAUX, Senator KERREY, the chairman of the Finance Committee, and Senator FRIST, you are to be commended and lauded, because I predict on this day we have started down a short path before the year ends of fixing Medicare for the seniors permanently. We do not have to sit around here and argue about IOUs that the President wants to transfer to a trust fund without dedicating any revenue to the trust fund.

How do you fix a trust fund by putting in IOUs when it is all based on revenues coming into the trust fund to pay the bills?

I join Senators—I am the fifth Member—as the Budget chairman, because I believe you are on the way, on the road to real success for our seniors.

I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 176, AS MODIFIED

Mr. ROTH. Madam President, I send a modification to the desk. On page 4, line 15, subparagraph 13 will read:

The recommendations by Senator John Breaux and Representative William Thomas received the bipartisan support of a majority of members on the National Bipartisan Commission on the Future of Medicare.

We delete the words with respect to the Presidential appointees.

Just let me say as a followthrough on the statement by the distinguished chairman of the Budget Committee, the Senator stated it exactly correct. We are on the road to real reform. We want to make sure that this Medicare program exists not only for the seniors today but indefinitely in the future. I pledge to the Senator that that is what my committee will do.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

The amendment (No. 176), as modified, is as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE MODERNIZATION AND IMPROVEMENT OF THE MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) The health insurance coverage provided under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is an integral part of the financial security for retired and disabled individuals, as such coverage protects those individuals against the financially ruinous costs of a major illness.

(2) Expenditures under the medicare program for hospital, physician, and other essential health care services that are provided to nearly 39,000,000 retired and disabled individuals will be $232,000,000,000 in fiscal year 2000.

(3) During the nearly 35 years since the medicare program was established, the Nation's health care delivery and financing system has undergone major transformations. However, the medicare program has not kept pace with such transformations.

(4) Former Congressional Budget Office Director Robert Reischauer has described the medicare program as it exists today as failing on the following 4 key dimensions (known as the ''Four I's''):

(A) The program is inefficient.
(B) The program is inequitable.
(C) The program is inadequate.
(D) The program is insolvent.

(5) The President's budget framework does not devote 15 percent of the budget surpluses to the medicare program. The federal budget process does not provide a mechanism for setting aside current surpluses for future obligations. As a result, the notion of saving 15 percent of the surplus for the medicare program cannot practically be carried out.

(6) The President's budget framework would transfer to the Federal Hospital Insurance Trust Fund more than $900,000,000,000 over 15 years in new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public, and these new IOUs would increase the gross debt of the Federal Government by the amounts transferred.

(7) The Congressional Budget Office has stated that the transfers described in paragraph (6), which are strictly intragovernmental, have no effect on the unified budget surpluses or the on-budget surpluses and therefore have no effect on the debt held by the public.

(8) The President's budget framework does not provide access to, or financing for, prescription drugs.

(9) The Comptroller General of the United States has stated that the President's medicare proposal does not constitute reform of the program and ''is likely to create a public misperception that something meaningful is being done to reform the Medicare program''.

(10) The Balanced Budget Act of 1997 enacted changes to the medicare program which strengthen and extend the solvency of that program.

(11) The Congressional Budget Office has stated that without the changes made to the medicare program by the Balanced Budget Act of 1997, the depletion of the Federal Hospital Insurance Trust Fund would now be imminent.

(12) The President's budget proposes to cut medicare program spending by $19,400,000,000 over 10 years, primarily through reductions in payments to providers under that program.

(13) The recommendations by Senator John Breaux and Representative William Thomas received the bipartisan support of a majority of members on the National Bipartisan Commission on the Future of Medicare.

(14) The Breaux-Thomas recommendations provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring new IOUs to the Federal Hospital Insurance Trust Fund that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume the following:

(1) This resolution does not adopt the President's proposals to reduce medicare program spending by $19,400,000,000 over 10 years, nor does this resolution adopt the President's proposal to spend $10,000,000,000 of medicare program funds on unrelated programs.

(2) Congress will not transfer to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public.

(3) Congress should work in a bipartisan fashion to extend the solvency of the medicare program and to ensure that benefits under that program will be available to beneficiaries in the future.

(4) The American public will be well and fairly served in this undertaking if the medicare program reform proposals are considered within a framework that is based on the following 5 key principles offered in testimony to the Senate Committee on Finance by the Comptroller General of the United States:

(A) Affordability.
(B) Equity.
(C) Adequacy.
(D) Feasibility.
(E) Public acceptance.

(5) The recommendations by Senator Breaux and Congressman Thomas provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(6) Congress should move expeditiously to consider the bipartisan recommendations of the Chairmen of the National Bipartisan Commission on the Future of Medicare.

(7) Congress should continue to work with the President as he develops and presents his plan to fix the problems of the medicare program.

Mr. ROTH. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DOMENICI. Will the Senator yield for a UC?

Mr. CONRAD. I will be happy to yield.

Mr. DOMENICI. Madam President, I ask unanimous consent that I be permitted to seek the yeas and nays on an additional amendment that is pending.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. I ask for the yeas and nays on amendment No. 161, the Voinovich amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. As a member of the Budget Committee and a member of the Finance Committee and somebody who has worked and voted for Medicare reform in the Finance Committee as part of a group cochaired by Senator BREAUX along with Senator CHAFEE, I believe we must have reform of the Medicare program. There is no question about that. I applaud the efforts of Senator BREAUX. Nobody has worked harder over a longer period of time to try to get the job done.

As a part of the centrist coalition, I voted in the Finance Committee for a series of difficult steps to begin the process of reforming the Medicare program.

I think my record on the question of being willing to cast tough votes to reform Medicare is beyond question. But I must say, as I look at this amendment that has been offered by the distinguished chairman of the Finance Committee, I have real doubts about this. It looks to me to be a political statement as much as it is an interest in reforming Medicare. When I see in the resolution the suggestion that the President's budget framework does not devote 15 percent of the budget surplus to the Medicare program, I do not think that is a true statement. I have read the President's framework, and it says very clearly that of the surpluses over the next 15 years, 15 percent is dedicated to Medicare. He does it by making a transfer to the trust fund.

People get up and quote the Comptroller General all of the time around here, only they leave out something very important that he said. The Comptroller said in his statement before the Finance Committee that the President's proposal ''provides a grant of a new set of Treasury securities for the Medicare Hospital Insurance Program which would extend the life of the trust fund from 2008 to 2020.''

That is the testimony of the Comptroller General before the Senate Finance Committee. Others have stood in the Chamber and said that he denigrated the proposal. Well, he certainly did raise questions about it in certain ways, but he also made the very clear statement that the President's proposal does extend the solvency of the Medicare trust fund from 2008 to 2020.

Those who stand in this Chamber and tell our colleagues and the American people that the President's proposal does not do anything are not telling the truth. To just be selective in their quotations of the Comptroller General does a disservice to this body and a disservice to anybody else who is listening.

Let's be direct and honest. The President's proposal is to reserve 15 percent of the surpluses over the next 15 years for Medicare. That is a break in policy, without question. It is a change. We should debate the wisdom of that change. But to stand up here and say it makes no difference, that is not factual and it is not honest as far as I am concerned.

Mr. BREAUX. Will the Senator yield for a question?

Mr. CONRAD. I would like to complete the thought and then I will be happy to yield.

As I read this resolution, it is suggesting that it makes no sense to make any transfer from the general fund to the HI trust fund. I do not agree with that. I think that is flat wrong. You

can question the policy. You can say, gee, we should not be doing that, but to suggest that in this resolution, to adopt in this resolution that we are just going to be opposed to a transfer I think is a mistake. That has the cart before the horse.

As I go through this resolution, there are other things that trouble me. I, for one, value the work of the Medicare Commission. I value the work of Senator BREAUX, Mr. THOMAS, and the others who served there, but as I read this resolution it is suggesting that what they came up with in terms of a proposal is what we ought to adopt. I am not prepared to say that because they also proposed a dramatic change in policy. They proposed, instead of what we know now as the Medicare program, a system of vouchers. People would be able to go out in the marketplace and buy insurance, and they would get from the Federal Government, instead of the coverage provided by Medicare, a voucher for a certain amount of money to go out and purchase insurance.

That may be an excellent idea. I do not know. I think we are a long way from making a determination that that is the right course. We have not completed a hearing process in the Finance Committee on that question. As I read this resolution, it is fundamentally endorsing that approach.

Also included in the recommendation of the Commission is an increase in the age of eligibility. That may be necessary, but I do not think we ought to conclude that in the Chamber here today.

So, Madam President, I respect those who bring the amendment before us but I, for one, would not vote for it. I do not think saying, in effect, that we should not make a transfer from the general fund to strengthen Medicare is something we ought to be saying. In fact, I offered an amendment last night that said just the opposite, that we ought to, as part of a reform proposal, put more resources into the Medicare plan. I think it needs more resources.

I also believe it has to be reformed. I think we need both. I am certainly not going to vote for an amendment that suggests that what the President has proposed is wrong. I also think, as I indicated, that some of the statements here are just factually incorrect.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ROTH. I yield 2 minutes to the distinguished Senator from Louisiana.

Mr. BREAUX. Madam President, I do not necessarily disagree with everything the distinguished Senator from North Dakota has pointed out. It is important for everyone to understand that the suggestion of the administration of 15 percent of the surplus in the form of IOUs into the Medicare trust fund does not give the trust fund one nickel, one dime, one dollar more money. It only gives the trust fund IOUs in the form of Treasury securities on which, in the future, Medicare can go to the general fund and make a claim. That is all it does.

Basically, that is the same situation as we have today because it is an entitlement program. People are entitled to it. The question I have is, are we going to have no limit on how much of the general fund is going to be used to finance Medicare?

Madam President, 37 percent of the money today comes out of general revenues. It was supposed to start off as a payroll tax and that was how it was to be funded. Are we going to go to 40 percent without any concern? Are we going to go to 50 percent without any concern? How much of the general revenues are going to finance Medicare to the detriment of the national defense or anything else that we have as a nation?

I suggest to use this transfer of IOUs without making formal decisions and having serious debate about it is not good policy because it doesn't help Medicare at all. That is why it is important to understand it does not provide any new money to the Medicare program at all.

We should have that debate. We suggested a way of looking at it, but I think just saying 15 percent of the surplus solves the Medicare problem to the year 2030 is very, very erroneous. It is incorrect. We should not rely on that as a way of saving Medicare.

Mr. KENNEDY addressed the Chair.

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

Mr. CONRAD. Mr. President, I yield such time as the Senator from Massachusetts consumes.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I wonder if the Senator from North Dakota will respond to a question? I listened to my friend from Louisiana. He talked about the IOUs. I find it somewhat difficult to understand how the IOUs can be used for a tax cut of some, I guess, $778 billion but cannot be used for the Medicare trust system.

I have in my hand, from the Office of the Actuary of the Department of Health and Human Services in his submission to the Finance Committee—he is the chief actuary for HHS, and I will make this part of the RECORD—but it says, under this budget proposal, referring to the President's proposal, it would postpone the exhaustion of the trust fund for an estimated 12 years.

I guess we have Members of the Senate saying these are IOUs and you are not going to really do anything by getting that kind of IOU for the Medicare trust fund. Here we have the chief actuary for HHS saying exactly the opposite, that it will extend it to the year 2020. I fail to follow the logic, where you have the IOUs and they are going to be used by our majority, our Republican friends, for tax breaks for wealthy individuals. I wonder if he can help clarify this dichotomy for me?

I ask unanimous consent the letter dated January 27, 1999, be printed in the RECORD.

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

DEPARTMENT OF HEALTH & HUMAN SERVICES,
Baltimore, MD, January 27, 1999.

From: Richard S. Foster, Office of the Actuary.

Subject: Estimated year of exhaustion for the HI Trust Fund under a proposal to augment HI financing with general fund transfers.

To: Nancy-Ann Min DeParle, administrator.

This memorandum responds to your request for the estimated year of exhaustion for the Hospital Insurance trust fund under a legislative proposal developed for the President's Fiscal Year 2000 Budget. At this time, we do not know the full specifics of this proposal. It is our understanding that the proposal would create a new transfer of revenues from the general fund of the U.S. Treasury to the HI trust fund for each year from 2000 through 2014. The transfer amount each year would be set equal to a specified percentage of the HI taxable payroll for the year.[1] The applicable percentages would be specified in the legislation and would equal 15 percent of the unified budget surpluses projected for the President's Fiscal Year 2000 Budget, expressed as a percentage of the projected HI taxable payrolls.

Under the proposal, the future transfers from the general fund would depend only the specified percentages of HI taxable payroll and would not be affected if actual future unified budget surpluses differed from the Fiscal Year 2000 Budget projections. We understand that, in contrast to the associated proposal for the Social Security program, there would be no change in current-law investment practices for the HI trust fund. Similarly, the estimates in this memorandum reflect Medicare's current benefit provisions as specified under present law.

We were provided with projected additional HI revenues under this proposal based on the intermediate set of assumptions from the 1998 Trustees Report, as estimated by the Office of Management and Budget and the Social Security Administration's Office of the Chief Actuary. These amounts are listed below (in billions):

[1] "HI taxable payroll" is the total amount of all wages, salarie
Insurance Contributions Act (FICA) and the Self-Employment Cont

CALENDAR YEAR

[Dollars in billions]

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2000–2004	2000–2009	2000–2014
$17.6	$19.6	$27.2	$26.0	$29.5	$32.6	$40.0	$45.4	$50.0	$55.7	$60.9	$65.9	$70.2	$73.7	$75.5	$119.9	$343.8	$689.9

Based on the intermediate assumptions and the projected general fund transfers listed above (15% of surplus), we estimate that the assets of the HI trust fund would be depleted in calendar year 2020 under this proposal, as compared to 2008 under present law. Thus, this Budget proposal would postpone the year of exhaustion by an estimated 12 years.

This estimate is subject to change if our understanding of the proposal is incorrect. In addition, it is important to note that the financial operations of the HI trust fund will depend heavily on future economic, demographic, and health cost trends. For this reason, the estimated year of depletion under this proposal is very sensitive to the underlying assumptions. In particular, under adverse conditions such as those assumed by the Trustees in their ''high cost'' assumptions, asset depletion could occur significantly earlier than the intermediate estimate. Conversely, favorable trends would delay the year of exhaustion. The intermediate assumptions represent a reasonable basis for planning.

The estimated year of exhaustion is only one of a number of measures and tests used to evaluate the financial status of the HI trust fund. If you would like additional information on the estimated impact of this proposal, we would be happy to provide it.

RICHARD S. FOSTER, F.S.A.,
Chief Actuary.

Mr. CONRAD. The Senator from Massachusetts makes an interesting point. We have to be very careful in our use of language around here. When people talk about Government instruments as being IOUs, I suppose in a way that is true. But it probably leaves people with a misimpression. These are Government bonds, U.S. Government bonds. There is no more valued instrument in the world than a U.S. Government bond. I would love to have somebody give me Government bonds worth $700 billion. The suggestion that that has no value is an absurdity. It is an absurdity. They are backed by the full faith and credit of the U.S. Government. There has never, ever been a default on an obligation of the U.S. Government. So this kind of careless use of language I think misleads people.

Of course they have value. They have exactly the value that is on their face. These are bonds that have $700 billion worth of value, plus they earn interest. The fact is, this suggestion that it doesn't make any difference if you transfer these instruments, these bonds, to the trust fund is just wrong. They extend the solvency of the Medicare trust fund by 12 years.

Is that the only thing we should do? Certainly not. Senator BREAUX is exactly right. That is not the only thing we should do. Maybe it is not even the first thing we should do. But we have to decide on a budget resolution right now. We do not have the luxury of waiting until the reform plan is passed. We have to make a decision how resources are going to be used around here. What we are suggesting is the resources ought to be used in a certain priority order.

The first priority is using every penny of the Social Security surplus for Social Security. Then we are saying, in the non-Social Security surplus, the next priority ought to be to strengthen Medicare. We think that is a priority of the American people. Yes, there ought to be reform as well, and then we ought to also have some resources that are available for high-priority domestic needs like education and defense—and, yes, tax relief. But the first priority of the non-Social Security surplus is not tax relief, especially tax cuts that are designed to go to the wealthiest among us.

We had, yesterday, a discussion of what some on the other side want in terms of an across-the-board cut. To those who are earning $800,000 a year, they would give $20,000. To those earning less than $38,000 a year on average, they would give $99. I think it is a higher priority for the American people to strengthen Social Security and extend its solvency than to go out and give back $20,000 to somebody who is making almost $1 million a year. That is a question of priorities. It is the difference between us. The Senator from Massachusetts is right on this question.

Mr. KENNEDY. As I understand it, and the Senator could correct me—maybe this is better directed to the Senator from Louisiana—even with the Commission's recommendation—according to the Commission's own report, that will only extend the solvency of the Medicare system 3 to 4 years, on the one hand, even if we went ahead.

I am not disputing that there may be recommendations filed by the Commission that may be worthwhile. But on the one hand we have the opportunity to extend it 12 years under the transfer. On the other hand, even if we accept the Medicare Commission, it is only 3 or 4 years.

So as I understand the position of the Senator, we ought to have the longer extension, we ought to consider the Breaux commission report, and then move ahead and take what steps we need to take in order to strengthen and improve the program, which would certainly include the prescription drugs.

I thank the Senator from North Dakota for yielding.

The PRESIDING OFFICER. Who yields time? The distinguished Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I hope people think very carefully about this amendment as drafted. Because it seems to me, if they vote for it, they are saying they do not want to do anything to extend the solvency of the Medicare trust fund. They are adopting, it seems to me, a view that, at least with respect to the surpluses that are projected over the next 15 years, they do not want to dedicate any of that money to extend the Medicare trust fund solvency, and the fact is the Medicare trust fund is in more immediate danger than is the Social Security trust fund.

We expect insolvency in the Medicare trust fund by 2008. That is why some of us feel strongly that we ought to keep alive the possibility of transferring some of these surpluses that we now project to strengthen and preserve the Medicare system.

Beyond that, I think we have to ask the question, are we ready to say that the solution we want to adopt is what the National Commission on the Future of Medicare adopted? They couldn't reach agreement in terms of the supermajority that was required of them to make a recommendation. It seems to me we ought to keep our powder dry until we consider all of the options that we might want to adopt to reform Medicare.

Again, I say this with the greatest of respect for Senator BREAUX and Senator KERREY and other Members who served on that Commission, along with Mr. THOMAS and others. I have real concerns about what is included in this amendment. Part of it, I think, is just factually wrong. The suggestion that the President is not reserving 15 percent in his framework for Medicare defies the facts. It defies what is clearly in his plan. I do not think it is wise to adopt something that makes false statements.

Mr. WELLSTONE addressed the Chair.

Mr. CONRAD. How much time would the Senator like?

Mr. WELLSTONE. Could I have 5 minutes?

Mr. CONRAD. Mr. President, I am pleased to yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. WELLSTONE. Mr. President, I thank my colleague from North Dakota. Let me first say that sometimes what happens is, you find out about an

amendment and you don't have time to really prepare. I have just a couple of observations, nothing really well rehearsed or well prepared about this amendment.

Let me just say to my good friend from Delaware that not only do I think the amendment doesn't give justice to some of the President's proposals, I want to express some very serious reservations about the work of the Commission. It is out of respect for my colleague from Louisiana, but it is just honest disagreement.

I will say this right away: I have respect for Senators who are willing to stake out a position that they think is the right thing to do. Even if there is lots of opposition, they have the courage to do so. Senator BREAUX is that kind of Senator.

For my own part, there are at least two major concerns that I have and that I think should be laid out in this Senate discussion. One is I really do worry a lot about the effort to, if you will, voucherize Medicare. It worries me that we will create a system where those people who are wealthier and probably healthier can opt out for additional kind of coverage, additional plans and, therefore, I think you get into the problem of adverse risk selection. I think the very thing that has made Medicare such a stirring success for our country, which is sort of we are all in this together, we all pay into it, I think we do serious damage to that principle. I worry that the Medicare system will end up being a system where really what you had left were those that were the frailest and the sickest of our elderly, and we could not sustain it economically. I think that does serious damage to the universality principle of Medicare.

The second point I want to make is that I think the reliance on managed care is profoundly mistaken. I think the record of managed care in rural American is a not a good one. I think the reason we are going to have a major debate on patients' protection, I say to my colleague from Massachusetts, is that many people feel that what has happened is that with the eight or nine largest insurance companies owning and controlling well over 60 percent of the managed care plans, what you have going on in the country is bottom line medicine, where the bottom line is the only line. It has become increasingly corporatized and bureacratized and not at all user-friendly.

I think senior citizens will not do well with a system that relies so much on managed care.

Finally, I want to express my major opposition—and before Senators vote on this, I think they should think about this question—to extending the age from 65 to 67. With all due respect, I don't think we should create yet another group of people who have no health insurance coverage or another group of citizens, in this particular case, 65 to 67, who maybe will purchase the coverage, but they won't be able to afford it.

I think that it is a grave mistake to support this amendment that my colleague from Delaware has brought to the floor. Frankly, I think we should be talking about Medicare for all—universal coverage. I certainly think we should be talking about expanding Medicare to include prescription drug coverage for senior citizens. I have introduced a bill with BARNEY FRANK on the House side to do this, and other colleagues have done this. I think, out of respect for my colleague, it is an honest difference of opinion.

I think this amendment, supporting the work of the Commission, goes in the wrong direction. A, it voucherizes Medicare; leads to adverse risk selection; no longer has the principle of universality applying; those people who are sickest and poorest will be left in, and the system will not sustain itself. That is a mistake. B, the reliance on managed care is mistaken. C, in no way, shape, or form, should we extend the age from 65 to 67.

I yield to my colleague from Connecticut.

Mr. DODD. Mr. President, I thank my colleague for yielding. I say to my colleagues from Delaware and Louisiana, I have listened to this. I regret to say we are going to be voting on this, because there are a lot of things in this Commission report that I think warrant the support of our colleagues, and things where obviously, as my colleagues from Massachusetts and Minnesota and others have pointed out, there is serious disagreement as well.

My concern is that we are going to have a vote on this resolution, and it kind of hardens positions a lot earlier than we should be. This is very serious work. When you get involved in this kind of a vote, people casting positions on a resolution that has no value in law, it seems to me it is not in the best interest, as we try to grapple with a very serious and complex set of questions.

I am caught in a situation where there are a lot of things the Commission did I like. There are things the Commission did I disagreed with. If forced to vote up or down, I guess I have to vote no, but I don't want my vote ''no'' to be construed as disagreeing with everything the Commission has done. If I thought the vote really was going to change the Medicare system, that would heighten the value of the vote, I suppose, to some degree. But since it doesn't have any real impact in law, and I am being asked, as a Member, to make a choice on this, I don't think it is really smart or wise for us to be put in that position on something as important and as complex, where there are serious disagreements over how we ought to proceed.

I don't know procedurally what is possible, but this has been an interesting discussion. I suggest that maybe there is some way this could be vitiated and considered an interesting discussion and debate. But let's not ask Members to vote on a resolution that casts us in a position of making choices on a Commission where there will be a lot of legitimate disagreements.

The PRESIDING OFFICER. The time requested by the distinguished Senator has expired.

Mr. DODD. I thank my colleagues for listening.

The PRESIDING OFFICER. Who yields time?

The Senator from Delaware.

Mr. ROTH. Mr. President, I point out to my distinguished colleague from Connecticut that we are not voting up or down the work of the Bipartisan Commission. We very clearly say in this resolution:

> Congress should work in a bipartisan fashion to extend the solvency of the Medicare program and to ensure that benefits under this program will be available to beneficiaries in the future.

We go on, on the next page, paragraph 6:

> Congress should move expeditiously to consider the bipartisan recommendation of the chairman of the National Bipartisan Commission on the Future of Medicare.

Paragraph 7:

> Congress should continue to work with the President as he develops and presents his plan to fix the problems of the Medicare program.

Mr. President, what I am saying is, we ought to forget this debate, trying to argue about surpluses and so forth.

What we want to do is to get on with the job, to work in a bipartisan spirit. I think the Finance Committee is known for working in a bipartisan spirit. I say to the distinguished Senator from North Dakota, when I say that we are going to start work on this after the recess, that is what I mean and that is what we will do. I think the distinguished Senator knows me well enough to know that I am a man of my word.

I ask that we proceed. Let us get the job done.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Mr. President, I have respect for the Senate Finance chairman. When he says he is going to do something, my experience with him is, he does it. That is not at issue here or at question.

But I must tell you, I do not read this as a bipartisan amendment. There may be some Democrats who are on it—and I can understand why they are on it—but I tell you, this does not look, to me, like a real bipartisan message that is being sent with this amendment. It looks, to me, like a lot of bash-the-President's proposal and suggestions

that what is at the heart of the President's proposal, to transfer some resources from the general fund to strengthen Medicare, has no merit and that the answer is what the bipartisan reform Commission came up with—which did not achieve the necessary agreement of that Commission to make a recommendation.

Frankly, I do not think this body should be in a position now to decide that is the answer. I do not think a plan to——

Mr. WELLSTONE. Would my colleague yield for a question?

Mr. CONRAD. I am happy to yield to my colleague.

Mr. WELLSTONE. Right here:

(6) Congress should move expeditiously to consider the bipartisan recommendations of the chairmen of the National Bipartisan Commission on the Future of Medicare.

That sounds to me like an endorsement of the Commission's proposal. Am I wrong or right about that?

Mr. CONRAD. It reads that way to me. I read the whole thing in its totality.

Mr. WELLSTONE. People can disagree, but then a vote for this would be an endorsement of any number of the different recommendations. That might be good for some, but I want to make it clear to colleagues, if you move the Medicare age up from 65 to 67, you go forward with the notion of ''voucherizing'' Medicare, which is very different from Medicare today. To me, this is an up-or-down vote on these recommendations. I could not possibly vote for this right now. I hope other Senators will seriously consider that.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. I just reclaim my time.

Mr. President, I hope colleagues will resist this amendment. I think some of the statements in here are inaccurate. I think it sends a message which is not the message that should be sent at this time. I say that as somebody who is committed to reforming Medicare, as well as one who is committed to putting additional resources into the program.

I yield the floor.

Mr. KOHL. Mr. President, I rise in opposition to the Roth amendment. I recognize, as I know all of my colleagues do, that Medicare is facing very serious financial problems. I agree with the proponents of this amendment that Congress must act carefully and expeditiously, in a bipartisan way, to make the structural reforms necessary to preserve Medicare for both current and future seniors. And I want to commend Senator BREAUX and all of the members of the Bipartisan Commission on the Future of Medicare, for working so hard in this effort and creating a starting point for reform.

However, at this point, that's what the Breaux plan is—a starting point. I do not necessarily agree with every piece of the Breaux plan, but frankly, it is just too early for the Senate to endorse it. The Commission only finished its work last week, and most of us have not had a chance to study the plan in detail. In addition, the Roth amendment dismisses too quickly the President's proposal to devote 15% of the surplus to Medicare. Even with enactment of structural reforms, it is likely that more money will be needed for Medicare, and we shouldn't have to cut other health and education programs to find it. Even more importantly, in order for Medicare reform to be truly successful, it is essential that we all work cooperatively with one another—and with the President. It is unnecessary to pass an amendment that blasts the President's proposal without giving it full consideration.

Mr. President, while I believe we must address Medicare reform, the Budget Resolution is not an appropriate nor meaningful place to do it. The Roth amendment would tie the Senate's hands. It would force us to declare right now that the Breaux plan is the best plan, and that we will not put even a fraction of the surplus into Medicare. I think that would be a mistake. I urge my colleagues to vote against the Roth amendment, and I yield the floor.

Mr. ROBB. Mr. President, through his work on the Medicare Commission, Senator BREAUX has offered some very strong recommendations to deal with our long-term problems in Medicare, and I hope that the Finance Committee will act expeditiously in considering these and other reform elements. While I share many of the sentiments expressed in this amendment, I don't believe it will bring us closer toward finding common ground on the Medicare question. Realization of comprehensive Medicare reform will require a genuine bipartisan effort from all parties involved, and we ought to be working to keep the political tension surrounding this debate to a minimum. I'm concerned that the wording of the amendment offered by Senator ROTH will further divide us rather than bring us together on this important issue. For this reason, I will oppose it.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from New Mexico is recognized.

Mr. DOMENICI. We would like to proceed, if we can, with the Kennedy amendment. I ask the Senator, you are on that same amendment, are not you?

Mr. DODD. Yes.

Mr. DOMENICI. Let me just say, we can leave time for more debate on this. The problem is, we are going to run out of time, and people are not going to get any time on a score of amendments that they think are very, very important, also. From my standpoint, you have control of plenty of the time. If we can get on with the next one, you can reclaim time and use it off the bill if there is somebody who wants to discuss this issue.

Mr. CONRAD. Mr. President, we would be pleased to go to the next amendment and lay this one aside. If someone wants to return to it later, we can provide time to them. But we are ready to move on.

Mr. DOMENICI. Let me ask, in terms of time, we still have how much time on the bill? Something like 8 and a half hours?

The PRESIDING OFFICER. The Senator is correct; approximately 8 and a half hours.

Mr. DOMENICI. How much time?

The PRESIDING OFFICER. Eight hours 29 minutes.

Mr. DOMENICI. Has the time been yielded on the amendment itself?

The PRESIDING OFFICER. The Senator from Delaware has 3 minutes 14 seconds; the distinguished Senator from North Dakota has 5 minutes 13 seconds.

Mr. DOMENICI. I am not going to ask them to yield back their time. I ask unanimous consent that we set this aside temporarily while the Kennedy amendment proceeds.

The PRESIDING OFFICER. Is there objection?

Hearing none, without objection, it is so ordered.

Mr. KENNEDY. If I could ask the floor managers, the Senator from New York would like to have general time for 15 minutes, and then we will move ahead with this amendment. We will try to move it along rapidly and not take all the time.

Mr. DOMENICI. I say to the Senator, we will not take it off yours, but take it off the bill. We will charge it equally.

How much time, I ask the Senator?

Mr. SCHUMER. Fifteen minutes.

Mr. DOMENICI. Fifteen minutes.

The PRESIDING OFFICER. The distinguished Senator from New York is recognized.

Mr. SCHUMER. I thank my colleagues, the Senators from New Mexico, North Dakota, and Massachusetts, for allowing me to make this address, which is of real importance to the people in my State.

PROTECT ME AND RESPECT ME

Mr. SCHUMER. Mr. President, like many New Yorkers, I have spent a great deal of time in the aftermath of the Amadou Diallo killing reflecting about our city, our police, our country, and our people.

During my career, I think I have been considered a friend of both law enforcement and the minority community. But I have always been troubled by the rift between minorities and the

police. And I have always felt that this rift has caused pain and harm to both communities.

There are men, women and children, black and white, alive today because of the work of the New York City Police Department—their fine work. New Yorkers are proud of that fact. Most cops are decent, honorable, and hard-working—and it is wrong to judge all cops by the actions of the bad few.

But what we all must realize is that the momentous drop in crime and the model behavior of many officers does not undo the plain truth that black men and women in New York City who have never broken the law and who should have absolutely no reason to fear law enforcement, are all too often hassled and made to feel like lawbreakers, and that it is different for minorities than for the average white person in the city.

Many whites seem to feel that widespread frisking and patting down is a small price to pay for a steep reduction in crime. But most white people have never been frisked and have no conception of how pervasive the practice is.

But if you talk to black stockbrokers on Wall Street and black lawyers downtown—people who wear a suit and a tie every day—to a person they have a story of being stopped, frisked, and harassed by a police officer.

If you talk to minority co-workers or attend services at African American churches and ask the men and women from the congregation about their interaction with the police—they talk about how they or their law-abiding children were stopped, questioned and searched by the police.

And they will tell you, as they have said to me, that they know this doesn't happen as often to white people. They know that white people are treated differently.

All people, black and white, want very much for their neighborhoods to be safe and to feel confident that when they send their children or grandchildren to the corner store for a carton of milk they will come home safely. But in addition to these feelings, minorities are humiliated and angered by the indignity of being treated all too often as presumptive criminals.

And if you take the time to listen, the views of minorities about the relationship they want to have with the police can be summed up in five words: ''Protect me, and respect me.''

This poem was left on the shallow doorway where Amidou Diallo was killed:

When you look at me what do you see;
Am I innocent until proven guilty;
Am I your enemy;
Or were you sent here to protect me.

Protect me and respect me.

Whatever facts emerge from the killing of Amidou Diallo, or for that matter, the killing of a Syracuse man, Johnny Gammage, by the Pittsburgh police—whether it is guilty, not guilty, suspension, or removal—our society must deal with the underlying problem of race and law enforcement.

There has been a great deal of rhetoric and anger in the aftermath of the Diallo shooting, I can understand why. But I wish to take a different approach.

I offer today, what I believe are constructive solutions that transcend any one set of circumstances and will allow both the ''protect me and respect me'' parts of the equation to coexist and even flourish.

First, for the sake of the city and for the sake of the police force, the NYPD must immediately put in place a system that more quickly gets bad cops off the street.

It was well known among police, for example, that Justin Volpe, one of the cops who turtured Abner Louima was a bad, bad seed with multiple complaints against him. It was well known that officer Francis Livoti was a ticking time bomb for years before he strangled Anthony Baez in 1994.

The force knew it and did nothing about it. That attitude of silence, protecting your own, sweeping problems under the rug has got to end, not only for the sake of future victims, but for the police department itself.

The tens of thousands of good, honest, hardworking officers pay a price when the Volpes are not removed. For that reason, it is in their interest to end any policy of silence.

The mayor, the police chief, police union leaders, community leaders and church leaders should all urge police officers to come forward when there is a bad element on the force. It should be an honorable action, not a shameful action, to come forward.

Second, minority recruitment at the NYPD must improve. The force is more than two-thirds white; the city is nearly three-fifths minority.

When mostly white cops patrol high-density, minority neighborhoods resentment is bound to follow.

The city should at last fully fund the Cadet Corps to recruit qualified, college educated minority applicants through the City University. The program is on the books, but until this crisis was basically ignored.

Also, the city should take advantage of a program created last year by Reverend Johnny Ray Youngblood and me to recruit and train young minority applicants through the churches and to help them become police officers who will patrol the neighborhood from where they came.

Next, beyond minority recruitment, New York City should look to what works in other places.

Two efforts stand out: Boston's Ten-Point Coalition and the military's Defense Equal Opportunity Management Institute.

Boston had the same problems as New York: a rift between police and the African-American community; several high profile incidents of abuse by certain officers; and clergy that took on the role of police critics.

Their hatred exploded into the open with the stabbing death of Carol Stuart, a pregnant white woman. The husband, Charles Stuart, told police that a black man committed the crime.

The Boston Police hit the streets in full force. They stopped and searched every black male that fit the general description. The neighborhood residents complained about the tactics, but the crime was so horrible no one listened.

They arrested William Bennett, a black man. Carol Stuart's husband, it was learned months later, was the killer. Bennett was innocent.

And Boston was on the verge of a meltdown.

With no place else to go, the police and the clergy agreed to stop fighting and to sit down to develop a plan to stop crime on the one hand, and preserve dignity on the other.

They initiated a five-point contract.

The heart of it was this: The ministers and respected community leaders agreed to help identify those in the neighborhood who were the real troublemakers. They took the responsibility of telling the police who was dealing drugs and committing violent crime.

The flip side is that when ministers and community leaders took responsibility and identified the troublemakers, others were left alone. And because most crime in each neighborhood is caused by just a few people, the use of the standard stop in frisk procedure that the community found so oppressive greatly diminished.

If an officer is abusive or disrespectful, ministers and community leaders have an open line to the police. If the police did not act, or if they refused to address the problem, the ministers and community leaders were free to go to the media.

The plan worked. The crime rate in Boston has dropped even faster than in New York. Serious youth crime is almost non-existent. And the important but difficult relationship between police and the minority community is vastly improved.

Last month in the Bronx, 100 members of the clergy met in the office of the Bronx Borough President and said they have always wanted to work with the police. They said, ''We could be a resource. But they're not using us. The police don't even know us. They don't come and talk to us.''

The Boston model will work in New York and we should move quickly to implement it here.

The military—and our prayers are with the American soldiers fighting over Kosovo—has also found a way to confront bigotry while increasing effectiveness.

The Defense Equal Opportunity Management Institute, developed in the early 1970s to confront segregation and racial hostility among soldiers in Vietnam, is one of the reasons that the armed forces is the most integrated institution in America.

The military learned that unless bigotry was ended in the armed forces, America could not have an effective military. So by necessity they developed a program that lasts to this day.

Officers and supervisors take a course to confront their own stereotypes and to identify problems within their unit. They have a simple goal: change people's behavior. The rule is that if you've got a problem with race, it better not show up in your words or actions.

The thrust of the program is this: DEOMI, as it is called, continuously surveys enlisted soldiers and officers about race relations on their base. The results are made known only to the commanding officer and to people at DEOMI. When there is a problem on a base, a mobile team of trainers moves in to solve it.

The model has been so successful that DEOMI has signed contracts to work with police organizations. New York City should sign a contract as soon as possible.

In conclusion, this has been one of the most trying and emotional times in New York in years. We are a city, right now, divided. No good has ever come from divisiveness. No job was ever created. No street made safer. No school made better by pulling ourselves apart.

I worry about two things:

First, is that division in ours, the most diverse city on earth, has the potential to pull us down.

Second, failure to deal with this problem will ultimately weaken our efforts to fight crime and perhaps, forfeit the gains we made in crime reduction. That is unacceptable and unnecessary given that options abound if we choose them.

New York City is undoubtedly a safer place in every neighborhood from the far end of the Bronx to the tip of the Rockaways. But it is not necessarily a better place for every neighborhood.

Dr. Martin Luther King taught us that "we are tied together in the single garment of destiny, caught in an inescapable network of mutuality. And whatever affects one directly affects all directly."

The killing of Amdiou Diallo; the killing of Johnny Gammage affects us all directly.

We all love our city. Let's each side—as hard as it is to do—put aside our frustration and distrust so we can move past confrontation and collaborate constructively on solutions that protect and respect.

I again thank the Chairman and my colleagues for their consideration and I yield the floor.

Mr. CONRAD. Mr. President, I want to commend the Senator from New York on his maiden speech here in the Senate Chamber. The first speech by any member is one of the most important, and I think the Senator from New York chose well when he chose this subject. Obviously, it is a matter of urgent concern in New York, and the Senator has spoken movingly and persuasively about what must be done to respond to the crisis there. I want to thank the Senator from New York for bringing this to the attention of his colleagues and for doing a masterful job of informing us of what is facing the people of New York.

I again thank and commend the Senator on his initial speech here in the Chamber. In my 12 years in the Senate, I believe the Senator from New York is one of the most impressive new members and we are very happy to have him here.

Mr. SCHUMER. I thank the Senator from North Dakota.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with consideration of the concurrent resolution.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

AMENDMENT NO. 177

(Purpose: To reduce tax breaks for the wealthiest taxpayers and reserve the savings for Medicare)

Mr. KENNEDY. Mr. President, through an agreement with the floor managers, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 177.

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

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

The amendment is as follows:

Increase the levels of Federal revenues in section 101(1)(A) by the following amounts:

(1) Fiscal year 2000: $0.
(2) Fiscal year 2001: $3,000,000,000.
(3) Fiscal year 2002: $25,000,000,000.
(4) Fiscal year 2003: $13,000,000,000.
(5) Fiscal year 2004: $18,000,000,000.
(6) Fiscal year 2005: $31,000,000,000.
(7) Fiscal year 2006: $57,000,000,000.
(8) Fiscal year 2007: $58,000,000,000.
(9) Fiscal year 2008: $59,000,000,000.
(10) Fiscal year 2009: $56,000,000,000.

Change the levels of Federal revenues in section 101(1)(B) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $25,000,000,000;
(4) Fiscal year 2003: $13,000,000,000;
(5) Fiscal year 2004: $18,000,000,000;
(6) Fiscal year 2005: $31,000,000,000;
(7) Fiscal year 2006: $57,000,000,000;
(8) Fiscal year 2007: $58,000,000,000;
(9) Fiscal year 2008: $59,000,000,000; and
(10) Fiscal year 2009: $56,000,000,000.

Reduce the levels of total budget authority and outlays in section 101(2) and section 101(3) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $0;
(3) Fiscal year 2002: $1,000,000,000;
(4) Fiscal year 2003: $2,000,000,000;
(5) Fiscal year 2004: $3,000,000,000;
(6) Fiscal year 2005: $4,000,000,000;
(7) Fiscal year 2006: $6,000,000,000;
(8) Fiscal year 2007: $10,000,000,000;
(9) Fiscal year 2008: $13,000,000,000; and
(10) Fiscal year 2009: $17,000,000,000.

Increase the levels of surpluses in section 101(4) by the following amounts:

(1) Fiscal year 2000: $0.
(2) Fiscal year 2001: $3,000,000,000.
(3) Fiscal year 2002: $26,000,000,000.
(4) Fiscal year 2003: $15,000,000,000.
(5) Fiscal year 2004: $21,000,000,000.
(6) Fiscal year 2005: $35,000,000,000.
(7) Fiscal year 2006: $63,000,000,000.
(8) Fiscal year 2007: $68,000,000,000.
(9) Fiscal year 2008: $72,000,000,000.
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of public debt in section 101(5) by the following amounts:

(1) Fiscal year 2000: $0.
(2) Fiscal year 2001: $3,000,000,000.
(3) Fiscal year 2002: $26,000,000,000.
(4) Fiscal year 2003: $15,000,000,000.
(5) Fiscal year 2004: $21,000,000,000.
(6) Fiscal year 2005: $35,000,000,000.
(7) Fiscal year 2006: $63,000,000,000.
(8) Fiscal year 2007: $68,000,000,000.
(9) Fiscal year 2008: $72,000,000,000.
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of debt held by the public in section 101(6) by the following amounts:

(1) Fiscal year 2000: $0.
(2) Fiscal year 2001: $3,000,000,000.
(3) Fiscal year 2002: $26,000,000,000.
(4) Fiscal year 2003: $15,000,000,000.
(5) Fiscal year 2004: $21,000,000,000.
(6) Fiscal year 2005: $35,000,000,000.
(7) Fiscal year 2006: $63,000,000,000.
(8) Fiscal year 2007: $68,000,000,000.
(9) Fiscal year 2008: $72,000,000,000.
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of budget authority and outlays in section 103(18) for function 900, Net Interest, by the following amounts:

(1) Fiscal year 2000: $0.
(2) Fiscal year 2001: $0.
(3) Fiscal year 2002: $1,000,000,000.
(4) Fiscal year 2003: $2,000,000,000.
(5) Fiscal year 2004: $3,000,000,000.
(6) Fiscal year 2005: $4,000,000,000.
(7) Fiscal year 2006: $6,000,000,000.
(8) Fiscal year 2007: $10,000,000,000.
(9) Fiscal year 2008: $13,000,000,000.
(10) Fiscal year 2009: $17,000,000,000.

Reduce the levels in section 104(1) by which the Senate Committee on Finance is instructed to reduce revenues by the following amounts:

(1) $0 in fiscal year 2000.

(2) $59,000,000,000 for the period of fiscal years 2000 through 2004.

(3) $320,000,000,000 for the period of fiscal years 2000 through 2009.

On page 46, strike section 204.

At the end of title III, insert the following:

SEC. ____. SENSE OF THE SENATE ON EXTENDING THE SOLVENCY OF MEDICARE.

It is the sense of the Senate that the provisions of this resolution assume that the savings from the amendment reducing tax breaks for the wealthiest taxpayers should be reserved to strengthen and extend the solvency of the Medicare program.

Mr. KENNEDY. Mr. President, over these past 2 days, we have had some good debates and discussions about what is in the budget, and also what is not in the budget; and the particular emphasis and thrust of these various debates and discussions have been primarily on the issues of Medicare and Social Security.

The thrust of the amendment that I offer today, on behalf of myself and others, is targeted on the issue of Medicare. It basically gives an opportunity for the Senate of the United States to say we are going to deal with the shortfalls in terms of the financial situations in Medicare prior to the time that we are going to consider a tax cut for wealthy individuals in this country. That will be the real choice for the Members here—whether we are going to say that at least meeting the financial obligations of Medicare comes before the tax breaks for wealthy individuals.

As we have seen over the past 2 days, there is broad agreement that we not only need to provide financial security for the Medicare system, but we are also going to have to deal with the serious kinds of changes in the Medicare system. One of the important changes, I believe, is to put in place an effective prescription drug benefit for the elderly.

In 1965, I remember being on the floor of the Senate when this issue came up. At that time, most health care plans did not include a benefit program for prescription drugs. At that time, we were attempting to follow what was a generally agreed benefit program. We did that. We did not include prescription drugs. Now prescription drugs are part of about 98 percent of all of the private company programs. We want to make sure we have an effective prescription drug benefit, not only because most companies have that benefit, but because of the enormous need our elderly have for getting prescription drugs at reasonable prices, and also because as we have all seen the breakthroughs in the use of prescription drugs in relieving suffering, illness, and sickness.

So it is very simple, Mr. President. We are saying, let's move toward what has been recommended by the President, what we have referred to in general debate on other Social Security and Medicare issues, that before we are going to expend, over the 10-year budget period, $778 billion in tax cuts, we will put aside some $320 billion over the 10-year period in order to meet the financial needs of Social Security. That is basically what this amendment is all about.

The fact is, Mr. President, if you look through the budget recommendation that has come from the Budget Committee, there is not one single penny in this budget resolution, in addition to current services, being put aside for the protection and the continuity of the Medicare system—not one, not a single penny. There will be references out here during the course of the debate that we have put aside $190 billion, which is a new infusion of resources. That really represents current services. If you didn't do that, you would be having cuts in existing Medicare benefits. That $190 billion, over the 10-year period, which is referred to by the Budget Committee members, is just the current services program. To say we are going to keep what we are currently providing in the Medicare system, that has been understood and recognized.

Secondly, there is a reference by some on the Budget Committee that, well, we have an additional $100 billion that can be used at some time for the Medicare system. But as we have seen over the course of the debate, those funds are also being designated, on the one hand, for natural disasters. It has been pointed out by members of the Budget Committee that they average about $9 billion to $10 billion a year over a 10-year period. There is the $100 billion. When our Budget Committee friends are asked how we are going to deal with the issues of natural disasters, the response is that we have the $100 billion in there to deal with natural disasters. If Budget Committee members are asked how are we going to provide additional funds for Medicare, they say, well, we have a $100 billion reserve that can be used for Medicare. Then when they are asked, well, where in this program is there a prescription drug benefit, they say, oh, haven't you seen the part of the Budget Act that is going to provide for prescription drugs? This is the most overutilized $100 billion that we can possibly imagine.

As I pointed out in the RECORD, we will not see any of those funds realized, really, for the first 5 years. There is effectively a deficit in the first year of more than $6 billion, and effectively zero for the next 4 years is returned. So none of those funds are going to be available to try to deal with Medicare or any of these other issues for at least 5 years. Mr. President, what we are saying is that the money is out there.

The other point that is made and has been recently debated is, you really can't get the 15 percent of the budget surplus earmarked for Medicare because it will be IOUs. I think my friend and colleague from North Dakota addressed that issue in the earlier debate and discussion. I found it interesting that they can use the IOUs for tax breaks, but they cannot use IOUs for Medicare. Clearly, you can use it for Medicare. That is what we are attempting to do.

The vote will be very clear: whether we, on the one hand, are going to set aside the $320 billion—over the 10-year period—of the $778 billion and say we are going to do that first. After we set aside that $320 billion, there will still be $458 billion that will be remaining.

There is a difference in this body on whether that money should be used for the Republican tax cuts or whether we ought to use $273 billion out of that for the President's tax cuts. We can debate that at another time. But there will still be a generous amount of resources available there for tax reduction.

This amendment assures that we put priorities first. That is a very simple and fundamental concept—that is, whether we are going to put tax breaks first or whether we are going to be putting the protection of Medicare first. That is the choice. That is the issue that will be before the Senate. Without this particular amendment, we are not going to provide the needed financial resources in time for the preservation of Medicare.

Now, Mr. President, I think it is important to realize who those funds we are talking about really belong to. The amounts I am talking about—$320 billion in this amendment, or the GOP tax cut, $778 billion—those are basically the revenues that have been paid in by hard-working men and women in recent years. They have been paying into the Medicare system as well as into Social Security. That reflects the resources of hard-working men and women that are paid into the Federal Government. The question now is whether those resources that effectively have been paid in by working families, we are asking whether we ought to use those resources to protect the Medicare system, or whether they ought to be used for tax breaks for wealthy individuals. I don't think there is really a question about what the answer would be. This amendment gives the opportunity to do so. That is what we are attempting to do.

Now, Mr. President, let's look at who these people are. The average Medicare recipient's income is $10,000 a year, is 76 years old, lives alone, has one or more chronic diseases, and is paying 19 percent of their income primarily for prescription drugs.

That is the profile across this Nation of the Medicare recipient. When we talk about Medicare recipients on the higher end of the level, we are talking about individuals who are getting $25,000. But the overwhelming number of Medicare recipients are below the $12,000 or $13,000 level. We now asking in the Senate whether we are going to protect the health care system which they depend on prior to granting the tax break. That is the issue. We couldn't be clearer.

As this chart shows, 80 percent of the Medicare expenditures are used for recipients with annual incomes of $25,000 or less. These are not individual incomes, these are household incomes. So you have 60 percent with $15,000 or under, you have 21 percent with $25,000 or under. Effectively, 80 percent of all

the expenditures are in that area—families, individuals, elderly people, or elderly couples, who have worked hard, paid into the system.

As we have heard, the Medicare system has serious challenges, serious problems. No one denies that. The issue is, given the fact that the system is going to face ''financial instability''—to use it lightly—by the year 2008, should we effectively put in place, as the President has, the recommended resources that will stabilize that to the year 2020, and then move ahead and implement the kinds of recommendations? That is the issue. These are hard-working retirees who have devoted their lives to this country, built this country, and they depend upon the Medicare system for their livelihood.

If we do nothing at all, what will the alternatives be? If we are going to try to keep the Medicare system functioning to the year 2020 without this, there will be $686 billion necessary in benefit cuts or premium hikes for these elderly people. If we do nothing at all, we are going to have to collect that amount in benefit cuts or premium hikes. Those aren't my figures, those are the figures that have been given by the Commission, by the Budget Committee, by the independent actuaries, by the trustees. Those are the choices.

I doubt if there will be a clearer opportunity for us to go on the record on the issue of priorities. The budget items are issues of national priorities, where we as the elected membership of the people feel the priorities ought to be. We are saying to those who are going to support this amendment that we believe the priority ought to be to provide financial security and stability for the Medicare system to the year 2020 before we give tax breaks to wealthy individuals. It is as simple as that.

Mr. President, I yield such time as the Senator from North Dakota might want.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the Senator from Massachusetts for this amendment, because I think it puts into stark relief what the choices are. Fundamentally, this debate is about what we do with the projected surpluses over the next 15 years. On our side, we believe that the best use of the surpluses is, first and foremost, to protect every dollar of Social Security surplus for Social Security.

Then we turn our attention to Medicare, because we believe Medicare is also critically important to this country's future, and we recognize that it is endangered. We recognize that in 2008 it will be insolvent unless we take action. So we say take, of the surplus over the next 15 years, 15 percent of that surplus—15 percent of that total unified surplus—over the next 15 years. Dedicate that to Medicare. That is some $700 billion.

That still leaves resources for high-priority domestic needs like education and health care, defense, and, yes, tax relief. It is much less in the way of resources available for a tax cut plan than in the Republican priority list, because they really only have two priorities. Their priorities are safeguarding Social Security, which we commend them for; but their other priority is a massive tax cut. They don't provide an additional dollar out of the surpluses that we now project over the next 15 years to strengthen Medicare. We think that is a mistake.

We have heard the other side repeatedly saying that putting this transfer of resources to Medicare will require raising taxes, benefit cuts, or increasing gross debt to pay for Medicare in the future. We have heard that said repeatedly on that side of the aisle. I would like to give an alternative view, because I don't think that is right. It sounds right. If one were expecting budget deficits in the future, it would be right. But that is not what we are anticipating.

The fact is, we now project that there will be a surplus for more than a decade even after we dedicate part of the surplus to Medicare and Social Security. That is because by paying down the publicly held debt, the President's plan reduces net interest costs to the Federal Government and increases economic growth. Therefore, even after we start using the surplus to pay for Medicare and for Social Security, there will still be a budget surplus, hence no need for benefit cuts or for premium increases.

Mr. President, that is central to what we are proposing and what we are advocating. We believe it is critically important to put Social Security first, but also to put Medicare first, because it has made a profound difference in the life of this Nation. We now know that without Medicare and Social Security, a significant chunk of our senior population would be below the poverty level. Two programs in the life of this country have lifted senior citizens out of poverty: Social Security and Medicare.

So we believe that is where the priority ought to be: Social Security, and Medicare. After they are taken care of—after they are taken care of; after they are taken care of—then we can deal with other domestic priorities, certainly education and health care. And, yes, defense. And, yes, there would still be resources available for tax relief—not as much as the tax cut plan in the Republican budget resolution, because they don't provide one thin dime out of these projected surpluses to strengthen Medicare. They provide resources for Social Security surpluses to support Social Security. That is in our plan as well. Where we diverge is on the question of whether or not we are going to use some of these surpluses we now project to strengthen Medicare. That is really at the heart of this debate and this discussion.

Mr. FEINGOLD. Mr. President, I rise in support of Senator KENNEDY's amendment. This amendment will address critical needs and ensure that education investments are a top budget priority in FY 2000.

Mr. President, as we know the problems facing education today are great. We need a strong commitment and partnership between federal, state and local governments to meet the needs of all students. Senator KENNEDY's amendment will strengthen the effort to reduce class size, provide the full 40% federal share of special education program costs and free up resources for other education priorities. Importantly, this amendment is paid for in the budget we are now debating with a simple 20% reduction in the $778 billion tax cut proposed by the majority.

Unfortunately, Mr. President, some of my colleagues who oppose this amendment are in effect asking school districts to choose between providing smaller class sizes and funding for special education. This is a false choice, Mr. President. Both special education and small class size are important national priorities, both deserve funding and we can responsibly fund these programs without busting the budget. Forcing school districts to choose between these critically important education programs will only dilute the effectiveness of both programs.

Mr. President, funding for smaller class sizes should not be a partisan issue. Last year when we agreed to fund a serious effort to reduce class size there was broad support for the program proclaimed on both sides of the aisle. What has changed Mr. President? Only a few months after praising the class size program, some are now blocking class size funds and have pit one valuable education program against another all to fund a tax cut we cannot yet afford.

Mr. President, there is wide consensus, based on solid research, that investing in smaller class size is the right thing to do. Research shows that smaller classes help teachers provide more personal attention to students and spend less time on discipline, as a result students learn more and get a stronger foundation in the basic skills. My own state of Wisconsin is doing its part to reduce class size. Wisconsin's Student Achievement Guarantee in Education or SAGE class size reduction program, has proven conclusively that smaller classes make a difference in our children's education. Mr. President, SAGE officials in Wisconsin want a partnership with the federal government. Now is the time when school districts in Wisconsin and in other states

are making budget decisions, they need to know if Congress will meet its commitment to reduce class size over the next six years to plan effectively.

Again, Mr. President, I support Senator KENNEDY's amendment because I believe Congress should meet both the commitment to help schools reduce class size and increase funding for special education without busting the budget. I hope my colleagues agree that we should not waste this unique opportunity to responsibly make the needed investments in education today for our children's future.

Mr. WELLSTONE. Mr. President, I ask my colleague from New Mexico—actually, if my colleague wants to respond, I will wait and follow his remarks.

Mr. KENNEDY. Mr. President, how much time remains?

Mr. DOMENICI. I thank the Senator, but I would not do that at this point.

Mr. KENNEDY. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from Massachusetts has approximately 8 minutes and 10 seconds remaining.

Mr. KENNEDY. And the other side?

The PRESIDING OFFICER. There are 30 minutes remaining on the majority side.

Mr. WELLSTONE. Mr. President, the other question I want to ask my colleagues before I go on the time, I know the Senator from Indiana has been waiting to speak now. Would that happen after this debate? He has been waiting patiently. I don't want to precede him, but I wish to know what your plan is.

Mr. DOMENICI. I do not choose to speak at this point.

Mr. WELLSTONE. That is not my question.

Mr. DOMENICI. I did not hear the Senator.

Mr. WELLSTONE. My question was, before I get started, I know the Senator from Indiana has been waiting patiently to speak, I think the first time he has had a chance to speak in the Chamber. I wonder if the Senator wants to wait until after this debate and then he can proceed?

Mr. BAYH. If the Senator has a point he wishes to make, please feel free to go ahead.

Mr. DOMENICI. How much time does the Senator want?

Mr. BAYH. No more than 10 minutes—general debate, not on the bill.

Mr. DOMENICI. Mr. President, I ask unanimous consent to put the amendment aside and allow the Senator from Indiana to speak.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. That is fine.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

The Senator from Indiana is recognized for 10 minutes.

Mr. BAYH. I thank the Chair. I express my appreciation to my colleagues here today and find myself in agreement with what my colleagues from North Dakota and Massachusetts have been saying on this amendment.

Mr. President, my statement today is in the nature of general debate.

I rise to give my first public remarks on the floor of the United States Senate.

I rise at this time because as debate on the last budget of the 20th Century begins, we have an historic opportunity to build a strong financial foundation for the 21st.

The projected budget surpluses give us a once in a generation opportunity we must not squander. We must seize this moment of good fortune and replace the debt and deficit, borrow and spend mentality of the recent past with a more responsible approach. We must get our priorities right: preserve Social Security and Medicare, pay off our debts, target tax cuts to help working families and make investments in education and national defense.

I believe strongly that the first step toward this more prosperous future must be to save Social Security and stabilize Medicare. To achieve this, I wholeheartedly support preserving 100% of Social Security Trust Funds for Social Security and 40% of other surplus funds for Medicare.

Let me address Social Security first. By ending once and for all the irresponsible practice of raiding the Social Security Trust Fund, we will extend the life of Social Security by 17 years to the year 2049. We owe it to our seniors to ensure that their Social Security will be safe, and our younger workers have a right to know that the system will be there for them one day. Using surplus funds to save Social Security first is the fiscally responsible, socially compassionate way to achieve this.

Medicare, quite frankly, presents an even more urgent challenge. Without action, it will be insolvent in only eight years. To prevent this, I support dedicating an additional $376 billion of the surplus over the next ten years to Medicare. This will more than double its solvency, to 2020.

But let me be very clear. These investments alone are NOT the complete answer to either Social Security's or Medicare's problems. We must be willing to make the difficult decisions needed to save these vital services, not just once, but once and for all.

It won't be easy. None of the solutions is popular. But using the surplus to strengthen both Social Security and Medicare in the near term will make long-term, systemic reforms possible. The American people are much more likely to embrace difficult steps taken gradually than they are the more draconian action that not using the surplus for Medicare would entail. Those who propose nothing for Medicare today, court fiscal disaster tomorrow. We must not let that happen, and under our approach it will not.

Our approach to saving Social Security and stabilizing Medicare has enormous benefits in addition to securing the future for our elderly and keeping commitments to our young. Doing so will also dramatically reduce the national debt.

Paying down the national debt has many virtues. Lower debt will reduce our interest payments. Last year, 15 cents of every tax dollar went for nothing productive. It merely serviced our national debt. Under the approach I favor, interest payments shrink to only 4 cents of every tax dollar in ten years—a savings to taxpayers of $452 billion dollars. And if we continue this approach, the debt will fall to its lowest level—as a percentage of GDP—since 1917.

With spending under control, a balanced budget, and government no longer borrowing hundreds of billions of dollars, interest rates will fall. This makes it easier for private businesses to invest. New investments mean greater productivity growth, higher wages, and more secure jobs for America's working men and women. The bottom line is clear: a better standard of living for all Americans.

This isn't just my opinion. Last month, I had the opportunity to question the Chairman of the Federal Reserve, Alan Greenspan, about this very subject. He too believes that paying down the national debt is the best way to guarantee a stronger economy and a responsible federal budget.

As one of the principal architects of our current economic good fortune, Alan Greenspan knows that paying down the national debt is preferable at this point in the economic cycle to either spending increases or dramatic tax reductions the nation cannot afford. As the Chairman told me, ''. . . all of the arguments that one can make for tax cuts you can make for reduction in debt, they are the same forces. . .'' In addition, by paying off our debts now, we preserve the nation's ability to borrow again in the event of a future emergency and hold open the option of more aggressive tax cuts should the economy slow. Simply put: paying down the national debt is the responsible, conservative, economically and fiscally sensible thing to do.

It is the just and morally responsible thing to do as well. It is not right to ask our children and grandchildren to pay our bills. No generation in American history has done so, and we must not become the first.

Our legacy to future generations must be more than an IOU. Paying down the debt will keep faith with America's past and create promise for America's future.

Saving Social Security and Medicare by paying down the national debt is a

significant undertaking, but if we act prudently, there is room for our nation's other important priorities, including targeted tax cuts. Throughout my public career, I have been a vigorous advocate for cutting the tax burden on American families. In fact, I believe that when it comes to tax cuts—the more aggressive, the better. As Governor of Indiana, I was proud to be able to give Hoosiers the largest tax cut in our state history.

I strongly support targeted tax cuts here on the Federal level as well—tax cuts that will eliminate the marriage penalty, save family farms and businesses from the ravages of the estate tax, help families meet the expenses of child care or caring for an elderly parent, and create jobs and stimulate investment by reducing the tax on capital gains.

There must be a balance among our priorities. We can't pursue one to the exclusion of all others. If we give into temptation, and recklessly pursue immediate gratification today, we will surely regret it tomorrow. And therein lies the difference between what we accomplished in Indiana and what some now propose in Washington. Our Hoosier tax cut plan was conservative, fiscally responsible, like the approach I support today. We never threatened to throw fiscal caution to the winds or require massive cuts in vital services for children or law enforcement.

I will be the first to sponsor a tax cut bill—the bigger the better—but not one out of all proportion to our ability to pay for it, nor one that risks returning us to the days when America was drowning in a sea of red ink. We must cut taxes as aggressively as possible while still meeting our other important national priorities.

Included in these important priorities are additional investments for national defense, education and law enforcement. These are the kind of areas where even modest investments today yield multiple benefits tomorrow.

Because I strongly believe that government must make investments—within its means, of course—in these important areas, I am troubled by the current budget resolution that would force drastic and unwarranted across the board budget cuts in many important domestic programs ranging from Head Start to the FBI.

Mr. President, it is incumbent upon the Senate to resist the twin temptations of immediate gratification and postponing difficult decisions. Both parties, quite frankly, have been guilty of this for too long. Today it is the Budget Resolution that succumbs to these twin temptations, indulging us immediately with all the things we want while putting off until tomorrow the things we would rather not do but know we really must. This may be good politics. It is not good government.

Despite the fact that we will not achieve a bipartisan solution this week, I am still heartened by how much closer both parties are today on fiscal issues than even in the recent past.

It seems to me there is a national consensus growing, a consensus that cuts across party lines, that believes in some basic core principles: Saving Social Security and Medicare first, paying down the national debt, making targeted tax cuts for working families, and investing in our future. We can start down the road toward accomplishing these goals—something that is well within the grasp of this Senate—and, in so doing, build a better America. Also, we will be able to look our children and grandchildren squarely in the eye, secure in the knowledge that what we have done has not been just easiest for us, but also what is best for them.

Mr. President, I thank you for this opportunity, and for the indulgence of my colleagues, and yield the remainder of my time.

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

Mr. WELLSTONE. Mr. President, let me thank Senator BAYH for his words. It is an honor to be on the floor while you are speaking, and I thank you.

Mr. CONRAD. Will the Senator suspend for just one moment?

Mr. WELLSTONE. I will be glad to, as long as I retain the floor.

The PRESIDING OFFICER. The time, actually, is controlled by the Senator from Massachusetts.

Mr. KENNEDY. I yield time to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

PRIVILEGE OF THE FLOOR

Mr. CONRAD. Mr. President, I ask unanimous consent that John Jennings, a fellow in Senator BINGAMAN's office, be granted the privilege of the floor during the pendency of S. Con. Res. 20, the budget resolution.

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

Mr. CONRAD. I thank the Chair.

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

The PRESIDING OFFICER. The Senator has about 8 minutes 20 seconds.

Mr. KENNEDY. I just yield myself a minute and a half.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I want to express my admiration and respect to my friend and colleague from Indiana on his maiden speech. It is an important speech because it deals with the economic future of our Nation. He brings a perspective to this issue as someone who has been an effective Governor and has had a broad reputation, not only in his State but throughout the country, as someone who understands the economics of his State well and has a reputation as a skilled Governor, making sure his State prospered and the benefits were going to go to the people.

Now he speaks in the Senate as we are making a judgment, at a very important, critical time, given the change in our financial situation with the size of the surplus, and he has given us a great deal to think about. It is quite clear from his statement he has given it a good deal of thought.

I thank him for his statement.

The PRESIDING OFFICER. Does the Senator yield time to the Senator from Minnesota?

Mr. KENNEDY. How much do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes 40 seconds.

Mr. KENNEDY. I yield 4 minutes to the Senator.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 4 minutes.

Mr. WELLSTONE. Mr. President, I think this amendment that Senator KENNEDY has brought to the floor is a major, what I would call, political economy amendment. It is a major values amendment. This amendment goes to the heart of what we are about as a nation, and we have a couple of choices. Either we can go with this budget resolution, which goes in the direction of massive tax cuts for the years to come disproportionately going to the highest-income citizens, with the Medicare trust fund expiring in the year 2008. Or we can take part of this surplus and use that to strengthen the Medicare program that we have in this country.

If we do not do that—I just want to be really clear, and I know I am right about this, even though I do not want to be right—what we are going to see is either a cut in benefits or we will see the age extended for eligibility for Medicare, or we will see other proposals which will do major damage to the idea of this program as being a universal, comprehensive health care coverage program for senior citizens, albeit in my State of Minnesota only 35 percent of senior citizens have any coverage at all for prescription drug benefits.

We need to expand Medicare, another reason to support the Kennedy amendment and albeit Medicare does not do anything to cover catastrophic expenses, which is a nightmare for people toward the end of their lives if they should have to be in a nursing home or if they look for support from home-based health care.

But I would like to say to colleagues, as far as I am concerned in this budget debate, this amendment is the heart-and-soul amendment. We have a really clear choice. A budget resolution is a resolution; it gives us some general direction. My colleague from New Mexico undoubtedly will have a response. I wish I had time to respond to his response. But from my point of view, this

is a values debate. We can, with the surplus, as we look ahead, talk about tax cuts mainly going to those who are most affluent, or we can say we are going to reserve part of this surplus to bolster Medicare, which is a critically important program, not just for about 680,000 seniors in Minnesota with an income profile pretty low, not very high, but, in addition, for their children and their grandchildren.

This is a family values amendment. There ought to be nothing more important for us to do than to give general direction to the proposition and to the idea and to the core value that we are going to reserve part of this surplus to help bolster Medicare.

I can make a lot of other proposals. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. WELLSTONE. Let me just say to my colleagues, I would like to see also, above and beyond support for this amendment, talk about how we can strengthen Medicare in other areas.

We should double the NIH budget. My colleagues, Senator SPECTER and Senator HARKIN, are right, because the research and finding the cure for some of the diseases in our country like Alzheimer's and diabetes and Parkinson's will do wonders toward reducing Medicare expenditures.

The PRESIDING OFFICER. The Senator's 4 minutes have expired.

Mr. WELLSTONE. Mr. President, I will get a chance to speak more on this. This is the critical vote.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, my friend and colleague from West Virginia wanted to address the Senate on a matter relating to the budget. I am wondering whether there is some time he can use.

Mr. CONRAD. How much time would the Senator from West Virginia like?

Mr. ROCKEFELLER. The Senator from West Virginia would like to have 10 minutes.

Mr. CONRAD. I yield 10 minutes off the bill.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me say I don't have any objection. Obviously, even if I did, probably I couldn't do anything about it. But I do want to ask Senators if they would be somewhat helpful. I know, now that Senator KENNEDY has a chart up that describes the Democrat plan that doesn't exist, and a Republican plan that doesn't exist, that everybody wants to come to the floor and talk about this. I remind everyone and ask their indulgence and help: We have about 35 to 40 amendments that people want to be heard on. They are legitimately as interested as are colleagues on this issue, which we have already debated three times on three amendments.

I am not going to argue about it. I say go ahead, we will give you 10 minutes, but when you take it off the bill, it means it is not available for anyone at the end of this bill. So I ask we be a little bit helpful in that regard.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Senator from New Mexico. I understand the point of the Senator. I thank the Senator from Massachusetts and the Senator from North Dakota.

This particular Senator from West Virginia was a member of the Medicare Commission and I know, undoubtedly, several have spoken. But whatever amendments may be remaining, there cannot be many as important as the disposition of Medicare. Medicare is something that is not that well understood even though everybody knows what it is, and therefore it is subject to easy amendments and easy resolutions, and facts are entirely often lost.

There is, I understand, a resolution or whatever praising the Medicaid Commission for its bipartisan efforts and the rest of it. Those of us who were on that Commission know that isn't and wasn't the case. It was not a bipartisan Commission; it was a Commission that was divided from the very beginning.

It was a Commission in which there was really no give and take. Just so my colleagues can understand, the plan, which was being changed every 5 minutes, as certain Members sought to get votes here and there, was not even finally given to my office until 4 o'clock the day before the vote. I was in West Virginia so I didn't see the plan until an hour before the vote. It was really kind of a shambles of an operation.

But that isn't nearly as important as the fact that beneficiaries pay more under this plan for the same or fewer benefits. It isn't nearly as important as the fact that the sick and the disabled were probably going to have to pay the most. The fact that this plan contemplates and its authors contemplate the numbers of years that 50 to 75 percent of all Medicare beneficiaries will belong to HMOs—of course, I don't believe that is ever going to happen. They do it, and it is reflected in their plan.

Just imagine for a moment what that would mean, because HMOs would naturally attract the most wealthy and the most healthy. So what would that mean for the people in my State who are left in fee-for-service medicine? Fee-for-service would be a very small pot of money which would have to cover an enormous amount of people.

The philosophy of the Medicare Commission fundamentally was that free enterprise can solve the problems of Medicare, and that is why they said 50 to 75 percent will join HMOs over the next 15 to 20 years. Of course, free enterprise had its chance to work with respect to people over 65 and did it so badly, that is the reason we created Medicare, in order not to leave it up to the market system in its entirety and to make sure that every senior had health care coverage.

There was a lot of ideology involved in the Commission. There were a lot of people there primarily because of an ideological commitment, a commitment that was there from the very beginning. It was very obvious. There never really was any discussion of issues. There were speeches, but not much discussion. Seniors, I think, had very little idea of what was in the plan.

Those who remember catastrophic health care—if Congress puts forward a plan and doesn't consult seniors and seniors aren't knowledgeable about it, you can have it thrown right back in your face. Medicare is not something you can fool around with.

Speaking for my own point of view, representing the State of West Virginia, the average senior in West Virginia has a total gross income from all sources, of $10,763. Then, from that amount you subtract $2,000 to pay for their Medigap or their out-of-pocket expenses for health care which they can't get from Medicare, primarily prescription drugs. That means the average senior in the State has a gross income for a year of about $8,500.

I will guarantee you, this Senator isn't fooling around with chances on Medicare. There is no way that I am taking a chance on Medicare, that I am betting on something that did not work prior to 1965, that suddenly people say will work after this Medicare Commission presented its plan which did not pass and which was basically defeated on a partisan vote, which was very, very sad. It was fated from the beginning, and it was very, very sad.

I have chaired four national commissions. This was the fifth one I have been on. It was probably the worst experience I have had since I have been in the Senate. I say that with regret, because I care enormously about health care, and I care enormously about the people who ran the Commission. I thought they tried their very best, but it was fated to fail from the very beginning because of the ideological bent that it carried with it. I think a measure here to praise it is totally out of place.

I mentioned prescription drugs. Everybody understands that when the President was wise enough to put aside 15 percent to pay down the debt so the money would become available because of the lack of higher interest payments for Medicare, that that was a very wise thing to do. That also allows us to contemplate prescription drugs. The Medicare Commission wouldn't even consider the use of that 15 percent. They

wouldn't consider it. As a result, prescription drugs are not uniformly available.

Some seniors already have prescription drugs. They get it through Medigap. This would say, well, you would have to be up to 135 percent of poverty, but that just came in in the last week or so. That would disappear, I think, on the floor of the Senate, because I do not think, frankly, that the majority would want to see prescription drugs, because they would say it would cost too much. Well, they might be right. I think they are wrong. Seniors are now paying for it.

Under this plan, they purport that prescription drugs are covered, but they are, indeed, not covered. Many beneficiaries would not have it. They talk about prescription drugs for low-income beneficiaries, but most would not have them.

On one of the most extraordinary things that I think would very much affect the senior Senator from New Mexico, they punt. They don't even punt. They kick at the ball and miss it on the subject of graduate medical education. We do not have doctors in this country by accident. We have doctors in this country because their residencies and their postgraduate experiences are paid for, 50 percent by Medicare. Some people may not think that it should come out of Medicare, but if it doesn't come out of Medicare, then it should come out of some designated fund, an au pair trust fund or something of that sort.

What is incredible about the Medicare Commission is that it simply says, we will leave graduate medical education or direct medical education up to the appropriations process, which is like saying goodbye to all foreign doctors, which are as important in New York City as they are in southern West Virginia, because foreign doctors are well trained and they get further training in their own country.

Fifty percent of their expense is being paid for by Medicare. Under the appropriations process, they would disappear. So will many others. So will many others, because there will be no constant way of funding a very obscure program called Graduate Medical Education, which is the heart and soul of the training of good doctors and, therefore, good health care in our country.

The Federal savings in this matter—and I won't talk on forever here—but the Federal savings in this are generally a sham. I think only about $95 to $96 billion out of the $346 billion or $347 billion that the Commission says they are saving actually comes out of what they call premium supports. All the rest comes out of cutting benefits, out of the Balanced Budget Act, which we passed in 1997, out of a whole series of other things, cutting doctors and hospitals, once again. The savings are made at the expense of the beneficiary, at the expense of good health care. I have very, very strong feelings.

Just consider for one instance that 71 percent of the counties in this country have no medical plan, no HMO whatsoever. I represent a whole State. We have one. So where is the choice? There is no choice.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROCKEFELLER. I thank the Presiding Officer. I hope when that resolution comes up for a vote, Senators will vote no.

The PRESIDING OFFICER. The Senator from Massachusetts has 2 minutes 40 seconds remaining on the amendment. The Senator from New Mexico has 30 minutes.

Mr. KENNEDY. Mr. President, I will reserve that time, and I will move on to another amendment, if that is agreeable to the floor managers. If I could have the attention of the floor managers, I am glad to either yield that time, if you were going to yield yours back. If you want to hold yours, I will hold mine. I am quite prepared to go on to another amendment. I do not want to hold up the Senate any further.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent, on behalf of the leader, that at 12 noon today the Senate proceed to vote on or in relation to the following amendments, the first vote limited to 15 minutes and other votes to 10 minutes each, with 2 minutes equally divided prior to each vote and no second-degree amendments in order prior to the vote—this has been cleared on both sides—Specter amendment No. 157; Robb amendment No. 176; Kennedy amendment No. 177. Is that the pending amendment?

The PRESIDING OFFICER. That is the pending amendment.

Mr. DOMENICI. I thank the Chair.

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

Mr. DOMENICI. I say to Senator KENNEDY, I am just going to use a couple minutes.

Did the Senator want the floor?

Mr. DORGAN. I wonder if I might inquire of the Senator from New Mexico, I had indicated to him I have an amendment that I wanted to lay down. If he would not mind, I would be happy to offer it and ask unanimous consent we set it aside. And then he could proceed. I was hoping perhaps after the three votes we might debate this amendment.

Mr. DOMENICI. Sure. I believe the sequencing is, after the Kennedy amendment, we are going to do a Republican education amendment, and then we are going to return to your side for your amendment. If you would like to send it to the desk now, I ask unanimous consent that that be in order. We are not going to debate it now; right?

Mr. DORGAN. That is correct.

Mr. DOMENICI. All right.

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

AMENDMENT NO. 178

(Purpose: To provide $36,000,000,000 in additional agricultural funding)

Mr. DORGAN. I send an amendment to the desk on behalf of myself, Senators DASCHLE, HARKIN, CONRAD, BAUCUS, JOHNSON, DURBIN, BINGAMAN, and KERREY.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] for himself, Mr. DASCHLE, Mr. HARKIN, Mr. CONRAD, Mr. BAUCUS, Mr. JOHNSON, Mr. DURBIN, Mr. BINGAMAN and Mr. KERREY proposes an amendment numbered 178.

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

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

The amendment is as follows:

On page 43, strike beginning with line 3 through line 6, page 45, and insert the following:

SEC. 201. RESERVE FUND FOR AN UPDATED BUDGET FORECAST.

(a) CONGRESSIONAL BUDGET OFFICE UPDATED BUDGET FORECAST FOR FISCAL YEARS 2000–2004.—Pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the Congressional Budget Office shall update its economic and budget forecast for fiscal years 2000 through 2004 by July 15, 1999.

(b) REPORTING A SURPLUS.—If the report provided pursuant to subsection (a) estimates an on-budget surplus for fiscal year 2000 or additional surpluses beyond those assumed in this resolution in following fiscal years, the Chairman of the Committee on the Budget shall make the appropriate adjustments to revenue and spending as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take the amount of the on-budget surplus for fiscal years 2000 through 2004 estimated in the report submitted pursuant to subsection (a) and in the following order in each of the fiscal years 2000 through 2004—

(1) increase the allocation to the Senate Committee on Agriculture, Nutrition and Forestry by $6,000,000,000 in budget authority and outlays in each of the fiscal years 2000 through 2004;

(2) reduce the on-budget revenue aggregate by that amount for fiscal year 2000;

(3) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by that amount for fiscal year 2000; and

(4) adjust the instruction in sections 104(1) and 105(1) of this resolution to—

(A) reduce revenues by that amount for fiscal year 2000; and

(B) increase the reduction in revenues for the period of fiscal years 2000 through 2004 and for the period of fiscal years 2000 through 2009 by that amount.

(d) BUDGETARY ENFORCEMENT.—Revised aggregates and other levels under subsection (c) shall be considered for the purposes of the Congressional Budget Act of 1974 as aggregates and other levels contained in this resolution.

SEC. 202. RESERVE FUND FOR AGRICULTURE.

(a) ADJUSTMENT.—If legislation is reported by the Senate Committee on Agriculture,

Nutrition and Forestry that provides risk management and income assistance for agriculture producers, the Chairman of the Senate Committee on the Budget may increase the allocation of budget authority and outlays to that Committee by an amount that does not exceed—

(1) $6,500,000,000 in budget authority and in outlays for fiscal year 2000;

(2) $36,000,000,000 in budget authority and $35,165,000,000 in outlays for the period of fiscal years 2000 through 2004; and

(3) $36,000,000,000 in budget authority and in outlays for the period of fiscal years 2000 through 2009.

Mr. DOMENICI. I thank the Senator.

I say to Senator KENNEDY, before I use a couple minutes and yield for your couple minutes, I ask if Senator ENZI, who has been waiting patiently and has an amendment to be cleared right quick, if he could comment on it. We could adopt it, and then we will, just before our 11:50 time to offer all the amendments, be completed.

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Will the Senator from Wyoming permit the Chair to appoint conferees on the supplemental?

Mr. ENZI. The Senator will.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

The PRESIDING OFFICER. Pursuant to the order of March 18, 1999, the Senate having received H.R. 1141, the House companion bill to S. 544, the provisions of the unanimous consent agreement are executed.

The provisions of the unanimous consent agreement are as follows:

Ordered, That when the Senate receives the House companion bill to S. 544, a bill making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes, the Chair automatically strike all after the enacting clause; that the text of S. 544 as amended be inserted; that the House bill be advanced to third reading; and that the bill be passed, all without intervening action or debate.

Ordered further, That the Senate insist on its amendment, request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

Ordered further, That the bill, S. 544, remain at the desk.

The bill (H.R. 1141), as amended, was passed.

Pursuant to the order, the Chair appointed: Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mrs. HUTCHISON, Mr. KYL, Mr. BYRD, Mr. INOUYE, Mr. HOLLINGS, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN and Mr. DURBIN conferees on the part of the Senate.

The PRESIDING OFFICER. The Chair thanks the Senator from Wyoming.

The Senator is recognized.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 154

(Purpose: Expressing the Sense of the Senate that agricultural risk management programs should include livestock producers)

Mr. ENZI. Mr. President, I ask unanimous consent to lay the pending amendment aside to call up amendment No. 154.

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

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] for himself, Mr. GRASSLEY, Mr. THOMAS and Mr. CONRAD proposes an amendment numbered 154.

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

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

The amendment is as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE THAT AGRICULTURAL RISK MANAGEMENT PROGRAMS SHOULD BENEFIT LIVESTOCK PRODUCERS.

(a) FINDINGS.—The Senate finds that—

(1) extremes in weather-related and natural conditions have a profound impact on the economic viability of producers;

(2) these extremes, such as drought, excessive rain and snow, flood, wind, insect infestation are certainly beyond the control of livestock producers;

(3) these extremes do not impact livestock producers within a state, region or the nation in the same manner or during the same time frame or for the same duration of time;

(4) the livestock producers have few effective risk management tools at their disposal to adequately manage the short- and long-term impacts of weather-related or natural disaster situations; and

(5) ad hoc natural disaster assistance programs, while providing some relief, are not sufficient to meet livestock producers' needs for rational risk management planning.

(b) It is the sense of the Senate that any consideration of reform of federal crop insurance and risk management programs should include the needs of livestock producers.

Mr. ENZI. I also ask unanimous consent that Senator CONRAD be added as a cosponsor.

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

Mr. ENZI. This amendment, offered by myself, Senator GRASSLEY, Senator THOMAS, and now Senator CONRAD, is a sense of the Senate that resolves that any consideration of reform of Federal crop insurance and risk management programs should include the needs of livestock producers as well.

The livestock industry has very few risk management tools available to manage the short- and long-term impacts of weather-related and natural disaster situations. They do not have an insurance program to help guard against losses. In fact, livestock producers are prohibited by law from participating in USDA's Crop Insurance Program. That prohibition must be removed.

We must devote our resources to finding a rational approach to risk management that will eliminate the need for ranchers and farmers to ask Congress each year for disaster assistance. Any program offered to the agricultural producers should cover them in the event of any crop or livestock losses due to excessive rain and snow, wind, drought, and even insect infestation. We need a program that is actuarially sound.

The livestock industry is comprised of smart, hardworking businessmen who constantly operate at the whims of Mother Nature. They are not looking for a Government handout. They simply want to be given the opportunity to better manage the risks they face in trying to get their cattle and sheep to market. We promised our ranchers help, but we have not delivered. This amendment is a good first step.

I urge my colleagues to support this amendment.

I yield back any time that I have.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, very briefly, let me just say I hope our colleagues will support the amendment which my colleague from Wyoming has offered, along with a number of others of us who are very concerned about what has happened in the livestock industry.

In American agriculture now, we face the lowest prices in 52 years. We have been through an absolute price collapse in many sectors of the livestock industry. In the hog industry alone, prices have dropped to 8.5 cents a pound.

Mr. President, it takes 40 cents a pound to break even in the livestock industry. And 8.5 cents a pound is absolutely ridiculous. We anticipate losing as many as three-quarters of the hog producers in our State if something is not done.

This amendment, offered by Senator ENZI, cosponsored by others of us, we think is one way to help livestock producers manage risk through a program of risk management. I hope very much our colleagues will support it.

Mr. GRASSLEY. Mr. President, I rise in support of the Enzi, Grassley, Thomas, Conrad amendment. Livestock producers have few viable risk management tools available to deal with drought, excessive rain and snow, flood, or disease. Dismal profits for cattlemen and the collapse of hog market in the Fall of 1998 are two of the

predominate factors which have spurred a renewed interest in livestock insurance. I feel it is important that any consideration of reform for federal crop insurance and/or federal risk management programs should include the needs of livestock producers.

Since the introduction of revenue insurance programs in 1996 farmers raising crops have been provided risk management tools which better mediate the unavoidable risks farmers experience. Programs such as Crop Revenue Coverage (CRC), Income Protection (IP), and Revenue Assurance (RA) are available for crops, but currently a statutory prohibition bans the development of federally supported livestock insurance.

It is my opinion that we have a responsibility to provide risk management tools to all farmers, whether they raise crops or livestock. Iowa State University's Center for Agricultural and Rural Development (CARD) has studied the possible benefits of Whole-Farm Revenue Insurance for crop and livestock producers. The center has developed data which lends credibility to those who advocate adding a livestock net revenue guarantee to existing whole-farm crop revenue guarantees.

CARD determined Whole-Farm Revenue insurance programs could supplement existing risk management tools offered through the Chicago Mercantile Exchange and the Chicago Board of Trade for livestock. CARD also ascertained that the addition of livestock to whole-farm revenue guarantees could dramatically reduce both insurance rates and insurance premiums. Lower rates could lead to expanded coverage and less risk exposure for farmers.

Mr. President, risk management tools are necessary for the success of the agriculture community. Congress must work together and focus on expanded risk management to better mediate the unavoidable risks farmers experience. It's time for Congress to take an active role in providing these tools to all farmers.

Mr. President, I urge my colleagues to support livestock producers by supporting the Enzi, Grassley, Thomas, Conrad amendment.

Mr. DOMENICI. We have no objection on our side. I think it has been cleared on the Democrat side.

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

The amendment (No. 154) was agreed to.

AMENDMENT NO. 177

Mr. DOMENICI. I think our next Senator with an amendment has arrived. We have agreed your amendment would be next, I say to Senator GORTON. But we have to finish the Kennedy amendment in just a minute here.

Just give me a moment, I say to the Senator.

First, as I indicated earlier this morning, something very significant happened, and I am sure it will be adopted when we vote later on. That is the introduction of a bipartisan amendment to this budget resolution whereby the chairman of the Finance Committee, Senator ROTH, joined by Senator FRIST, on our side, and two very distinguished Democrats, Senator KERREY of Nebraska and Senator BREAUX of Louisiana, indicated in an official way, for the first time, that the Senate is going to be asked, because of their amendment, to proceed in a bipartisan manner to reform and fix Medicare so that it will be effective for our senior citizens for decades to come.

I must say that when we vote on that—and I believe it will be agreed to—we will have started down a path. But it will not be a long path; it will be a very short path. That path is going to lead, before the year is up, to a resolution in the Senate of the Medicare program for our senior citizens and for our children and for the taxpayers, all of whom have a very big stake in making sure this Medicare program is reformed and fixed.

So I once again congratulate those four Senators. They have permitted me to join them, so I am the fifth man on the team. I hope, before the day is out, many others will join. But I am certain by our vote we will indicate that that is precisely the path we want to take.

Some will get up and say it is very specific and precise. But ultimately, it lays down some markers. It says to the Finance Committee, let's get on with it; let's quit talking about it; let's fix it.

It is interesting that as soon as that amendment got debated, a kind of a furor occurred, and it was not on our side of the aisle, it was on the other side of the aisle. That is because that was a significant amendment that people in this country are going to understand. It is not politics; it is not talking; it is a commitment to fix Medicare for our senior citizens.

If there are new ideas beyond what the Commission—there are two commissions that are recalled in that amendment—if there are ideas beyond it, it is going to come out of that bipartisan committee, who are so committed to repairing and fixing and modifying that program.

Having said that, the commotion got quick, and the Senator from Massachusetts arrived on the floor. Let me suggest, I have great respect for the distinguished Senator. I do know—I do know—that I am as concerned about Medicare people in America—our people, our friends, our neighbors, our relatives—as he is. I am just as compassionate and just as concerned. But I do believe—I do believe—we have to talk a little bit about reality.

Let me tell you the first reality. When the vote starts and the Senator is through with his charts, I would like very much for the rule to be applied and they be taken down, because they are only supposed to be up for a little while. Frankly, whatever little while, they should not have been up at all, because those charts are not true. Those charts state things that are not true.

Let me just tell you, ''Republican Plan Would Slash Medicare''—there is no Republican plan. We are waiting for the Finance Committee to produce a plan. We have given them latitude in the budget resolution, but there is none. It is a bipartisan plan. So he might have said that up there, ''The Bipartisan Plan,'' if it is that plan that he does not like.

The chart says that cuts under the Democratic plan are zero. What does that mean? What in the world does that mean? There will be no reform that saves any money, that changes anything in Medicare under a Democratic plan—can't be, can't be. Everybody that is for fixing Medicare is going to have something in that column because they will repair it so it is more efficient. Some will legitimately call that a cut.

The next column in the chart is really preposterous, ''Cuts under Republican plan, 1999–2020.'' We have not even been talking about the year 2020 on the floor. There is no budget resolution for 2020 and there is no Republican plan. How can it be that we have $686 billion in cuts by the year 2020? Perhaps that number is if you leave the program alone for 20 years, it needs $686 billion worth of resources—that might be the number.

What does that have to do with our Republican plan, what we are talking about on the floor? Is the Senator suggesting we ought to put $686 billion into Medicare out of general taxes to America? It will never happen. That will not happen. Everybody knows that.

We have debated this issue. I should stop debating it because I have done it three times, but every time they bring up an amendment I have to get up because they get up. I don't want anybody out there listening to this debate to think that is accurate because that is not accurate.

We can put up charts and claim whatever we want, but that chart is not accurate. It does not adequately describe nor appropriately describe anything with reference to where we are.

Having said that, we debated and voted an amendment very similar to this amendment. The only thing is it was subject to a point of order. Perhaps Senator KENNEDY has doctored this up so it is not subject to a point of order. The Senate rejected by a majority a plan of Senator CONRAD's which is very similar, except for one thing. It is a little better in terms of trying to protect Medicare than this one. It establishes a

point of order of some kind which makes it difficult to spend this extra money that is sitting around, or this surplus that is sitting around. The Kennedy amendment does not even do that.

I need no more time. I have used about 5 minutes; the Senator has used 2½ minutes. I hope we get on with the rest of this and let other Senators have a chance to debate.

The PRESIDING OFFICER. Under the previous order, Senator LAUTENBERG is to be recognized for the purpose of presenting amendments.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent, since a challenge was put down by the chairman of the committee on the information presented by the Senator from Massachusetts, that the Senator from Massachusetts be allowed 5 minutes to respond.

Mr. KENNEDY. I appreciate the courtesy.

Mr. DOMENICI. He has 2½ minutes.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the 2½ minutes be made available before we send our amendments to the desk.

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

Mr. KENNEDY. Mr. President, this $686 billion is the amount that we would like and the President would like to have out of the surplus to fund the Medicare trust system so that it will be financially stable to the year 2020. That is what it represents.

Under the budget proposal of the majority, if you are not going to allocate this 15 percent of the surplus for the Medicare system, you are going to have to have $686 billion in cuts or premium increases.

That is not what I am saying; that is what the Medicare trustees have said.

To conclude, basically what we are saying, let us go ahead, prior to the tax cut, take the 10-year budget, take $320 billion of what the Republicans are intending to use for a tax cut, and use it to put the Medicare system on a sound financial system. That is it. Put the protection of Medicare first, prior to a tax cut. That is what this vote is about.

I ask unanimous consent to have printed in the RECORD statements from the AARP and virtually every senior citizen organization, including the National Council of Senior Citizens, the National Committee to Preserve Social Security, the OWL organization, Families USA, Gray Panthers, all of the organizations that are in strong support of using the 15 percent to make Medicare financially sound so we will have the opportunity to bring about reforms, and do that prior to the time we have tax breaks. That makes sense to protect working families in this country.

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

NATIONAL COUNCIL OF SENIOR CITIZENS,
Silver Spring, MD, March 24, 1999.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY. In behalf of the members and officers of the National Council of Senior Citizens and our nationwide network of clubs and councils, I write in strong support of your efforts to amend the Senate budget resolution to assure the utilization of 15 percent of the budget surplus to extend the solvency of the Medicare program.

We also support your work to include in the final resolution a straight-forward reserve fund to create a Medicare pharmaceutical benefit with no ambiguity in regard to the use of reserve fund resources. The Snowe Amendment to the resolution falls to deliver on this point. It will not create a viable reserve fund for the Medicare prescription benefit. It would set up hurdles before the Congress could access the fund for the benefit. The overriding issue is the need of millions of seniors for a comprehensive Medicare drug benefit now.

The Senate and the Congress must not lose this historic opportunity to make a significant investment in the future health needs of both older persons and Baby Boomers as they reach Medicare eligibility. By this action, the Congress will provide for sufficient time to consider a large range of options both to strengthen Medicare and assure long-term solvency.

We applaud your efforts and those of your colleagues.

Sincerely,

STEVE PROTULIS,
Executive Director.

STATEMENT ON MEDICARE FUNDING

(By Max Rightman, Executive Vice-President, The National Committee To Preserve Social Security and Medicare, March 18, 1999)

The measure proposed for Medicare by the Budget Committee is inadequate and short-sighted.

The President's request to devote 15 percent of the surplus to Medicare is a critical element in saving Medicare. The Budget Committees' plan falls far short of that.

What the congressional measure do, quite frankly, is shortchanged today's seniors—the seniors here with this morning—and shortchange millions of baby-boomers who in just a few short years will be retiring and relying on Medicare to be there for them.

America has a long-standing commitment to all of our retirees of adequate and affordable health care—it's a commitment called Medicare.

Devoting fifteen percent of the surplus for Medicare will extend solvency for a number of additional, critical years. It also will reassure today's baby boomer that this Congress will keep its commitment to them when they retire.

The National Committee urges Congress to adopt the President's 15-percent Medicare proposal. Thank you.

THE VOICE OF MIDLIFE AND OLDER WOMEN,
Washington, DC, March 24, 1999.

Hon. THOMAS DASCHLE,
Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR DASCHLE: OWL, the only national membership organization to address issues unique to women as they age, urges the Congress to set aside 15 percent of the projected federal budget surplus to extend the solvency of the Medicare Trust Fund for an additional decade. We need a more complete public discussion of thoughtful reform and its implications on all Americans.

Medicare is a women's issue. Any effort to strengthen and modernize the system must be viewed for its impact on women. Women are 58 percent of the Medicare population at age 65 and that number rises to 71 percent at age 85. Women's health care needs differ from men's needs. They have more chronic illness, often more than one chronic illness at a time. As a result, women must have access to specialists, leading-edge medications, and technology. Chronic illness means that women interface with the Medicare system more frequently and, appropriately managed, their care can remain cost effective and they remain independent longer. Inappropriately managed, their poorer, frailer health can lead to expensive acute care episodes or long-term stays in nursing facilities. Medicare reform, to be successful, must address her needs.

As you know, Senator Daschle, women are also poorer in retirement than men. She has almost less than half of the income that her male counterpart has in retirement and she lives an average of six years longer. She spends more out-of-pocket for health care needs covered by Medicare. She averages 22 percent of her lower income in out-of-pocket expenses compared to 17 percent by men. Thus, efforts to change Medicare that would increase out-of-pocket costs for the Medicare population would have a disparate impact on the majority of the Medicare population who are women.

You know, too, Senator that Medicare and Social Security are inextricably linked in women's retirement security. We must examine the impact on each as we move forward to resolve the long-term issues facing these important programs. We cannot move in haste. We must engage the American public in this important process. Therefore, we urge Congress to set aside 15 percent of the projected surplus. Bolstering the Trust Fund will remove Medicare from the critical list and give both the public and policymakers the necessary breathing room to consider a range of options. It means that we can and will develop a program to strengthen Medicare that will work for all Americans.

Sincerely,

DEBORAH BRICELAND-BETTS,
Executive Director.

FAMILIES USA FOUNDATION,
Washington, DC, March 24, 1999.

Hon. TOM DASCHLE,
Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR DASCHLE: Protecting the Medicare program's effectiveness and solvency is of utmost concern to America's seniors and people with disabilities—and their families as well. It should be a top priority in this Congress.

To protect the Medicare program, Families USA strongly supports committing 15 percent of the federal budget surplus to extending the Medicare trust fund. We do not believe that any credible reform of the program can be achieved without including significant new resources for the program. As the recently disbanded Medicare Commission has demonstrated, even so-called ''reforms'' that reduce seniors' benefit packages, increase beneficiary out-of-pocket costs, and cause younger seniors to lose health insurance coverage fail to secure the long-term solvency of the program. Hence, the commitment of 15 percent of the federal budget surplus is a very constructive and helpful first

step in strengthening the fiscal integrity of the program.

Medicare is a program that works well for millions of older Americans and people with disabilities. By extending the life of the Medicare Part A trust fund to the year 2020, the proposed transfer of surplus funds will help to ensure that the program remains effective and viable in the years ahead.

Sincerely,

RON POLLACK,
Executive Director.

GRAY PANTHERS,
Washington, DC, March 24, 1999.

Hon. THOMAS A. DASCHLE,
U.S. Senate,
Washington, DC.

DEAR SENATOR DASCHLE: I am writing you this letter on behalf of Gray Panthers across the country regarding the improvements we see necessary for the Medicare Program. For almost thirty years, Gray Panthers have represented older Americans and families across the country. Today, our fifty chapters and over 20,000 members across the United States, include members who are patients, caregivers, providers, business owners, association members, and active voters. All of our members have a vested interest in the Medicare program. Our members are extremely active on the Medicare issue and demand the Congress Protect, Improve, and Modernize Medicare.

As a first step then, in protecting the program, Gray Panthers urges members of Congress to vote in favor of setting aside 15% of the non-Social Security budget surplus specifically for Medicare. We understand that this will guarantee the financial integrity of the program for at least the next decade. Gray Panthers also recommends lifting the cap on Social Security in order to expand that budget as well as build fiscal integrity for the program.

We thank you for your time and consideration of this matter.

Yours truly,

PATRICIA A. RIZZO,
National Deputy Director.

ASSOCIATION OF JEWISH AGING SERVICES,
Washington, DC, March 23, 1999.

Hon. THOMAS A. DASCHLE,
U.S. Senate,
Washington, DC.

DEAR SENATOR DASCHLE: On behalf of the membership of the Association of Jewish Aging Services and the over 150,000 elderly served in communities across the nation we urge you to protect at least 15% of the projected budget surplus to extend Medicare solvency.

Shoring up Social Security, not privatization, and improving the quality and accessibility of health care deserve the highest Congressional priority. To do otherwise, is an abdication of leadership responsibility and abandonment of our country's fundamental responsibilities to its aging citizenry.

Sincerely,

LAWRENCE M. ZIPPIN,
President.

NCOA APPLAUDS PRESIDENT'S SOCIAL SECURITY AND MEDICARE PROPOSALS

(By James Firman, President & CEO, The National Council on the Aging, January 20, 1999)

President Clinton's proposal to fortify Social Security and Medicare for the years ahead deserves the support of all Americans. His proposals would pay dividends in the form of a higher quality of life for us all—not only the chronically ill, the disabled and the frail elderly but also their families. The National Council on the Aging strongly supports investing the budget surplus to protect and strengthen Social Security and Medicare rather than squandering it on a one-time tax break.

Setting aside additional money today is the only way to prepare for the great demographic changes that our economy and our culture will face as the massive baby boom generation enters its later years. President Clinton's proposals would provide much-needed relief to today's older Americans and their families—and it would also help ensure a more secure and fulfilling old age for the baby boomers who are today's wage earners and tomorrow's Senior Boom.

By extending the solvency of these essential programs without privatizing them, cutting benefits or slashing eligibility, the Clinton plan benefits all Americans—those who are in need of assistance today, and those who will be tomorrow. The National Council on the Aging, on behalf of older Americans and those who care about them, strongly supports using the surplus for this purpose.

The President's recognition of the need to ease the poverty of older women—particularly widows—is also welcome and long overdue. For far too long, our nation has looked the other way as aging women sink deeper and deeper into poverty. We all know women live longer than men, on average, and that they tend to earn less over the course of their lifetimes. Too often, these factors doom them to a sparse and barren subsistence in their later years. In our individual lives, we would not willingly abandon our wives and mothers to spend their final years in poverty. Yet for too long, we as a nation have denied women their right to a safe and financially secure retirement.

We likewise applaud and will support the President's proposals to provide a $1,000 long-term care tax credit, to make home-care and caregiver services more available to those who need them, to increase the minimum wage and to raise additional revenues from the tobacco industry and use some of the proceeds to support the Medicare program.

We would also call on Congress to increase funding and to reauthorize the Older Americans Act, which provides for so many services—congregate and home-delivered meals, the older worker employment program, senior centers and other home and community-based activities—that are crucial to older Americans.

We look forward to working with the President and the Congress to win passage of these crucial measures, which will—sooner rather than later—touch the lives of each of us.

STATEMENT BY AARP EXECUTIVE DIRECTOR HORACE DEETS ON THE PRESIDENT'S STATE OF THE UNION ADDRESS

We are pleased that the President has offered creative ideas to strengthen Social Security and Medicare—issues of primary concern to AARP and the American people. We eagerly await the details.

The President has offered some very intriguing ideas and we are anxious to learn more about them and how they would affect the American people. AARP has long advocated that any discussion of Social Security needs to be in the broader context of retirement income. These ideas should be measured against American's family budgets, as well as against the federal budget.

AARP's goal for Social Security reform remains steadfast a program that will guarantee benefits for future generations, that cannot be jeopardized by misfortune, eroded by inflation, or depleted by a long life. Following a year of dialogue, AARP believes it is now time to move forward with purpose and conviction and begin to carefully examine and debate specific proposals on these and other retirement issues.

The President's plan to bolster, along with Social Security, Medicare's Hospital Insurance Trust Fund with funds from the federal budget surplus adknowledges what most Americans have long understood—that health security and economic security in retirement go hand-in-hand.

AARP has long supported the addition of a prescription drug benefit to Medicare and we applaud the President's support of one. AARP believes Medicare should remain an earned guarantee of specified health-care benefits for all older Americans and those with disabilities.

One piece of unfinished business from the last Congress that should be addressed quickly is consumer protections in managed health care. AARP continues to be deeply committed to assuring quality and consumer protection in health care, and we urge the Congress to enact legislation that will ensure such basic safeguards for all consumers as a fair and meaningful external appeals process, understandable health plan information, and access to specialty care.

The President's proposal to provide a tax credit to Americans who need long-term health care is long-overdue recognition to the many American families who are assuming the enormous burden of providing high quality care to a family member. The tax credit builds on the similar proposal put forward previously by House Republicans. AARP believes it is but one of a number of steps that can be taken to solve the nation's long-term care.

We are pleased that the President and the Republicans through their legislative agenda have given high priority to these issues. AARP encourages bipartisan Congressional action this year.

Mr. DOMENICI. I ask unanimous consent to have 1 minute to respond.

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

Mr. DOMENICI. Senator KENNEDY, I don't know if you were paying attention, but I did say to you that I compliment you on your compassion and your concern in this area. All I indicated was that you in your Irish way are compassionate; I, in my Italian way, am just as compassionate and I compliment you for trying to save Medicare.

I now know where the $686 billion came from. So everyone will know—I was wondering where the figure came from—it came from the President's budget, the dollar number that he is going to transfer to the Medicare fund and take back IOUs.

Let me tell Members what that is, I finally understand it. It is like postdating a check for all these billions and then saying to the American people, ''You are going to wake up one day when we have to pay them, but we are telling you now in advance you will pay them,'' and the only thing that can happen is we will pay a huge amount of

new taxes, or we will have to cut the Medicare program dramatically.

I don't think that is how we ought to do business. That is what the number represents.

I yield the floor.

Mr. LAUTENBERG. Mr. President, I will make a unanimous consent request just to take 1 minute to parallel my friend and chairman of the Budget Committee.

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

Mr. LAUTENBERG. Mr. President, the President of the United States has a plan to extend Medicare's solvency to 2020. I heard the impassioned and always eloquent appeal by the chairman of the Budget Committee that this was a bipartisan effort. It is true that there are a couple of Democrats that are supporters of the amendment under discussion, but this is by no means to be judged in this moment to be a bipartisan effort.

Each of us is going to look at it as we see it. The Republicans do not have anything in the plan to extend the solvency.

I urge my colleagues to vote against this amendment.

AMENDMENTS NOS. 183 THROUGH 205, EN BLOC

Mr. LAUTENBERG. Mr. President, under the provisions of the consent agreement of yesterday, I send a package of amendments to the desk and ask they be considered and offered individually, set aside en bloc.

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

The amendments are as follows:

AMENDMENT NO. 183

(Purpose: To express the sense of the Senate that Congress should enact legislation to modernize America's schools)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON MODERNIZING AMERICA'S SCHOOLS.

(a) FINDINGS.—The Senate finds the following:

(1) The General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States.

(2) The General Accounting Office has concluded that more than 14,000,000 children attend schools in need of extensive repair or replacement; 7,000,000 children attend schools with life safety code violations; and 12,000,000 children attend schools with leaky roofs.

(3) The General Accounting Office has found that the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least 1 building is in need of extensive repair or should be completely replaced.

(4) The condition of school facilities has a direct effect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility.

(5) The General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. 46 percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. 56 percent of schools have insufficient phone lines for modems.

(6) The Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools.

(7) The General Accounting Office has determined that the cost of bringing schools up to good, overall condition to be $112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollment levels.

(8) Schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is $754,000,000. The December 1997 report by the Comptroller General of the United States states that, "Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and are less able to support computer and communications technology.

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement.

(10) The Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction.

(11) The Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this budget resolution assume that Congress will enact measures to assist school districts in modernizing their facilities, including—

(1) legislation to allow States and school districts to issue at least $24,800,000,000 worth of zero-interest bonds to rebuild and modernize our Nation's schools, and to provide Federal income tax credits to the purchasers of those bonds in lieu of interest payments; and

(2) appropriate funding for the Education Infrastructure Act of 1994 during the period 2000 through 2004, which would provide grants to local school districts for the repair, renovation and construction of public school facilities.

Mr. HARKIN. Mr. President, I am pleased to join my colleagues—Senator LAUTENBERG and Senator ROBB in sponsoring this important amendment which calls on Congress to pass legislation to fix our Nation's crumbling schools.

The condition of our Nation's schools is well known—they are in deplorable condition. Last year, the American Society of Civil Engineers issued a report card on the condition of America's infrastructure. The report made it clear that the physical infrastructure in this country is in dire need. However, the only area that warranted a failing grade was education. The group was concerned about the condition of things like our roads, bridges, and wastewater systems. But the only area that was deemed inadequate is education. It is clear we must place repair of our nation's schools at the top of our Nation's priority list.

There are 14 million children—almost 5 times the number of people in all of Iowa—that are attending classes in buildings that are literally falling down around them. The General Accounting Office tells us that we need $112 billion to modernize our Nation's schools to bring them to good overall condition. The Civil Engineers also say we need $60 billion in new construction to accommodate increasing enrollments.

This is a serious problem, and one that is not getting better. As a matter of fact, every day we delay, it gets worse and will cost more money to address.

Iowa State University conducted a comprehensive survey on the condition of schools in Iowa. In 1995 the estimated cost over the next 10 years was $3.4 billion. Two years later it was $4 billion and I would guess that if the study were updated for 1999 we would find that the cost has increased even more.

There are many that say this is a local problem and federal support is unwarranted and unwise. All across this country school districts are struggling to repair and upgrade their facilities because the cost is enormous.

It is simply unacceptable that we tolerate this situation. It is unconscionable that children in this country go to school in buildings where the plumbing doesn't work, the windows are broken, and the roofs leak.

This amendment calls on Congress to enact legislation to provide a comprehensive strategy to modernize our Nation's schools. First, we must pass legislation to provide funding for the Education Infrastructure Act. This is an existing federal program which has been on the books since 1994.

During each of the last two years, the Senate has passed legislation which included my proposal to appropriate $100 million for this program. Unfortunately, we have been unable to hold the funds in conference with the House.

We must redouble our efforts to provide funding for this grant program to

assist needy school districts and the resolution calls on us to make this investment.

Second, the amendment calls on Congress to pass legislation to provide at least $24.8 billion in tax credits to holders of school construction bonds. These tax credits will make it possible for school districts to build and renovate school facilities at a reduced cost because the holder of the bond would receive a federal tax credit in lieu of interest.

Mr. President, We have high expectations for our children. We want them to be the best in the world—to reach the highest academic standards. But then we ask them to attend class in buildings that just don't make the grade—in buildings that are not equipped to provide a quality 21st century education.

We must enact legislation now to remedy this situation and I urge my colleagues to support our amendment.

AMENDMENT NO. 184

(Purpose: To establish a budget-neutral reserve fund for environmental and natural resources)

At the appropriate place, insert the following:

SEC. . BUDGET-NEUTRAL RESERVE FUND FOR ENVIRONMENTAL AND NATURAL RESOURCES.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation to improve the quality of our nation's air, water, land, and natural resources, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of the legislation will not (by virtue of either contemporaneous or previously-passed reinstatement or modification of expired excise or environmental taxes) increase the deficit or decrease the surplus for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.

AMENDMENT NO. 185

(Purpose: To provide a substitute for section 205 regarding the emergency designation point of order)

On page 47, strike section 205 and insert the following:

SEC. 205. EMERGENCY DESIGNATION POINT OF ORDER.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In making a designation of a provision of legislation as an emergency requirement under section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the committee report and any statement of managers accompanying that legislation shall analyze whether a proposed emergency requirement meets all the criteria in paragraph (2).

(2) CRITERIA.—

(A) IN GENERAL.—The criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are whether it is—

(i) necessary, essential, or vital (not merely useful or beneficial);

(ii) sudden, quickly coming into being, and not building up over time;

(iii) an urgent, pressing, and compelling need requiring immediate action;

(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(v) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(3) JUSTIFICATION FOR FAILURE TO MEET CRITERIA.—If the proposed emergency requirement does not meet all the criteria set forth in paragraph (2), the committee report or the statement of managers, as the case may be, shall provide a written justification of why the requirement should be accorded emergency status.

(b) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, upon a point of order being made by a Senator against any provision in that measure designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the Presiding Officer sustains that point of order, that provision along with the language making the designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) GENERAL POINT OF ORDER.—A point of order under this subsection may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(3) CONFERENCE REPORTS.—If a point of order is sustained under this subsection against a conference report the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

AMENDMENT NO. 186

(Purpose: to express the sense of the Senate that the provisions of this resolution assume that it is the policy of the United States to provide as soon as is technologically possible an education for every American child that will enable each child to effectively meet the challenges of the 21st century)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE PROVISIONS OF THIS RESOLUTION ASSUME THAT IT IS THE POLICY OF THE UNITED STATES TO PROVIDE AS SOON AS IT TECHNOLOGICALLY POSSIBLE AN EDUCATION FOR EVERY AMERICAN CHILD THAT WILL ENABLE EACH CHILD TO EFFECTIVELY MEET THE CHALLENGES OF THE 21ST CENTURY

(a) FINDINGS.—The Senate finds that—

(1) Pell Grants require an increase of $5 billion per year to fund the maximum award established in the Higher Education Act Amendments of 1998;

(2) IDEA needs at least $13 billion more per year to fund the federal commitment to fund 40% of the excess costs for special education services;

(3) Title I needs at least $4 billion more per year to serve all eligible children;

(4) over $11 billion over the next six years will be required to hire 100,000 teachers to reduce class size to an average of 18 in grades 1–3;

(5) according to the General Accounting Office, it will cost $112 billion just to bring existing school buildings up to good overall condition. According to GAO, one-third of schools serving 14 million children require extensive repair or replacement of one or more of their buildings. GAO also found that almost half of all schools lack even the basic electrical wiring needed to support full-scale use of computers;

(6) the federal share of education spending has declined from 11.9% in 1980 to 7.6% in 1998;

(7) federal spending for education has declined from 2.5% of all federal spending in FY 1980 to 2.0% in FY 1999:

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions of this resolution assume that it is the policy of the United States to provide as soon as is technologically possible an education for every American child that will enable each child to effectively meet the challenges of the 21st century.

AMENDMENT NO. 187

(Purpose: To finance disability programs designed to allow individuals with disabilities to become employed and remain independent)

At the end of Title II, insert the following:

"SEC. . DEFICIT-NEUTRAL RESERVE FUND TO FOSTER THE EMPLOYMENT AND INDEPENDENCE OF INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation that finances disability programs designed to allow individuals with disabilities to become employed and remain independent, provided, that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not increase (by virtue of either contemporaneous or previously-passed reduction) the deficit in this resolution for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS. If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.''

AMENDMENT NO. 188

(Purpose: To express the sense of the Senate that agricultural commodities and products, medicines, and medical products should be exempted from unilateral economic sanctions)

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING EXEMPTION OF AGRICULTURAL COMMODITIES AND PRODUCTS, MEDICINES, AND MEDICAL PRODUCTS FROM UNILATERAL ECONOMIC SANCTIONS.

(a) FINDINGS.—The Senate finds that—

(1) prohibiting or otherwise restricting the donation or sale of agricultural commodities or products, medicines, or medical products in order to unilaterally sanction a foreign government for actions or policies that the United States finds objectionable unnecessarily harms innocent populations in the targeted country and rarely causes the sanctioned government to alter its actions or policies;

(2) for the United States as a matter of policy to deny access to agricultural commodities or products, medicines, or medical products by innocent men, women, and children in other countries weakens the international leadership and moral authority of the United States; and

(3) unilateral sanctions on the sale or donation of agricultural commodities or products, medicines, or medical products needlessly harm agricultural producers and workers employed in the agricultural or medical sectors in the United States by foreclosing markets for the commodities, products, or medicines.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that the President should—

(1) subject to paragraph (2), exempt agricultural commodities and products, medicines, and medical products from any unilateral economic sanction imposed on a foreign government; and

(2) apply the sanction to the commodities, products, or medicines if the application is necessary—

(A) for health or safety reasons; or

(B) due to a domestic shortage of the commodities, products, or medicines.

AMENDMENT NO. 189

(Purpose: To express the sense of the Senate regarding capital gains tax fairness for family farmers)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING CAPITAL GAINS TAX FAIRNESS FOR FAMILY FARMERS.

(a) FINDINGS.—The Senate finds that—

(1) one of the most popular provisions included in the Taxpayer Relief Act of 1997 permits many families to exclude from Federal income taxes up to $500,000 of gain from the sale of their principal residences;

(2) under current law, family farmers are not able to take full advantage of this $500,000 capital gains exclusion that families living in urban or suburban areas enjoy on the sale of their homes;

(3) for most urban and suburban residents, their homes are their major financial asset and as a result such families, who have owned their homes through many years of appreciation, can often benefit from a large portion of this new $500,000 capital gains exclusion;

(4) most family farmers plow any profits they make back into the whole farm rather than into the house which holds little or no value;

(5) unfortunately, farm families receive little benefit from this capital gains exclusion because the Internal Revenue Service separates the value of their homes from the value of the land the homes sit on;

(6) we should recognize in our tax laws the unique character and role of our farm families and their important contributions to our economy, and allow them to benefit more fully from the capital gains tax exclusion that urban and suburban homeowners already enjoy; and

(7) we should expand the $500,000 capital gains tax exclusion to cover sales of the farmhouse and the surrounding farmland over their lifetimes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that if we pass tax relief measures in accordance with the assumptions in the budget resolution, we should ensure that such legislation removes the disparity between farm families and their urban and suburban counterparts with respect to the new $500,000 capital gains tax exclusion for principal residence sales by expanding it to cover gains from the sale of farmland along with the sale of the farmhouse.

AMENDMENT NO. 190

(Purpose: To provide for a 1-year delay in a portion of certain tax provisions necessary to avoid future budget deficits)

At the end of title II, insert the following:

SEC. ___. 1-YEAR DELAY OF PORTION OF CERTAIN TAX PROVISIONS NECESSARY TO AVOID FUTURE BUDGET DEFICITS.

(a) IN GENERAL.—The Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate shall provide in any reconciliation legislation provided pursuant to sections 104 and 105—

(1) a provision requiring the Congressional Budget Office to report to Congress on June 30 of each year (beginning in 2000) on the estimated Federal budget revenue impact over the next 1, 5, and 10-fiscal year period of that portion of any tax provision included in such reconciliation legislation which has not gone into effect in the taxable year in which such report is made, and

(2) in any tax provision to be included in such reconciliation legislation a provision delaying for 1 additional taxable year that portion of such provision which did not go into effect before a trigger year.

(b) TRIGGER YEAR.—For purposes of subsection (a)(2), the term ''trigger year'' means the 1st fiscal year in which the projected Federal on-budget surplus for the 1, 5, or 10-fiscal year period, as determined by the report under subsection (a)(1), is exceeded by the amount of the aggregate reduction in revenues for such period resulting from the enactment of all of the tax provisions in the reconciliation legislation described in subsection (a).

AMENDMENT NO. 191

(Purpose: To express the sense of the Senate that the Urban Parks and Recreation Recovery (UPARR) program should be fully funded)

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING FUNDING FOR THE URBAN PARKS AND RECREATION RECOVERY (UPARR) PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) every analysis of national recreation issues in the last 3 decades has identified the importance of close-to-home recreation opportunities, particularly for residents in densely-populated urban areas;

(2) the Land and Water Conservation Fund grants program under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.) was established partly to address the pressing needs of urban areas;

(3) the National Urban Recreation Study of 1978 and the President's Commission on Americans Outdoors of 1987 revealed that critical urban recreation resources were not being addressed;

(4) older city park structures and infrastructures worth billions of dollars are at risk because government incentives favored the development of new areas over the revitalization of existing resources, ranging from downtown parks established in the 19th century to neighborhood playgrounds and sports centers built from the 1920's to the 1950's;

(5) the Urban Parks and Recreation Recovery (UPARR) program, established under the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), authorized $725,000,000 to provide matching grants and technical assistance to economically distressed urban communities;

(6) the purposes of the UPARR program is to provide direct Federal assistance to urban localities for rehabilitation of critically needed recreation facilities, and to encourage local planning and a commitment to continuing operation and maintenance of recreation programs, sites, and facilities; and

(7) funding for UPARR is supported by a wide range of organizations, including the National Association of Police Athletic Leagues, the Sporting Goods Manufacturers Association, the Conference of Mayors, and Major League Baseball.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that Congress considers

the UPARR program to be a high priority, and should appropriate such amounts as are necessary to carry out the Urban Parks and Recreation Recovery (UPARR) program established under the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

Mr. TORRICELL. Mr. President, I thank the Chairman and Ranking Member for accepting this amendment that I have offered expressing the Sense of the Senate and the Urban Parks Recreation and Recovery Program (UPARR) should be a high Congressional budget. Community recreation services and green open spaces are an invaluable investment in our urban areas. Few things can make as big a difference for improving the quality of life and improving community morale in inner cities as a simple investment in parks. However, many facilities are old, overused, and called upon to perform years beyond their original life spans.

Established in 1978 by Public Law 95–625, the UPARR program was authorized at a level of $725 million to provide (70% federal and 30% local) grants and technical assistance to economically distressed urban communities. Prior to the elimination of funding for UPARR in 1995, the program experienced great success. UPARR funds have returned more than 1500 facilities to functional use in 400 local jurisdictions in 42 states. In the last round of applications when UPARR money was available, over 200 communities sought grants. Grants of only a few hundred thousand dollars have been enough to provide the spark to turn abandoned industrial facilities and armories into green open spaces and neighborhood recreational facilities.

By providing safe recreation opportunities these grants will improve our city's quality of life and help address the needs of at-risk youth. Violent crime arrests grew 94% between 1980–1995 for youth under age 15. FBI analysis of 1991–93 data indicate violent crimes committed by juveniles occurs with the greatest frequency after school. While federal financial assistance cannot rebuild all urban parks or solve all urban recreation problems, the program's original mission of providing seed money for local investments is one that is still valuable to make as we prepare to enter a new millennium.

Funding for UPARR is supported by a wide range of organizations—from the National Association of Police Athletic Leagues and the Sporting Goods Manufacturers Association, to the Conference of Mayors and Mayor League Baseball. They know the results of studies of studies that show that when students have an activity available after school hours, crime rates and juvenile arrests decrease. A study of the Big Brothers/Big Sisters mentoring program demonstrated that young people with adult supervision were only after half as likely to begin illegal drug use as those who had no mentor. Research at Columbia University has shown that Boys and Girls Clubs have been effective in reducing drug activities and juvenile crime in public housing and that participants do better in school and are less attracted to gangs as non-participants.

Again, I thank my colleagues for their support and look forward to working to ensure sufficient funding for this important program.

AMENDMENT NO. 192

(Purpose: To fully fund the Class Size Initiative and the Individuals with Disabilities Act with mandatory funds, the amendment reduces the resolution's tax cut by one fifth, frees up $43 billion in discretionary spending within Function 500 (in 2001–2009) for other important education programs, and leaves adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools)

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,604,382,000,000.
Fiscal year 2005: $1,668,856,000,000.
Fiscal year 2006: $1,703,047,000,000.
Fiscal year 2007: $1,756,420,000,000.
Fiscal year 2008: $1,826,649,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,539,000,000.
Fiscal year 2002: −$40,713,000,000.
Fiscal year 2003: −$14,724,000,000.
Fiscal year 2004: −$29,767,000,000.
Fiscal year 2005: −$42,040,000,000.
Fiscal year 2006: −$87,666,000,000.
Fiscal year 2007: −$114,980,000,000.
Fiscal year 2008: −$129,560,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,474,165,000,000.
Fiscal year 2002: $1,506,259,000,000.
Fiscal year 2003: $1,580,072,000,000.
Fiscal year 2004: $1,633,179,000,000.
Fiscal year 2005: $1,688,032,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,601,483,000,000.
Fiscal year 2005: $1,659,025,000,000.
Fiscal year 2006: $1,688,217,000,000.
Fiscal year 2007: $1,736,657,000,000.
Fiscal year 2008: $1,801,829,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $84,420,000,000.
(B) Outlays, $66,249,000,000.
Fiscal year 2002:
(A) New budget authority, $86,077,000,000.
(B) Outlays, $78,442,000,000.
Fiscal year 2003:
(A) New budget authority, $92,893,000,000.
(B) Outlays, $86,110,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $91,867,000,000.
Fiscal year 2005:
(A) New budget authority, $99,653,000,000.
(B) Outlays, $96,488,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $98,798,000,000.
Fiscal year 2007:
(A) New budget authority, $106,245,000,000.
(B) Outlays, $98,893,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $100,241,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $91,744,000,000 for the period of fiscal years 2000 through 2004, and $621,426,000,000 for the period of fiscal years 2000 through 2009; and

Mr. HARKIN. Mr. President, at first glance, the pending budget appears to place a high priority on education. The resolution invests more money than proposed by President Clinton and highlights increases for elementary and secondary education.

This stands in sharp contrast to previous Republican budgets that slashed funding for vital discretionary education programs, cut college loans and called for elimination of the Department of Education. In some respects, this budget is a welcome change.

To highlight elementary and secondary education, the resolution takes the unusual step of providing so-called ''sub-function'' allocations to prominently display the proposed increases for K–12 education. In addition, the resolution calls for an investment of $2.5 billion in special education over the next five years. That sounds pretty good.

Unfortunately, a closer examination of the budget exposes serious flaws. On the one hand, the budget touts increases for K–12 schools but plays down the sobering fact that the only way to accomplish that objective is to cut other important education and training programs.

Cuts, or in the best case scenario, freezes college grants.

Denies 100,000 children Head Start services.

Eliminates 73,000 young people from the summer jobs program.

Makes it impossible for 102,000 dislocated workers to get the training they need to get new jobs.

Unlike previous GOP budgets that launched a frontal assault on education, this budget is a stealth attack. The rhetoric touts education, but the details will spell disaster.

That is why we are offering this amendment to fully fund two critically important education programs—special education and the class size reduction act. The amendment will enable us to meet two important goals.

First, we will make sure there is full funding for these two initiatives. IDEA will be fully funded for the first time ever and we will meet our national goal of hiring 100,000 new teachers to reduce class size.

Second, by providing this mandatory stream of funding, the amendment will free up precious discretionary funds that could be invested in other important national priorities such as college grants, Head Start, Title I, education technology and job training.

The amendment is fully offset by reducing the tax breaks by 20%. That still leaves plenty of room for tax cuts for working families.

We must renew the bipartisan effort we began last fall to reduce class size. Research has shown that smaller class sizes make a difference. Teachers are able to provide more personalized attention for students and have to spend less time on discipline. As a result, students do better and learn more.

We got off to a good start last fall by enacting legislation as part of the omnibus appropriations bill for the first year of the seven year class size initiative. This amendment would enable us to finish the job and fully fund the initiative.

The amendment also invests in IDEA. In the early seventies, two landmark federal district court cases—PARC versus Commonwealth of Pennsylvania and Mills versus Board of Education of the District Court of Columbia—established that children with disabilities have a constitutional right to a free appropriate public education.

In 1975, in response to these cases, the Congress enacted PL 94–142, the precursor to IDEA, to help states meet their constitutional obligations.

When we enacted PL 94–142, the Congress authorized the maximum state award as the number of children served under the special education law times 40% of the national average per pupil expenditure.

Congress has fallen far short of this goal. Indeed, in fiscal year 1999, Congress appropriated only 11.7% of the national average per pupil expenditure for Part B of IDEA. Congress needs to do much more to help and this amendment would fully fund this program for the first time.

As an editorial in the March 15 edition of the New York Times explained, ''Educating disabled youngsters is a national responsibility. The expense should be borne on the nation as a whole, not imposed haphazardly on stated or financially strapped districts that happen to serve a large number of disabled students.''

As the ranking member on the education appropriations subcommittee, I am acutely aware of all the things we are unable to do because we do not have sufficient resources to invest. An added benefit of this amendment is to provide $43 billion for education and training programs over the next 10 years.

Mr. President, this amendment will place education at the top of the national priority list and I urge my colleagues to support the amendment.

AMENDMENT NO. 193

(Purpose: To allocate a portion of the surplus for legislation that promotes early educational development and well-being of children)

On page 43, strike beginning with line 13 through line page 44, line 10, and insert the following:

for fiscal year 2000 or increases in the surplus for any of the outyears, the Chairman of the Committee on the Budget shall make the adjustments as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take a portion of the amount of increases in the on-budget surplus for fiscal years 2000 through 2004 estimated in the report submitted pursuant to subsection (a) and—

(1) increase the allocation by these amounts to the Committee on Health, Education, Labor and Pensions only for legislation that promotes early educational development and well-being of children for fiscal years 2000 through 2004; and

(2) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by those amounts for fiscal year 2000 through 2004.

AMENDMENT NO. 194

(Purpose: To fully fund the Class Size Initiative and the Individuals with Disabilities Act with mandatory funds, the amendment reduces the resolution's tax cut by one-fifth, frees up $43 billion in discretionary spending within Function 500 (in 2001–2009) for other important education programs, and leaves adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools)

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(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

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Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,604,382,000,000.
Fiscal year 2005: $1,668,856,000,000.
Fiscal year 2006: $1,703,047,000,000.
Fiscal year 2007: $1,756,420,000,000.
Fiscal year 2008: $1,826,649,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: −$0.
Fiscal year 2001: −$6,539,000,000.
Fiscal year 2002: −$40,713,000,000.
Fiscal year 2003: −$14,724,000,000.
Fiscal year 2004: −$29,767,000,000.
Fiscal year 2005: −$42,040,000,000.
Fiscal year 2006: −$87,666,000,000.
Fiscal year 2007: −$114,980,000,000.
Fiscal year 2008: −$129,560,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,474,165,000,000.
Fiscal year 2002: $1,506,259,000,000.
Fiscal year 2003: $1,580,072,000,000.
Fiscal year 2004: $1,633,179,000,000.
Fiscal year 2005: $1,688,032,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,601,483,000,000.
Fiscal year 2005: $1,659,025,000,000.
Fiscal year 2006: $1,688,217,000,000.
Fiscal year 2007: $1,736,657,000,000.
Fiscal year 2008: $1,801,829,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $84,420,000,000.
(B) Outlays, $66,249,000,000.
Fiscal year 2002:
(A) New budget authority, $86,077,000,000.
(B) Outlays, $78,442,000,000.
Fiscal year 2003:
(A) New budget authority, $92,893,000,000.
(B) Outlays, $86,170,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $91,867,000,000.
Fiscal year 2005:
(A) New budget authority, $99,653,000,000.
(B) Outlays, $96,488,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $98,798,000,000.
Fiscal year 2007:
(A) New budget authority, $100,245,000,000.
(B) Outlays, $98,893,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $100,241,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $91,744,000,000 for the period of fiscal years 2000 through 2004, and $621,426,000,000 for the period of fiscal years 2000 through 2009; and

AMENDMENT NO. 195

(Purpose: To express the sense of the Senate concerning an increase in the minimum wage)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING AN INCREASE IN THE MINIMUM WAGE.

It is the sense of the Senate that the minimum hourly wage under section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) should be increased by 50 cents on September 1, 1999, and again on September 1, 2000, to bring the minimum hourly wage to $6.15 an hour, and that such section should apply to the Commonwealth of the Northern Mariana Islands.

AMENDMENT NO. 196

(Purpose: To create a reserve fund for medicare prescription drug benefits)

At the end of title II, insert the following:

SEC. ___. RESERVE FUND FOR MEDICARE PRESCRIPTION DRUG BENEFITS.

(a) ADJUSTMENT.—If legislation is considered that modernizes and strengthens the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and includes a benefit under such title providing affordable prescription drug coverage for all medicare beneficiaries, the Chairman of the Committee on the Budget may change committee allocations, revenue aggregates, and spending aggregates if such legislation will not cause an on-budget deficit for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) BUDGETARY ENFORCEMENT.—The revision of allocations and aggregates made under this section shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

AMENDMENT NO. 197

(Purpose: To express the sense of the Senate regarding asset-building for the working poor)

At the end of title III, insert the following:

SEC. ___. SENSE OF SENATE REGARDING ASSET-BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—The Senate finds the following:

(1) 33 percent of all American households 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 incentives, including individual development accounts, are demonstrating success at empowering low-income workers.

(5) Middle and upper income Americans currently benefit from tax incentives for building assets.

(6) The Federal Government should utilize the Federal tax code to provide low-income Americans with incentives to work and build assets in order to escape poverty permanently.

(b) SENSE OF SENATE.—It is the sense of the Senate that the provisions of this resolution assume that Congress should modify the Federal tax law to include provisions which encourage low-income workers and their families to save for buying a first home, starting a business, obtaining an education, or taking other measures to prepare for the future.

AMENDMENT NO. 198

(Purpose: To express the sense of the Senate regarding the need for increased funding for the State Criminal Alien Assistance program in fiscal year 2000)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SCAAP FUNDING.

(a) FINDINGS.—The Senate finds the following:

(1) The Federal Government has the responsibility for ensuring that our Nation's borders are safe and secure.

(2) States and localities, particularly in high immigrant States, face disproportionate costs in implementing our Nation's immigration policies, particularly in the case of incarcerating criminal illegal aliens.

(3) Federal reimbursements have continually failed to cover the actual costs borne by States and localities in incarcerating criminal illegal aliens. In fiscal year 1999, the costs to States and localities for incarcerating criminal aliens reached over $1,700,000,000, but the Federal Government reimbursed States only $585,000,000.

(4) In fiscal year 1998, the State of California spent approximately $577,000,000 for the incarceration and parole supervision of criminal alien felons, but received just $244,000,000 in reimbursements. The State of Texas spent $133,000,000, but the Federal Government provided only a $53,000,000 reimbursement. The State of Arizona incurred $38,000,000 in costs, but only received $15,000,000 in reimbursements. The State of New Mexico incurred $3,000,000 in cost, but only received $1,000,000 in reimbursements.

(5) The current Administration request of $500,000,000 is significantly below last year's Federal appropriation, despite the fact that more aliens are now being detained in State and local jails.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the State Criminal Alien Assistance program budget proposal should increase to $970,000,000 and that the budget resolution appropriately reflects sufficient funds to achieve this objective.

AMENDMENT 199

(Purpose: To help ensure the long-term national security of the United States by budgeting for a robust Defense Science and Technology Program)

At the appropriate place in the bill, insert the following:

"SEC. . BUDGETING FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.

''It is the sense of the Senate that the budgetary levels for National Defense (function 050) for fiscal years 2000 through 2008 assume funding for the Defense Science and Technology program that is consistent with Section 214 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, which expresses a sense of the Congress that for each of those fiscal years it should be an objective of the Secretary of Defense to increase the budget request for the Defense Science and Technology program by at least 2 percent over inflation.''.

Mr. BINGAMAN. Mr. President, I'm very pleased to be joined by Senators from both sides of the aisle in offering this amendment regarding the Defense Science and Technology program. Senators DEWINE, KENNEDY, HUTCHISON, GRAHAM, SANTORUM, SCHUMER, CHAFEE, MOYNIHAN, and LIEBERMAN are all cosponsors, and I thank them for their valuable support.

This sense of the Senate amendment reemphasizes Congressional support for modest but needed increases in the Defense Science and Technology program budget. It reinforces that the Senate, honoring its responsibility for maintaining the long-term strength of our national defense, intends to see that the DoD places a greater priority on this high payoff investment in our national security.

A little background is in order. Technological superiority, coupled with outstanding training, remains a keystone of our military strategy and might. Undergirding that superiority has been the patient, long-term investment we have made in the Defense Science and Technology program—often known around here as ''S&T'' or ''6.1, 6.2, and 6.3'' funding. That investment gave us things like stealth and the advanced information systems that allowed us to totally dominate the battlespace during Desert Storm. It's sometimes said that the S&T of the 60's and 70's was used to fight and win the Gulf War of the 90's, at a relatively low cost of American lives. And, it's worth remembering that each time you use the Internet, you're using the results of Defense S&T.

Yet, despite the widely acknowledged and proven value of Defense S&T, despite the fact that new technology will help us counter the new threats we see emerging, despite the fact that overall Defense spending will significantly increase, the DoD plans to cut and continue cutting S&T. The fiscal 1999 S&T funding is $7.8 billion, whereas the budget request for fiscal 2000 is $7.4 billion, down around 15% in real terms since 1995. Moreover, that request includes the lowest level of S&T by the military services in 22 years. Worse yet, S&T is slated to decline to around $7 billion in constant dollars in the outyears—$1 billion less than the level recommended just last summer by the independent Defense Science Board. To my mind, that is just not consistent with maintaining the long term technological edge of our military.

Now, both Houses of Congress have recognized this problem. Last year, we included in the Strom Thurmond National Defense Authorization Act a sense of the Congress provision, Section 214, calling on the Secretary of Defense to increase the S&T budget request by at least 2% a year over inflation during fiscal 2000 through 2008. That provision was designed to be a flexible way of urging the DoD to place a higher priority on S&T. It contemplated they would plan sensible, gradual increases in S&T, which would reach the Defense Science Board target in real terms by fiscal 2005 or so.

Unfortunately, the DoD may be falling into a classic trap that can catch the best of managers, that of focusing so hard on the short term problems that they shortchange the future. This year's plans continue to show declines for S&T in the outyears, and are largely unchanged from last year's plans.

That's where we come in. The Senate is perhaps uniquely suited to take the long term view, to look after those things that require patience, yet lie at the very foundation of our national security—like Defense S&T. We have the luxury of not being subject to the day to day pressures of DoD managers, but we have the responsibility to make sure they don't shortchange the future.

Hence, this amendment says that within the budgetary levels for National Defense, function 050, we assume the DoD will increase the S&T budget as called for in last year's Defense authorization act. This assumption, in turn, signals that we continue to be very serious about our long term investment in S&T, and will not just let the issue slide. Over time, I believe the DoD will hear our message and begin placing a higher priority on S&T and fix this problem.

Mr. President, I urge my colleagues to join the ten of us and support this amendment.

Mr. HARKIN. Mr. President, in the early seventies, two landmark federal district court cases—PARC v. Commonwealth of Pennsylvania, and Mills v. Board of Education of the District Court of Columbia—established that children with disabilities have a constitutional right to a free appropriate public education.

In 1975, in response to these cases, the Congress enacted PL 94–142, the precursor to IDEA, to help states meet their constitutional obligations.

When we enacted PL 94–142, the Congress authorized the maximum state award as the number of children served under the special education law times 40% of the national average per pupil expenditure.

Congress has fallen far short of this goal. Indeed, in fiscal year 1999, Congress appropriated only 11.7% of the national average per pupil expenditure for Part B of IDEA.

Congress needs to do much more to help school districts meet their constitutional obligations. Indeed, whenever I go home to Iowa, I am besieged by requests for additional federal funding for special education.

These requests increased in intensity following the Supreme Court decision in Cedar Rapids Community School District v. Garrett F. That decision reaffirmed the court's longstanding interpretation that schools must provide those health-related services necessary to allow a child with a disability to remain in school.

This is a terribly important decision, which reaffirms that all children with disabilities have the right to a meaningful education. As Justice Stevens wrote, ''under the statute, [Supreme Court] precedent, and the purpose of the IDEA, the District must fund such ''related services'' in order to help guarantee that students like Garrett are integrated into the public schools.''

The child in this case, Garrett Frey, happens to come from Iowa. He is friendly bright, articulate young man, who is also quadriplegic and ventilator-dependent. Twenty years ago, he probably would have been shunted off to an institution, at a terrible cost to taxpayers. Instead, he is thriving as a high school student, and will most likely go off to college and become a hard-working, tax paying citizen.

An editorial in USA Today summed up the situation well.

> We've learned a lot about the costs of special education over the past 24 years. In addition to the savings realized when children can live at home with their families, we also know there are astronomical costs associated with not educating students with disabilities. Research shows that individuals who did not benefit from IDEA are almost twice as likely to not complete high school, not attend college and not get a job. The bottom line: Providing appropriate special education and related services to children saves government hundreds of thousands of dollars in dependency costs.

The Garrett Frey decision, also underscores the need for Congress to help school districts with the financial costs of educating children with disabilities. While the excess costs of educating some children with disabilities is minimal, the excess costs of educating other children with disabilities, like Garrett, is great.

The pending amendment, of which I am pleased to cosponsor, would take two important steps. First, it would fully fund IDEA at the 40% goals. Secondly, the amendment would provide a mandatory stream of funding for this important program. Finally, the amendment is paid for by taking a portion of the funds set-aside for tax breaks and instead invest those funds in IDEA. Mr. President, my amendment would provide real money to help school districts meet their constitutional obligations. Local school districts should not have to bear the full costs of educating children with disabilities.

Again, the USA Today editorial said it well.

> Let's be clear: The job of educating all our children is no small feat. But kids in special education and kids in ''gifted and talented'' programs are not to blame for tight resources. We, as a nation, must increase our commitment to a system of public education that has the capacity to meet the needs of all children, including children with disabilities.

Of course, in providing increased funding for IDEA, we must make sure we do not do so at the expense of other equally important education programs.

We need to fully fund Head Start so that all children start school ready to learn.

We need to fully fund Title I so that all children get the extra help they need in reading and math.

We need to fully fund Pell Grants so that all students have a chance to go to college.

There are many other important education initiatives, such as reducing class size, improving teacher training, and modernizing our crumbling schools, that will also help children with disabilities.

Finally, I'd like to point out that when we reauthorized IDEA in 1997, we made clear that the cost of serving students with disabilities should fall not just on school districts, but should be shared by all responsive state agencies, including state Medicaid agencies and state health departments. While Garrett does not qualify for any state programs, many children in his situation do, and the school districts can and should avail themselves of that money.

Mr. President, this amendment is about setting rational national priorities. We must make education our nation's top priority since the real threat to our national security is an inability to compete in the global marketplace. We must have the best-educated, most-skilled, healthiest workers in the world to secure our nation's future. Investments in education are essential if we are to reach that goal.

The amendment targets one important area—special education—and fully funds this important program. As an editorial in the March 15 edition of the New York Times explained, ''Educating disabled youngsters is a national responsibility. The expense should be borne on the nation as a whole, not imposed haphazardly on states or financially strapped districts that happen to serve a large number of disabled students.''

By providing these additional resources for special education, we would free up funds both here and in local school districts for other important education priorities. I urge my colleagues to support this important amendment to fully fund IDEA by reducing tax breaks in the budget.

AMENDMENT NO. 200

(Purpose: To allow increased tobacco tax revenues to be used as an offset for the Medicare prescription drug benefit provided for in section 209)

On page 53, line 4, after ''may change committee allocations'' insert '', revenue aggregates for legislation that increases taxes on tobacco or tobacco products (only),''.

AMENDMENT NO. 201

(Purpose: To fund a 40 percent Federal share for the Individuals with Disabilities Education Act, the amendment reduces the resolution's tax cut by nearly one fifth, frees up $43 billion in discretionary spending within Function 500 (in 2001–2009) for other important education programs, and leaves adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools)

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,436,033,000,000.
Fiscal year 2002: $1,466,653,000,000.
Fiscal year 2003: $1,547,102,000,000.
Fiscal year 2004: $1,602,574,000,000.
Fiscal year 2005: $1,666,629,000,000.
Fiscal year 2006: $1,700,594,000,000.
Fiscal year 2007: $1,755,630,000,000.
Fiscal year 2008: $1,826,369,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,614,000,000.
Fiscal year 2002: −$41,623,000,000.
Fiscal year 2003: −$16,216,000,000.
Fiscal year 2004: −$31,574,000,000.
Fiscal year 2005: −$44,267,000,000.
Fiscal year 2006: −$90,119,000,000.
Fiscal year 2007: −$115,770,000,000.
Fiscal year 2008: −$129,840,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,472,665,000,000.
Fiscal year 2002: $1,504,559,000,000.
Fiscal year 2003: $1,578,337,000,000.
Fiscal year 2004: $1,630,879,000,000.
Fiscal year 2005: $1,685,232,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,033,000,000.
Fiscal year 2002: $1,466,653,000,000.
Fiscal year 2003: $1,547,102,000,000.
Fiscal year 2004: $1,599,675,000,000.
Fiscal year 2005: $1,656,798,000,000.
Fiscal year 2006: $1,685,764,000,000.
Fiscal year 2007: $1,735,867,000,000.
Fiscal year 2008: $1,801,549,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $82,920,000,000.
(B) Outlays, $66,174,000,000.
Fiscal year 2002:
(A) New budget authority, $84,377,000,000.
(B) Outlays, $77,532,000,000.
Fiscal year 2003:
(A) New budget authority, $91,158,000,000.
(B) Outlays, $84,618,000,000.
Fiscal year 2004:
(A) New budget authority, $95,249,000,000.
(B) Outlays, $90,059,000,000.
Fiscal year 2005:
(A) New budget authority, $96,853,000,000.
(B) Outlays, $94,261,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $96,345,000,000.
Fiscal year 2007:
(A) New budget authority, $100,245,000,000.
(B) Outlays, $98,103,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $99,961,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $96,028,000,000 for the period of fiscal years 2000 through 2004, and $631,461,000,000 for the period of fiscal years 2000 through 2009; and

AMENDMENT NO. 202

(Purpose: To express the Sense of the Senate regarding funding for embassy security)

At the appropriate place in the bill, insert the following new section:

SEC. . SENSE OF THE SENATE ON IMPORTANCE OF FUNDING FOR EMBASSY SECURITY.

(a) FINDINGS.—The Senate finds that—

(1) Enhancing security at U.S. diplomatic missions overseas is essential to protect U.S. government personnel serving on the front lines of our national defense;

(2) 80 percent of U.S. diplomatic missions do not meet current security standards;

(3) the Accountability Review Boards on the Embassy Bombings in Nairobi and Dar es Salaam recommended that the Department of State spend $1.4 billion annually on embassy security over each of the next ten years;

(4) the amount of spending recommended for embassy security by the Accountability Review Boards is approximately 36 percent of the operating budget requested for the Department of State in Fiscal Year 2000; and

(5) the funding requirements necessary to improve security for United States diplomatic missions and personnel abroad cannot be borne within the current budgetary resources of the Department of State;

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the budgetary levels in this budget resolution assume that as the Congress contemplates changes in the Congressional Budget Act of 1974 to reflect projected on-budget surpluses, provisions similar to those set forth in Section 314(b) of that Act should be considered to ensure adequate funding for enhancements to the security of U.S. diplomatic missions.

AMENDMENT NO. 203

(Purpose: To allow for the creation of a mandatory fund for medical research under the authority of the National Institutes of Health fully funded through a tax provision providing that certain funds provided by tobacco companies to states or local governments in connection with tobacco litigation or settlement shall not be deductible)

Page 3, line 9: reduce the figure by $1,400,000,000.
Page 3, line 10: reduce the figure by $1,400,000,000.
Page 3, line 11: reduce the figure by $1,400,000,000.
Page 3, line 12: reduce the figure by $1,400,000,000.
Page 3, line 13: reduce the figure by $1,400,000,000.
Page 3, line 14: reduce the figure by $1,400,000,000.
Page 3, line 15: reduce the figure by $1,400,000,000.
Page 3, line 16: reduce the figure by $1,400,000,000.
Page 3, line 17: reduce the figure by $1,400,000,000.
Page 3, line 18: reduce the figure by $1,400,000,000.
Page 4, line 4: change the figure to read −$1,400,000,000.
Page 4, line 5: reduce the figure by $1,400,000,000.
Page 4, line 6: reduce the figure by $1,400,000,000.
Page 4, line 7: reduce the figure by $1,400,000,000.
Page 4, line 8: reduce the figure by $1,400,000,000.
Page 4, line 9: reduce the figure by $1,400,000,000.
Page 4, line 10: reduce the figure by $1,400,000,000.
Page 4, line 11: reduce the figure by $1,400,000,000.
Page 4, line 12: reduce the figure by $1,400,000,000.
Page 4, line 13: reduce the figure by $1,400,000,000.
Page 4, line 17: increase the figure by $1,400,000,000.
Page 4, line 18: increase the figure by $1,400,000,000.
Page 4, line 19: increase the figure by $1,400,000,000.
Page 4, line 20: increase the figure by $1,400,000,000.
Page 4, line 21: increase the figure by $1,400,000,000.
Page 4, line 22: increase the figure by $1,400,000,000.
Page 4, line 23: increase the figure by $1,400,000,000.
Page 4, line 24: increase the figure by $1,400,000,000.
Page 4, line 25: increase the figure by $1,400,000,000.
Page 5, line 1: increase the figure by $1,400,000,000.
Page 5, line 5: increase the figure by $1,400,000,000.
Page 5, line 6: increase the figure by $1,400,000,000.
Page 5, line 7: increase the figure by $1,400,000,000.
Page 5, line 8: increase the figure by $1,400,000,000.
Page 5, line 9: increase the figure by $1,400,000,000.
Page 5, line 10: increase the figure by $1,400,000,000.
Page 5, line 11: increase the figure by $1,400,000,000.
Page 5, line 12: increase the figure by $1,400,000,000.
Page 5, line 13: increase the figure by $1,400,000,000.
Page 5, line 14: increase the figure by $1,400,000,000.
Page 25, line 7: increase the figure by $1,400,000,000.
Page 25, line 8: increase the figure by $1,400,000,000.
Page 25, line 11: increase the figure by $1,400,000,000.
Page 25, line 12: increase the figure by $1,400,000,000.
Page 25, line 15: increase the figure by $1,400,000,000.

Page 25, line 16: increase the figure by $1,400,000,000.

Page 25, line 19: increase the figure by $1,400,000,000.

Page 25, line 20: increase the figure by $1,400,000,000.

Page 25, line 23: increase the figure by $1,400,000,000.

Page 25, line 24: increase the figure by $1,400,000,000.

Page 26, line 2: increase the figure by $1,400,000,000.

Page 26, line 3: increase the figure by $1,400,000,000.

Page 26, line 6: increase the figure by $1,400,000,000.

Page 26, line 7: increase the figure by $1,400,000,000.

Page 26, line 10: increase the figure by $1,400,000,000.

Page 26, line 11: increase the figure by $1,400,000,000.

Page 26, line 14: increase the figure by $1,400,000,000.

Page 26, line 15: increase the figure by $1,400,000,000.

Page 26, line 18: increase the figure by $1,400,000,000.

Page 26, line 19: increase the figure by $1,400,000,000.

AMENDMENT NO. 204

(Purpose: To extend the Violent Crime Reduction Trust Fund)

At the end of title II, insert the following:

SEC. ____. EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.

(a) DISCRETIONARY LIMITS.—In the Senate, in this section, and for the purposes of allocations made for the discretionary category pursuant to section 302(a) of the Congressional Budget Act of 1974—

(1) with respect to fiscal year 2001—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,025,000,000 in new budget authority and $5,718,000,000 in outlays;

(2) with respect to fiscal year 2002—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,169,000,000 in new budget authority and $6,020,000,000 in outlays; and

(3) with respect to fiscal year 2003—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,316,000,000 in new budget authority and $6,161,000,000 in outlays;

(4) with respect to fiscal year 2004—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,458,000 in new budget authority and $6,303,000,000 in outlays; and

(5) with respect to fiscal year 2005—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,616,000 in new budget authority and $6,452,000,000 in outlays;

as adjusted in strict conformance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 314 of the Congressional Budget Act of 1974.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

(A) a revision of this resolution or any concurrent resolution on the budget for any of the fiscal years 2000 through 2005 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the discretionary spending limit or limits for such fiscal year; or

(B) any bill or resolution (or amendment, motion, or conference report on such bill or resolution) for any of the fiscal years 2000 through 2005 that would cause any of the limits in this section (or suballocations of the discretionary limits made pursuant to section 302(b) of the Congressional Budget Act of 1974) to be exceeded.

(2) EXCEPTION.—This section shall not apply if a declaration of war by Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, revenues, and deficits for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

AMENDMENT NO. 205

(Purpose: to allow for a tax cut for working families that could be provided immediately, before enactment of Social Security reform would make on-budget surpluses available as an offset)

On page 46, after line 10, add a new subsection (c) that reads as follows:

(c) LIMITATION.—This reserve fund will only be available for the following types of tax relief:

(1) Tax relief to help working families afford child care, including assistance for families with a parent staying out of the workforce in order to care for young children;

(2) Tax relief to help individuals and their families afford the expense of long-term health care;

(3) Tax relief to ease the tax code's marriage penalties on working families;

(4) Any other individual tax relief targeted exclusively for families in the bottom 90 percent of the family income distribution;

(5) The extension of the Research and Experimentation tax credit, the Work Opportunity tax credit, and other expiring tax provisions, a number of which are important to help American businesses compete in the modern international economy and to help bring the benefits of a strong economy to disadvantaged individuals and communities; and,

(6) Tax incentives to help small businesses offer pension plans to their employees, and other proposals to increase pension access, portability, and security.

Mr. ROBB. Mr. President, I rise to offer an amendment to strike section 204 of the budget resolution, as well as the reconciliation instructions to cut taxes by $778 billion over the next 10 years without offsetting their costs.

I move to eliminate these provisions because they strike at the very heart of the fiscal discipline that has brought about the first unified balanced budget in 30 years.

In 1993, in President Clinton's first budget, we introduced a new pay-as-you-go rule in the Senate. This rule provided for a 60-vote point of order in the Senate against legislation that would increase the deficit over 10 years. That has served to keep the Senate and the Congress on a course of fiscal responsibility by requiring Congress to pay for any changes in revenues or direct spending.

The budget resolution before us, however, abandons the pay-go rule and allows Congress to spend the projected onbudget surpluses without offsetting their costs.

While supporters of this language promote this as a simple clarification of existing principles, arguing the pay-go rules were not to apply in times of onbudget surpluses, the Congressional Budget Office disagrees.

In my judgment, it would be irresponsible to abandon the very pay-go rules that brought us to this point when we still face a $3.7 trillion debt held by the public, and a total debt of over $5.5 trillion.

But, Mr. President, regardless of one's views on whether these rules were meant to apply in our current fiscal circumstances, I believe it is in our interest not to abandon the pay-go rules at this time. They have been instrumental in imposing fiscal discipline on this body, something that has been sorely lacking in previous years.

Paying for new spending or new tax cuts forces legislators to make tough choices. If we abandon this rule, we are saying, in effect, we don't have to make tough choices anymore. And that is particularly troubling when we make long-term decisions based only on projections, as we do today.

Mr. President, those who support this change are using it to pass a tax cut that would otherwise be subject to a point of order under the current pay-go rules. But I want to ask our colleagues, which is the more fiscally conservative position? Supporters of this new language may think of themselves as fiscal conservatives. In my view, the fiscally conservative position demands paying for other priorities and using the total surplus, not just the off-budget surplus, to pay down the publicly held debt.

By ridding ourselves of this debt, we dramatically increase our flexibility to

solve some of our long-term funding challenges in Social Security and Medicare.

The budget resolution before us is short shrift to Social Security and Medicare by abandoning the pay-go rules and using the onbudget surplus for tax cuts. Once again, it puts short-term political interests ahead of long-term planning. As long as the only window we are looking through faces the next election rather than our economic strength in the next century, we will continue to put our focus on feel-good tax cuts at the expense of preparing for the future of Social Security and Medicare.

Bottom line, Mr. President, the responsible position is to maintain the current budget rules and pay down the debt, and that is the proposition that Americans support.

We have a responsibility to the next generation to reduce the debt that clouds our Nation's future prosperity, and the way to remove that debt is to stick to the pay-go rules that have served us so well.

With this amendment, cosponsored by Senator GRAHAM of Florida, we will keep the pay-go rules, we will pay off the debt, and we will ensure that any tax cut doesn't threaten to plunge us back into the large deficits from which we have so recently been delivered.

With that, Mr. President, I yield back any time remaining. I thank the Senator from New Jersey.

The PRESIDING OFFICER. Who seeks recognition?

Mr. DOMENICI. Is it in order for the Senator to submit the Republican amendments?

The PRESIDING OFFICER. It is in order.

AMENDMENTS NOS. 206 THROUGH 243, EN BLOC

Mr. DOMENICI. Mr. President, I want to inform the Senate that the timeline runs out on the resolution—because votes count and everything now—at 7 o'clock. Here are 36 amendments that Republicans have asked me to send to the desk.

The PRESIDING OFFICER. They will be received at the desk.

The amendments are as follows:

AMENDMENT NO. 206

(Purpose: To provide the Sense of the Senate regarding support for Federal, State and local law enforcement, and for the Violent Crime Reduction Trust Fund)

At the appropriate place, insert the following:

"SEC. . SENSE OF THE SENATE REGARDING SUPPORT FOR FEDERAL, STATE AND LOCAL LAW ENFORCEMENT AND FOR THE VIOLENT CRIME REDUCTION TRUST FUND.

''(a) FINDINGS.—the Senate finds that:—

''(1) Our Federal, State and local law enforcement officers provide essential services that preserve and protect our freedom and safety, and with the support of federal assistance such as the Local Law Enforcement Block Grant Program, the Juvenile Accountability Incentive Block Grant Program, the COPS Program, and the Byrne Grant Program, state and local law enforcement officers have succeeded in reducing the national scourge of violent crime, illustrated by a violent crime rate that has dropped in each of the past four years;

''(2) Assistance, such as the Violent Offender Incarceration/Truth in Sentencing Incentive Grants, provided to State corrections systems to encourage truth in sentencing laws for violent offenders has resulted in longer time served by violent criminals and safer streets for law abiding people across the Nation;

''(3) Through a comprehensive effort by state and local law enforcement to attack violence against women, in concert with the efforts of dedicated volunteers and professionals who provide victim services, shelter, counseling and advocacy to battered women and their children, important strides have been made against the national scourge of violence against women.

''(4) Despite recent gains, the violent crime rate remains high by historical standards;

''(5) Federal efforts to investigate and prosecute international terrorism and complex interstate and international crime are vital aspects of a National anticrime strategy, and should be maintained;

''(6) The recent gains by Federal, State and local law enforcement in the fight against violent crime and violence against women are fragile, and continued financial commitment from the Federal Government for funding and financial assistance is required to sustain and build upon these gains; and

''(7) The Violent Crime Reduction Trust Fund, enacted as a part of the Violent Crime Control and Law Enforcement Act of 1994, funds the Violent Crime Control and Law Enforcement Act of 1994, the Violence Against Women Act of 1994, and the Antiterrorism and Effective Death Penalty Act of 1996, without adding to the federal budget deficit.

''(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions and the functional totals underlying this resolution assume that the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts to combat violent crime, such as the Local Law Enforcement Block Grant Program, the Juvenile Accountability Incentive Block Grant Program, the Violent Offender Incarceration/Truth in Sentencing Incentive Grants Program, the Violence Against Women Act, the COPS Program, and the Byrne Grant Program, shall be maintained, and that funding for the Violent Crime Reduction Trust Fund shall continue to at least fiscal year 2005.''

AMENDMENT NO. 207

(Purpose: To ensure a rational adjustment to merger notification thresholds for small business and to ensure adequate funding for Antitrust Division of the Department of Justice)

At the appropriate place, insert the following new section:

"SEC. . SENSE OF THE SENATE ON MERGER ENFORCEMENT BY DEPARTMENT OF JUSTICE.

''(a) FINDINGS.—Congress finds that—

''(1) the Antitrust Division of the Department of Justice is charged with the civil and criminal enforcement of the antitrust laws, including review of corporate mergers likely to reduce competition in particular markets, with a goal to promote and protect the competitive process;

''(2) the Antitrust Division requests a 16 percent increase in funding for fiscal year 2000;

''(3) justification for such an increase is based, in part, on increasingly numerous and complex merger filings pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976;

''(4) the Hart-Scott-Rodino Antitrust Improvements Act of 1976 sets value thresholds which trigger the requirement for filing premerger notification;

''(5) the number of merger filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which the Department, in conjunction with the Federal Trade Commission, is required to review, increased by 38 percent in fiscal year 1998;

''(6) the Department expects the number of merger filings to increase in fiscal years 1999 and 2000;

''(7) the value thresholds, which relate to both the size of the companies involved and the size of the transaction, under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 have not been adjusted since passage of that Act.

''(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the Antitrust Division needs adequate resources and that the levels in this resolution assume the Division will have such adequate resources, including necessary increases, notwithstanding any report language to the contrary, to enable it to meet its statutory requirements, including those related to reviewing and investigating increasingly numerous and complex mergers, but that Congress should pursue consideration of modest, budget neutral, adjustments to the Hart-Scott-Rodino Antitrust Improvements Act of 1976 to account for inflation in the value thresholds of the Act, and in so doing, ensure that the Antitrust Division's resources are focused on matters and transactions most deserving of the Division's attention.

AMENDMENT NO. 208

(Purpose: To express the Sense of the Senate that the Marriage Penalty should be eliminated and the marginal income tax rates should be uniformly reduced)

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE ON ELIMINATING THE MARRIAGE PENALTY AND ACROSS THE BOARD INCOME TAX RATE CUTS.

(a) FINDINGS.—The Senate finds that—

(1) The institution of marriage is the cornerstone of the family and civil society;

(2) Strengthening of the marriage commitment and the family is an indispensable step in the renewal of America's culture;

(3) The Federal income tax punishes marriage by imposing a greater tax burden on married couples than on their single counterparts:

(4) America's tax code should give each married couple the choice to be treated as one economic unit, regardless of which spouse earns the income; and

(5) All American taxpayers are responsible for any budget surplus and deserve broad-based tax relief after the Social Security Trust fund has been protected.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should eliminate the marriage penalty in a manner that treats all married couples equally, regardless of which spouse earns the income; and

(2) Congress should implement an equal, across the board reduction in each of the current federal income tax rates as soon as there is a non-Social Security surplus.

AMENDMENT NO. 209

(Purpose: To express the sense of the Senate that the Internal Revenue Code of 1986 needs comprehensive reform)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE REGARDING REFORM OF THE INTERNAL REVENUE CODE OF 1986.

(a) FINDINGS.—The Senate finds that—

(1) the Internal Revenue Code of 1986 (referred to in this section as the ''tax code'') is unnecessarily complex and burdensome, consisting of 2,000 pages of tax code, and resulting in 12,000 pages of regulations and 200,000 pages of court proceedings;

(2) the complexity of the tax code results in taxpayers spending approximately 5,400,000,000 hours and $200,000,000,000 on tax compliance each year;

(3) the impact of the complexity of the tax code is inherently inequitable, rewarding taxpayers which hire professional tax preparers and penalizing taxpayers which seek to comply with the tax code without professional assistance;

(4) the percentage of the income of an average family of four that is paid for taxes has grown significantly, comprising nearly 40 percent of the family's earnings, a percentage which represents more than a family spends in the aggregate on food, clothing, and housing;

(5) the total amount of Federal, State, and local tax collections in 1998 increased approximately 5.7 percent over such collections in 1997;

(6) the tax code penalizes saving and investment by imposing tax on these important activities twice while promoting consumption by only taxing income used for consumption once;

(7) the tax code stifles economic growth by discouraging work and capital formation through high tax rates;

(8) Congress and the President have found it necessary on several occasions to enact laws to protect taxpayers from abusive actions and procedures of the Internal Revenue Service in enforcement of the tax code; and

(9) the complexity of the tax code is largely responsible for the growth in size of the Internal Revenue Service.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) the Internal Revenue Code of 1986 needs comprehensive reform; and

(2) Congress should move expeditiously to consider comprehensive proposals to reform the Internal Revenue Code of 1986.

AMENDMENT NO. 210

(Purpose: To express the sense of the Senate that the additional tax incentives should be provided for education savings)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE REGARDING TAX INCENTIVES FOR EDUCATION SAVINGS.

(a) FINDINGS.—The Senate finds that—

(1) families in the United States have accrued more college debt in the 1990s than during the previous 3 decades combined; and

(2) families should have every resource available to them to meet the rising cost of higher education.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that additional tax incentives should be provided for education savings, including—

(1) excluding from gross income distributions from qualified State tuition plans; and

(2) providing a tax deferral for private prepaid tuition plans in years 2000 through 2003 and excluding from gross income distributions from such plans in years 2004 and after.

AMENDMENT NO. 211

(Purpose: Expressing the Sense of the Senate regarding the Davis-Bacon Act)

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE REGARDING DAVIS-BACON.

It is the Sense of the Senate that in carrying out the assumptions in this budget resolution, the Senate will consider reform of the Davis-Bacon Act as an alternative to repeal.

AMENDMENT NO. 212

(Purpose: Expressing the Sense of the Senate regarding reauthorization of the Farmland Protection Program)

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE THAT THE 106TH CONGRESS, 1ST SESSION SHOULD REAUTHORIZE FUNDS FOR THE FARMLAND PROTECTION PROGRAM.

(a) FINDINGS.—The Senate makes the following findings—

(1) Nineteen states and dozens of localities have spent nearly $1 billion to protect over 600,000 acres of important farmland;

(2) The Farmland Protection Program has provided cost-sharing for nineteen states and dozens of localities to protect over 123,000 acres on 432 farms since 1996;

(3) The Farmland Protection Program has generated new interest in saving farmland in communities around the country;

(4) The Farmland Protection Program represents an innovative and voluntary partnership, rewards local ingenuity, and supports local priorities;

(5) The Farmland Protection Program is a matching grant program that is completely voluntary in which the federal government does not acquire the land or easement;

(6) Funds authorized for the Farmland Protection Program were expended at the end of Fiscal Year 1998, and no funds were appropriated in Fiscal Year 1999;

(7) The United States is losing two acres of our best farmland to development every minute of every day;

(8) These lands produce three quarters of the fruits and vegetables and over one half of the dairy in the United States;

(b) SENATE OF THE SENATE.—It is the sense of the Senate that the functional totals contained in this resolution assume that the 106th Congress, 1st Session will reauthorize funds for the Farmland Protection Program.

AMENDMENT NO. 213

(Purpose: To express the sense of the Senate regarding support for State and local law enforcement)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING SUPPORT FOR STATE AND LOCAL LAW ENFORCEMENT.

(a) FINDINGS.—The Senate finds that—

(1) the President's budget request for fiscal year 2000 proposes significant reductions in Federal support for State and local law enforcement efforts to combat crime by eliminating more than $1,000,000,000 from State and local law enforcement programs that directly support the Nation's communities, including—

(A) zero funding for Local Law Enforcement Block Grants, for which $523,000,000 was made available for fiscal year 1999;

(B) a reduction from the amount made available for fiscal year 1999 of $645,000,000 for State prison grants (including Violent Offender Incarceration Grants and Truth-in-Sentencing Incentive Grants);

(C) a reduction from the amount made available for fiscal year 1999 of more than $85,000,000 from the State Criminal Alien Incarceration Program, which reimburses States for the incarceration of illegal aliens;

(D) a reduction in funding for the popular Byrne grant program under part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968; and

(E) elimination of funding for Juvenile Accountability Block Grants, which have provided $500,000,000 over the last 2 years to communities attempting to control the plague of youth violence;

(2) as national crime rates are beginning to fall as a result of State and local efforts, with Federal support, it is unwise to ignore the responsibility of the Federal Government to communities still overwhelmed by crime;

(3) Federal support is crucial to the provision of critical crime fighting services and the effective administration of justice in the States, such as the approximately 600 qualified State and local crime laboratories and medical examiners' offices, which deliver over 90 percent of the forensic services in the United States;

(4) dramatic increases in crime rates over the last decade have generally exceeded the capacity of State and local crime laboratories to process their forensic examinations, resulting in tremendous backlogs that prevent the swift administration of justice and impede fundamental individual rights, such as the right to a speedy trial and to exculpatory evidence;

(5) last year, Congress passed the Crime Identification Technology Act of 1998, which authorizes $250,000,000 each year for 5 years to assist State and local law enforcement agencies in integrating their anticrime technology systems into national databases, and in upgrading their forensic laboratories and information and communications infrastructures upon which these crime fighting systems rely; and

(6) the Federal Government must continue efforts to significantly reduce crime by at least maintaining Federal funding for State and local law enforcement, and wisely targeting these resources.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the amounts made available for fiscal year 2000 to assist State and local law enforcement efforts will be—

(A) greater than the amounts proposed in the President's budget request for fiscal year 2000; and

(B) comparable to amounts made available for that purpose for fiscal year 1999;

(2) the amounts made available for fiscal year 2000 for crime technology programs should be used to further the purposes of the program under section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); and

(3) Congress should consider legislation that specifically addresses the backlogs in State and local crime laboratories and medical examiners' offices.

AMENDMENT NO. 214

(Purpose: To express the sense of the Senate that funding for Federal drug control activities should be at a level higher than that proposed in the President's budget request for fiscal year 2000)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING FUNDING FOR COUNTER-NARCOTICS INITIATIVES.

(a) FINDINGS.—The Senate finds that—

(1) from 1985–1992, the Federal Government's drug control budget was balanced among education, treatment, law enforcement, and international supply reduction activities and this resulted in a 13-percent reduction in total drug use from 1988 to 1991;

(2) since 1992, overall drug use among teens aged 12 to 17 rose by 70 percent, cocaine and marijuana use by high school seniors rose 80 percent, and heroin use by high school seniors rose 100 percent;

(3) during this same period, the Federal investment in reducing the flow of drugs outside our borders declined both in real dollars and as a proportion of the Federal drug control budget;

(4) while the Federal Government works with State and local governments and numerous private organizations to reduce the demand for illegal drugs, seize drugs, and break down drug trafficking organizations within our borders, only the Federal Government can seize and destroy drugs outside of our borders;

(5) in an effort to restore Federal international eradication and interdiction efforts, in 1998, Congress passed the Western Hemisphere Drug Elimination Act which authorized an additional $2,600,000,000 over 3 years for international interdiction, eradication, and alternative development activities;

(6) Congress appropriated over $800,000,000 in fiscal year 1999 for anti-drug activities authorized in the Western Hemisphere Drug Elimination Act;

(7) the President's Budget Request for fiscal year 2000 would invest $100,000,000 less than what Congress appropriated in fiscal year 1999;

(8) the President's Budget Request for fiscal year 2000 contains no funding for the Western Hemisphere Drug Elimination Act's top 5 priorities, namely, including funds for an enhanced United States Customs Service air interdiction program, counter-drug intelligence programs, security enhancements for our United States-Mexico border, and a promising eradication program against coca, opium, poppy, and marijuana; and

(9) the proposed Drug Free Century Act would build upon many of the initiatives authorized in the Western Hemisphere Drug Elimination Act, including additional funding for the Department of Defense for counter-drug intelligence and related activities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) funding for Federal drug control activities should be at a level higher than that proposed in the President's budget request for fiscal year 2000; and

(2) funding for Federal drug control activities should allow for investments in programs authorized in the Western Hemisphere Drug Elimination Act and in the proposed Drug Free Century Act.

AMENDMENT NO. 215

(Purpose: To express the sense of the Senate concerning resources for autism research through the National Institutes of Health and the Centers for Disease Control and Prevention)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING AUTISM.

(a) FINDINGS.—Congress makes the following findings:

(1) Infantile autism and autism spectrum disorders are biologically-based neurodevelopmental diseases that cause severe impairments in language and communication and generally manifest in young children sometime during the first two years of life.

(2) Best estimates indicate that 1 in 500 children born today will be diagnosed with an autism spectrum disorder and that 400,000 Americans have autism or an autism spectrum disorder.

(3) There is little information on the prevalence of autism and other pervasive developmental disabilities in the United States. There have never been any national prevalence studies in the United States, and the two studies that were conducted in the 1980s examined only selected areas of the country. Recent studies in Canada, Europe, and Japan suggest that the prevalence of classic autism alone may be 300 percent to 400 percent higher than previously estimated.

(4) Three quarters of those with infantile autism spend their adult lives in institutions or group homes, and usually enter institutions by the age of 13.

(5) The cost of caring for individuals with autism and autism spectrum disorder is great, and is estimated to be $13.3 billion per year solely for direct costs.

(6) The rapid advancements in biomedical science suggest that effective treatments and a cure for autism are attainable if—

(A) there is appropriate coordination of the efforts of the various agencies of the Federal Government involved in biomedical research on autism and autism spectrum disorders;

(B) there is an increased understanding of autism and autism spectrum disorders by the scientific and medical communities involved in autism research and treatment; and

(C) sufficient funds are allocated to research.

(7) The discovery of effective treatments and a cure for autism will be greatly enhanced when scientists and epidemiologists have an accurate understanding of the prevalence and incidence of autism.

(8) Recent research suggests that environmental factors may contribute to autism. As a result, contributing causes of autism, if identified, may be preventable.

(9) Finding the answers to the causes of autism and related developmental disabilities may help researchers to understand other disorders, ranging from learning problems, to hyperactivity, to communications deficits that affect millions of Americans.

(10) Specifically, more knowledge is needed concerning—

(A) the underlying causes of autism and autism spectrum disorders, how to treat the underlying abnormality or abnormalities causing the severe symptoms of autism, and how to prevent these abnormalities from occurring in the future;

(B) the epidemiology of, and the identification of risk factors for, infantile autism and autism spectrum disorders;

(C) the development of methods for early medical diagnosis and functional assessment of individuals with autism and autism spectrum disorders, including identification and assessment of the subtypes within the autism spectrum disorders, for the purpose of monitoring the course of the disease and developing medically sound strategies for improving the outcomes of such individuals;

(D) existing biomedical and diagnostic data that are relevant to autism and autism spectrum disorders for dissemination to medical personnel, particularly pediatricians, to aid in the early diagnosis and treatment of this disease; and

(E) the costs incurred in educating and caring for individuals with autism and autism spectrum disorders.

(11) In 1998, the National Institutes of Health announced a program of research on autism and autism spectrum disorders. A sufficient level of funding should be made available for carrying out the program.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying this resolution assume that additional resources will be targeted towards autism research through the National Institutes of Health and the Centers for Disease Control and Prevention.

AMENDMENT NO. 216

(Purpose: To express the sense of the Senate regarding the potential impact of the amendments to the medicare program contained in the Balanced Budget Act on access to items and services under such program)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING ACCESS TO ITEMS AND SERVICES UNDER MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) Total hospital operating margins with respect to items and services provided to medicare beneficiaries are expected to decline from 4.3 percent in fiscal year 1997 to 0.1 percent in fiscal year 1999.

(2) Total operating margins for small rural hospitals are expected to decline from 4.2 percent in fiscal year 1998 to negative 5.6 percent in fiscal year 2002, a 233 percent decline.

(3) The Congressional Budget Office recently has estimated that the amount of savings to the medicare program in fiscal years 1998 through 2002 by reason of the amendments to that program contained in the Balanced Budget Act of 1997 is $88,500,000 more than the amount of savings to the program by reason of those amendments that the Congressional Budget Office estimated for those fiscal years immediately prior to the enactment of that Act.

(b) SENSE OF SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume that the Senate should—

(1) consider whether the amendments to the medicare program contained in the Balanced Budget Act of 1997 have had an adverse impact on access to items and services under that program; and

(2) if it is determined that additional resources are available, additional budget authority and outlays shall be allocated to address the unintended consequences of change in medicare program policy made by the Balanced Budget Act, including inpatient and outpatient hospital services, to ensure fair and equitable access to al items and services under the program.

AMENDMENT NO. 217

(Purpose: To express the sense of the Senate that the budget process should require truth-in-budgeting with respect to the on-budget trust funds)

At the end of title III, add the following:

SEC. ___. HONEST REPORTING OF THE DEFICIT.

It is the sense of the Senate that the levels in this resolution assume the following:

(1) IN GENERAL.—Effective for fiscal year 2001, the President's budget and the budget report of CBO required under section 202(e) of the Congressional Budget Act of 1974 and the concurrent resolution on the budget should include—

(A) the receipts and disbursements totals of the on-budget trust funds, including the

projected levels for at least the next 5 fiscal years; and

(B) the deficit or surplus excluding the on-budget trust funds, including the projected levels for at least the next 5 fiscal years.

(2) ITEMIZATION.—Effective for fiscal year 2001, the President's budget and the budget report of CBO required under section 202(e) of the Congressional Budget Act of 1974 should include an itemization of the on-budget trust funds for the budget year, including receipts, outlays, and balances.

AMENDMENT NO. 218

(Purpose: Relating to the international affairs budget)

At the appropriate place in the concurrent resolution, insert the following:

SEC. ___. INTERNATIONAL AFFAIRS BUDGET.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Administration has attacked the Senate budget resolution which stays within the caps set in the Balanced Budget Agreement reached with the President in 1997. The Administration accuses the Senate of taking a ''meat axe'' to American leadership, and placing a ''foreign policy straitjacket'' on the United States. In fact, the fiscal year 2000 budget continues to fund programs and projects that advance United States interests, while eliminating funding for wasteful or duplicative programs and activities.

(2) The Administration claims that the Senate resolution would cut funds for international affairs in fiscal year 2000 by 15.3 percent. The reality is that the reduction is a five percent decrease from spending in fiscal year 1999. Much of the decrease is a result of savings from reductions assumed by the President in his budget: the President assumes savings from ''one time costs'' in the fiscal year 1999 budget, as well as fiscal year 2000 budget reductions for OPIC, P.L. 480 Programs, and historic levels of foreign assistance to Israel and Egypt . When adjusted for arrearages, the Senate Resolution is only a decrease of $.9 billion in budget authority and $.02 billion in outlays from the fiscal year 1999 levels.

(3) The Administration threatens the budget will hinder consular services and abandon our citizens who travel abroad and leave them to fend for themselves. The reality is that most consular services today are supplemented heavily by machine readable visa, expedited passport, and other fees. The State Department is able to retain these fees due to congressional authorization for the retention of these fees rather then returning them to the general fund of the Treasury. Due to this authority, in fiscal year 2000, the State Department expects to have at least $374,000,000 to expend from fee collections. These funds are in addition to the budget authority provided by the Senate budget resolution.

(4) The Administration argues that this budget will pull the plug on U.S. contributions to UNICEF and Child Survival. In fact, the United States provided more than $122,000,000 or 27 percent of all UNICEF funding in 1997, according to the State Department's most recent statistics (of course, this does not include private donations of United States citizens). At the same time, the United States Agency for International Development is requesting a funding increase of $119,000,000 for development assistance and $15,000,000 for operating expenses even as the General Accounting Office reports that the Agency for International Development cannot explain how its programs are performing or whether they are achieving their intended goals.

(5) The Administration argues that this budget will reduce the United States commitment to the war on drugs. In fiscal year 1999, Congress appropriated funds for drug interdiction programs far exceeding the Administration's request; moreover, the comprehensive Western Hemisphere Drug Elimination Act enacted in October 1998 authorizes nearly $1,000,000,000 in new funds, equipment, and technology to correct the dangerous imbalance in the Administration's anti-drug strategy that has underfunded and continues to underfund interdiction programs. (The President's fiscal year 2000 budget continues to short-change anti-drug activities by the Customs Service and the Coast Guard.)

(6) The Administration argues that this budget will erode support for peace in the Middle East, Bosnia, and Northern Ireland. However, funding for peacekeeping continues to skyrocket. However, the cost of peacekeeping has become a burden on the 050 defense budget rather than the 150 foreign affairs budget since the failure of the United Nations mission in Bosnia. Last year, the United States expended $4,277,500,000 on peacekeeping and related activities in Bosnia, Iraq, other Middle East peacekeeping, and in Africa. This amount does not include funds for humanitarian and development activities.

(7) The Administration argues that this budget will force the United States to close its embassies and turn its back on American interests. The budget will instead force the Executive branch to take on greater cost-based decisionmaking. According to the General Accounting Office, ''more needs to be done to create a well-tuned platform for conducting foreign affairs. Achieving this goal will require the State Department to make a strong commitment to management improvement, modernization, and 'cost-based' decisionmaking.'' The General Accounting Office reports that ''one of State's long-standing shortcomings has been the absence of an effective financial management system that can assist managers in making 'cost-based' decisions.''

(8) Prior to the start of fiscal year 2000, the United States Information Agency and the Arms Control and Disarmament Agency will be integrated into the State Department. In addition the Secretary of State will have more direct oversight over the Agency for International Development, and certain functions of that agency will be merged into the State Department. To date, no savings have been identified as a result of this merger. The General Accounting Office identifies potential areas for reduction of duplication as a result of integration in the areas of legal affairs, congressional liaison, press and public affairs, and management. In addition the General Accounting Office notes that in the State Department strategic plan, it has not adequately reviewed overlapping issues performed by State Department functional bureaus and other United States agencies.

(b) SENSE OF SENATE.—It is the sense of the Senate that the budget levels of this resolution assume that enactment of the Foreign Affairs Reform and Restructuring Act of 1998 provides a unique opportunity for the State Department to achieve management improvements and cost reductions, and that:

(1) The Senate believes that savings can be achieved by simply eliminating wasteful and duplicative programs, not the programs cited by the Administration, which generally receive broad bipartisan support. Just a few abuses that could be eliminated to achieve reductions include the following:

(A) $25,000,000 for UNFPA while UNFPA works hand-in-glove with the brutal Communist Chinese dictators to abuse women and children under the coercive one-child-per-family population control policy.

(B) $35,000,000 for the Inter-American Foundation, which funded groups in Ecuador clearly identified by the State Department as terrorist organizations that kidnaped Americans and threatened their lives, as well as the lives and safety of other United States citizens, while extorting money from them.

(C) $105,000,000 proposed for Haiti, which has abandoned democracy in favor of dictatorship and where United States taxpayer funds have been used, according to the International Planned Parenthood Federation's annual report, for ''a campaign to reach voodoo followers with sexual and reproductive health information, by performing short song-prayers about STDs [sexually transmitted diseases] and the benefits of family planning during voodoo ceremonies''.

(D) $60,000,000 over ten years to the American Center for International Labor Solidarity (ACILS), which is AFL-CIOs international nongovernment division. 100% of ACILS's funding is from taxpayers while AFL-CIO contributed $40,956,828 exclusively to Democratic candidates in the 1998 Federal election cycle.

(E) In fiscal year 1999, $200,000 in foreign aid to Canada to underwrite seminars on gender sensitivity for peacekeepers.

(F) In fiscal year 1999, the United States provided the International Labor Organization with $54,774,408. Work produced by that organization included a report advocating recognition of the sex trade as a flourishing economic enterprise and called for recognition of the trade in official statistics.

(G) According to the General Accounting Office, ''USAID has spent, by its own account, $92,000,000 to develop and maintain the NMS [new management system], the system does not work as intended and has created problems in mission operations and morale.''

(H) In fiscal year 1999, the State Department is attempting to send $28,000,000 to fund the Comprehensive Test Ban Treaty Organization, which is an organization established by a treaty the United States has not ratified.

(I) Despite sensitive deadlines in the Middle East Peace Process looming, the United Nations is calling for a conference under the auspices of the Fourth Geneva Convention. No conference has been held under that Convention since its inception in 1947. The topic for discussion is Israeli Settlements in the West Bank and Gaza. The United States opposes this conference yet contributes 25 percent of the United Nations budget.

(J) The United States has spent more than $3,000,000,000 to ''restore democracy in Haiti.'' The reality is that there has been no Prime Minister or Cabinet in Haiti for 19 months; the Parliament has been effectively dissolved; local officials serve at the whim of President Preval; the privatization process is stalled; political murders remain unsolved; drug trafficking is rampant. In short, billions of dollars in foreign aid have bought us no leverage with the Haitians.

(K) As a result of consolidation of United States foreign affairs agencies, 1,943 personnel will be transferred into the State Department prior to the start of fiscal year 2000. The fiscal year 2000 budget does not identify a reduction in a single staff position.

(2) Additional funds that may become available from elimination of some foreign

assistance programs, management efficiencies as a result of reorganization of the foreign affairs agencies, and new estimates on the size of the budget surplus should be designated for United States embassy upgrades.

AMENDMENT NO. 219

(Purpose: To express the sense of the Senate that $50 million will be provided in fiscal year 2000 to conduct intensive firearms prosecution projects to combat violence in the twenty-five American cities with the highest crime rates)

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE REGARDING FUNDING FOR INTENSIVE FIREARMS PROSECUTION PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) gun violence in America, while declining somewhat in recent years, is still unacceptably high;

(2) keeping firearms out of the hands of criminals can dramatically reduce gun violence in America;

(3) States and localities often do not have the investigative or prosecutorial resources to locate and convict individuals who violate their firearms laws. Even when they do win convictions, states and localities often lack the jail space to hold such convicts for their full terms;

(4) there are a number of federal laws on the books which are designed to keep firearms out of the hands of criminals. These laws impose mandatory minimum sentences upon individuals who use firearms to commit crimes of violence and convicted felons caught in possession of a firearm;

(5) the federal government does have the resources to investigate and prosecute violations of these federal firearms laws. The federal government also has enough jail space to hold individuals for the length of their mandatory minimum sentences;

(6) an effort to aggressively and consistently apply these federal firearms laws in Richmond, Virginia, has cut violent crime in that city. This program, called Project Exile, has produced 288 indictments during its first two years of operation and has been credited with contributing to a 15% decrease in violent crimes in Richmond during the same period. In the first three-quarters of 1998, homicides with a firearm in Richmond were down 55% compared to 1997;

(7) the Fiscal Year 1999 Commerce-State-Justice Appropriations Act provided $1.5 million to hire additional federal prosecutors and investigators to enforce federal firearms laws in Philadelphia. The Philadelphia project—called Operation Cease Fire—started on January 1, 1999. Since it began, the project has resulted in 31 indictments of 52 defendants on firearms violations. The project has benefited from help from the Philadelphia Police Department and the Bureau of Alcohol, Tobacco and Firearms which was not paid for out of the $1.5 million grant;

(8) Senator Hatch has introduced legislation to authorize Project CUFF, a federal firearms prosecution program;

(9) the Administration has requested $5 million to conduct intensive firearms prosecution projects on a national level;

(10) given that at least $1.5 million is needed to run an effective program in one American city—Philadelphia—$5 million is far from enough funding to conduct such programs nationally.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Function 750 in the budget resolution assumes that $50,000,000 will be provided in fiscal year 2000 to conduct intensive firearms prosecution projects to combat violence in the twenty-five American cities with the highest crime rates.

AMENDMENT NO. 221

(Purpose: To express the sense of the Senate concerning fostering the employment and independence of individuals with disabilities)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING FOSTERING THE EMPLOYMENT AND INDEPENDENCE OF INDIVIDUALS WITH DISABILITIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Health care is important to all Americans.

(2) Health care is particularly important to individuals with disabilities and special health care needs who often cannot afford the insurance available to them through the private market, are uninsurable by the plans available in the private sector, or are at great risk of incurring very high and economically devastating health care costs.

(3) Americans with significant disabilities often are unable to obtain health care insurance that provides coverage of the services and supports that enable them to live independently and enter or rejoin the workforce. Coverage for personal assistance services, prescription drugs, durable medical equipment, and basic health care are powerful and proven tools for individuals with significant disabilities to obtain and retain employment.

(4) For individuals with disabilities, the fear of losing health care and related services is one of the greatest barriers keeping the individuals from maximizing their employment, earning potential, and independence.

(5) Individuals with disabilities who are beneficiaries under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) risk losing medicare or medicaid coverage that is linked to their cash benefits, a risk that is an equal, or greater, work disincentive than the loss of cash benefits associated with working.

(6) Currently, less than ½ of 1 percent of social security disability insurance (SSDI) and supplemental security income (SSI) beneficiaries cease to receive benefits as a result of employment.

(7) Beneficiaries have cited the lack of adequate employment training and placement services as an additional barrier to employment.

(8) If an additional ½ of 1 percent of the current social security disability insurance (SSDI) and supplemental security income (SSI) recipients were to cease receiving benefits as a result of employment, the savings to the Social Security Trust Funds in cash assistance would total $3,500,000,000 over the worklife of the individuals.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the Work Incentives Improvement Act of 1999 (S. 331, 106th Congress) will be passed by the Senate and enacted early this year, and thereby provide individuals with disabilities with the health care and employment preparation and placement services that will enable those individuals to reduce their dependency on cash benefit programs.

Mr. JEFFORDS. Mr. President, the amendment that I offer with my colleagues Senators KENNEDY, ROTH, MOYNIHAN, and CHAFEE, states that the Senate budget resolution assumes that the Work Incentives Improvement Act of 1999, S. 331, will pass the Senate and be enacted early this year.

S. 331 helps people with disabilities remain or become taxpayers. It has 70 co-sponsors. It gives people with disabilities, who are on the Social Security rolls, a reason to work.

If they work and forego cash payments, they will have access to health care. They will contribute to the cost of that health care. Right now the federal government disburses $1.21 billion each week in cash payments—a real budget buster that S. 331 would fix.

Mr. President, we have one broad, bipartisan initiative on health care reform, that we should take up and enact quickly. Along with my colleagues Senators KENNEDY, ROTH and MOYNIHAN, I have introduced S. 331, legislation that would help individuals with disabilities go to work without being forced to sacrifice vital health care benefits. 70 Senators have joined us as co-sponsors of the Work Incentives Improvement Act of 1999, S. 331.

I have heard many compelling stories from individuals with disabilities. Some sit at home waiting for S. 331 to become law, so they can go to work. Some work part time being careful not to exceed the $500 per month threshold which would trigger cut off of their health care. Yesterday I received a letter from a young man, Don, 30-years of age, who told me he has mild mental retardation, mild cerebral palsy, a seizure disorder, and a visual impairment. Don works, but only part time.

At the end of his letter he wrote,

> The Work Incentives Improvement Act will help my friends become independent too. Then they can pay taxes too. But most of all they will have a life in the community. We are adults. We want to work. We don't need a hand out . . . we just need a hand up.

Well, we want to help people such as Don have a hand up. Not just for him, but out of self-interest as well. The hard facts make a compelling case for enacting S. 331 quickly.

The rate in growth in these programs between 1989 and 1997 was 64 percent. Thus, it is not surprising that SSI and SSDI disbursements went from $34.4 billion in 1989 to $62.9 billion in 1997. For 1997, GAO estimated weekly disbursements to be $1.21 billion.

Surplus or no surplus, we cannot afford these escalating costs. By adopting our resolution, the Senate sends an important message, we want individuals with disabilities to have an opportunity to contribute—to their own well-being, to that of their families, and to that of their communities. The 57,000 beneficiaries in Vermont are waiting for S. 331. A vote in favor of our Sense of the Senate amendment will send these beneficiaries and those in every State a clear, concrete signal. S. 331 will be enacted this year, and soon.

AMENDMENT NO. 222

(Purpose: To express the sense of the Senate with respect to maintaining at least current expenditures (including emergency funding) for the Low Income Home Energy Assistance Program (LIHEAP) for FY 2000)

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE ON LIHEAP.

(a) FINDINGS.—The Senate finds that:

(1) Home energy assistance for working and low-income families with children, the elderly on fixed incomes, the disabled, and others who need such aid is a critical part of the social safety net in cold-weather areas during the winter, and a source of necessary cooling aid during the summer;

(2) LIHEAP is a highly targeted, cost-effective way to help millions of low-income Americans pay their home energy bills. More than two-thirds of LIHEAP-eligible households have annual incomes of less than $8,000, approximately one-half have annual incomes below $6,000; and

(3) LIHEAP funding has been substantially reduced in recent years, and cannot sustain further spending cuts if the program is to remain a viable means of meeting the home heating and other energy-related needs of low-income families, especially those in cold-weather states.

(b) SENSE OF THE SENATE.—The assumptions underlying this budget resolution assume that it is the sense of the Senate that the funds made available for LIHEAP in Fiscal Year 2000 will not be less than the current services for LIHEAP in Fiscal Year 1999.

Mr. JEFFORDS. Mr. President, there is strong bipartisan support for the Low Income Home Energy Assistance Program. Last year, Congress unanimously passed a five-year reauthorization of LIHEAP. In addition, 52 Senators signed a letter in support of $1.2 billion in funding for LIHEAP. This year, the Northeast-Midwest Senate Coalition is circulating a similar letter, which has already garnered the support of 30 Senators.

Support has not waned for the LIHEAP program since the May 1996 Sense of the Senate on LIHEAP. Eighty-eight Senators voted to maintain current expenditure levels for LIHEAP. Nevertheless, it appears time to re-confirm the Senate's commitment to LIHEAP. Last year, there was a failed attempt to zero out funding for LIHEAP. The threat looms again this year.

I, along with my colleagues from the Northeast-Midwest Senate Coalition, offer this Sense of the Senate to demonstrate the broad, bipartisan support for the LIHEAP program. The amendment is simple. It maintains LIHEAP funding at a minimum of current levels, which is $1.1 billion. This is still 50% lower than LIHEAP funding was in 1985.

I recognize that these are difficult budgetary times; however, LIHEAP is an effective tool for maintaining the basic needs of low-income households. It promotes self-sufficiency, something our welfare-to-work laws advocate; and it ensures that our nation's children, elderly and disabled never go to sleep in a freezing cold farmhouse or a stifling hot apartment.

Some would argue that energy costs are low and winter temperatures have been milder. My response is that the need for LIHEAP has never been greater. The eligible population has grown; eligibility has been restricted; benefit levels have been reduced; and welfare rolls have been shrinking. LIHEAP provides a critical safety net to the working poor, the elderly and families with children.

The statistics demonstrate the need for LIHEAP best. More than two-thirds of LIHEAP-eligible households have annual incomes of less than $8000, approximately one-half have annual incomes below $6000. It has been estimated that low-income households typically spend four times what middle-income households spend on utility services. Middle-income households spend about 4 percent of their income for energy purposes, whereas low-income households spend between 14% and 16%, and in many instances up to 25% for utility costs.

The other argument I hear against LIHEAP is that only cold weather states reap its benefits. Wrong again. In 1998, eleven southern states received $150 million in emergency LIHEAP funding alone. I have seen news articles from Oregon, Georgia, Tennessee, and Kansas discussing the importance of LIHEAP. This is an important national program.

AMENDMENT NO. 223

(Purpose: To express the sense of the Senate that the Congress should provide the maximum funding envisioned in law for Southwest Border law enforcement programs to stop the flow of drugs into the United States)

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON SOUTHWEST BORDER LAW ENFORCEMENT FUNDING.

(a) FINDINGS.—

(1) The Federal Government has not effectively secured the Southwest Border of the United States. According to the Drug Enforcement Administration, 50 to 70 percent of illegal drugs enter the United States through Texas, New Mexico, Arizona, and California. According to the State Department's 1999 International Narcotics Strategy Report, 60 percent of the Columbian cocaine sold in the United States passes through Mexico before entering the United States.

(2) General Barry McCaffrey, Director of the Office of National Drug Control Policy, has stated that 20,000 Border Patrol agents are needed to secure the United States' southern and northern borders. Currently, the Border Patrol has approximately 8,000 agents.

(3) The Illegal Immigration Reform and Immigrant Responsibility Act of 1996, requires the Attorney General to increase by not less than 1,000 the number of positions for full-time, active duty Border Patrol agents in fiscal years 1997, 1998, 2000, and 2001. The Administration's fiscal year 2000 budget provides no funding to hire additional full-time Border Patrol agents.

(4) The U.S. Customs Service plays an integral role in the detection, deterrence, disruption and seizure of illegal drugs as well as the facilitation of trade across the Southwest Border of the United States. Customs requested 506 additional inspectors in its fiscal year 2000 budget submission to the Office of Management and Budget. In their fiscal year 2000 budget request to Congress, however, the Administration provides no funding to hire additional, full-time Customs Service inspectors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this budget resolution assume full funding for the Immigration and Naturalization Service to hire 1,000 full-time, active-duty Border Patrol agents in fiscal year 2000, as authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Further, it is the sense of the Senate that the budgetary levels in this budget resolution assume funding for the Customs Service to hire necessary staff and purchase equipment for drug interdiction and traffic facilitation at United States land border crossings, including 506 full-time, active-duty Customs inspectors.

AMENDMENT NO. 224

(Purpose: to express the sense of Congress that South Korea must abide by its international trade commitments on pork and beef)

At the appropriate place, insert the following:

SEC. . SENSE OF THE CONGRESS REGARDING SOUTH KOREA'S INTERNATIONAL TRADE PRACTICES ON PORK AND BEEF.

FINDINGS.—The Congress finds that:

Asia is the largest regional export market for America's farmers and ranchers, traditionally purchasing approximately 40 percent of all U.S. agricultural exports;

The Department of Agriculture forecasts that over the next year American agricultural exports to Asian countries will decline by several billion dollars due to the Asian financial crisis;

The United States is the producer of the safest agricultural products from farm to table, customizing goods to meet the needs of customers worldwide, and has established the image and reputation as the world's best provider of agricultural products;

American farmers and ranchers, and more specifically, American pork and beef producers, are dependent on secure, open, and competitive Asian export markets for their product;

United States pork and beef producers not only have faced the adverse effects of depreciated and unstable currencies and lowered demand due to the Asian financial crisis, but also have been confronted with South Korea's pork subsidies and its failure to keep commitments on market access for beef;

It is the policy of the United States to prohibit South Korea from using United States and International Monetary Fund assistance to subsidize targeted industries and compete unfairly for market share against U.S. products;

The South Korea Government has been subsidizing its pork exports to Japan, resulting in a 973 percent increase in its exports to Japan since 1992, and a 71 percent increase in the last year;

Pork already comprises 70 percent of South Korea's agriculture exports to Japan, yet the South Korean Government has announced plans to invest 100,000,000,000 won in its agricultural sector in order to flood the Japanese market with even more South Korean pork;

The South Korean Ministry of Agriculture and Fisheries reportedly has earmarked

25,000,000,000 won for loans to Korea's pork processors in order for them to purchase more Korean pork and to increase exports to Japan;

Any export subsidies on pork, including those on exports from South Korea to Japan, would violate South Korea's international trade agreements and may be actionable under the World Trade Organization;

South Korea's subsidies are hindering U.S. pork and beef producers from capturing their full potential in the Japanese market, which is the largest export market for U.S. pork and beef, importing nearly $700,000,000 of U.S. pork and over $1,500,000,000 of U.S. beef last year alone;

Under the United States-Korea 1993 Record of Understanding on Market Access for Beef, which was negotiated pursuant to a 1989 GATT Panel decision against Korea, South Korea was allowed to delay full liberation of its beef market (in an exception to WTO rules) if it would agree to import increasing minimum quantities of beef each year until the year 2001;

South Korea fell woefully short of its beef market access commitment for 1998; and,

United States pork and beef producers are not able to compete fairly with Korean livestock producers, who have a high cost of production, because South Korea has violated trade agreements and implemented protectionist policies: Now, therefore, be it

It is the sense of the Congress that Congress:

(1) Believes strongly that while a stable global marketplace is in the best interest of America's farmers and ranchers, the United States should seek a mutually beneficial relationship without hindering the competitiveness of American agriculture;

(2) Calls on South Korea to abide by its trade commitments;

(3) Calls on the Secretary of the Treasury to instruct the United States Executive Director of the International Monetary Fund to promote vigorously policies that encourage the opening of markets for beef and pork products by requiring South Korea to abide by its existing international trade commitments and to reduce trade barriers, tariffs, and export subsidies;

(4) Calls on the President and the Secretaries of Treasury and Agriculture to monitor and report to Congress that resources will not be used to stabilize the South Korean market at the expense of U.S. agricultural goods or services; and

(5) Requests the United States Trade Representative and the U.S. Department of Agriculture to pursue the settlement of disputes with the Government of South Korea on its failure to abide by its international trade commitments on beef market access, to consider whether Korea's reported plans for subsidizing its pork industry would violate any of its international trade commitments, and to determine what impact Korea's subsidy plans would have on U.S. agricultural interests, especially in Japan.

AMENDMENT NO. 225

(Purpose: To express the sense of the Senate that no additional firewalls should be enacted for transportation activities)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON TRANSPORTATION FIREWALLS.

(a) FINDINGS.—The Senate finds that—

(1) domestic firewalls greatly limit funding flexibility as Congress manages budget priorities in a fiscally constrained budget;

(2) domestic firewalls inhibit congressional oversight of programs and organizations under such artificial protections;

(3) domestic firewalls mask mandatory spending under the guise of discretionary spending, thereby presenting a distorted picture of overall discretionary spending;

(4) domestic firewalls impede the ability of Congress to react to changing circumstances or to fund other equally important programs;

(5) the Congress implemented ''domestic discretionary budget firewalls'' for approximately 70 percent of function 400 spending in the 105th Congress;

(6) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, over 100 percent of function 400 spending would be firewalled; and

(7) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, drug interdiction activities by the Coast Guard, National Highway Traffic Safety Administration activities, rail safety inspections, Federal support for Amtrak, all National Transportation Safety Board activities, Pipeline and Hazardous materials safety programs, and Coast Guard search and rescue activities would be drastically cut or eliminated from function 400.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that no additional firewalls should be enacted for function 400 transportation activities.

AMENDMENT NO. 226

(Purpose: To express the Sense of the Senate that new public health programs should not be established to the detriment of funding for existing, effective programs, such as the Preventive Health and Health Services Block Grant)

At the appropriate place, insert:

SEC. 316. . SENSE OF THE SENATE ON FUNDING EXISTING, EFFECTIVE PUBLIC HEALTH PROGRAMS BEFORE CREATING NEW PROGRAMS.

(a) FUNDINGS.—The Senate finds that—

(1) the establishment of new categorical funding programs has led to proposed cuts in the Preventive Health and Health Services Block Grant to states for broad, public health missions;

(2) Preventive Health and Health Services Block Grant dollars fill gaps in the otherwise-categorical funding states and localities receive, funding such major public health threats as cardiovascular disease, injuries, emergency medical services and poor diet, for which there is often no other source of funding;

(3) in 1981, Congress consolidated a number of programs, including certain public health programs, into block grants for the purpose of best advancing the health, economics and well-being of communities across the country;

(4) The Preventive Health and Health Services Block Grant can be used for programs for screening, outreach, health education and laboratory services.

(5) The Preventive Health and Health Services Block Grant gives states the flexibility to determine how funding available for this purpose can be used to meet each state's preventive health priorities;

(6) The establishment of new public health programs that compete for funding with the Preventive Health and Health Services Block Grant could result in the elimination of effective, localized public health programs in every state.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that there shall be a continuation of the level of funding support for existing public health programs, specifically the Prevention Block Grant, prior to the funding of new public health programs.

Mr. ENZI. Mr. President, I rise today to offer an amendment to the budget resolution expressing the sense of the Senate that we should continue to support our successful existing public health programs, before diverting limited dollars to the creation of new programs.

The President's budget proposed a $30 million cut to the Preventive Health and Health Services Block Grant, which is funded through the Centers for Disease Control and Prevention. That's a 20 percent cut. For Wyoming, that means the loss of an entire public health program. How can I ask them to decide between the heart disease prevention program and emergency medical services? I sure know that I can't tell my constituents we were able to find funding for new, narrowly focused categorical programs that they may or may not be eligible for.

Mr. President, I believe we all share the same goal of getting the most out of money in the interest of public health. That was exactly Congress' thinking when they consolidated a variety of programs and established instead block grants to states. The intent was clear. States and localities need the flexibility to determine the best way to meet the public health needs of their residents. I believe we can address national health priorities without discarding the needs of local communities.

Congress has already drawn the correct conclusion. A significant portion of the public health battle is wages on the front lines back in the states. In the name of advancing public health, we should not be proposing cuts to our front line infrastructure.

Mr. President, I ask for my colleagues support for this amendment and request its immediate adoption.

AMENDMENT NO. 227

At the appropriate place, insert the following:

SEC. . FINDINGS; SENSE OF CONGRESS ON THE PRESIDENT'S FY 2000 BUDGET PROPOSAL TO TAX ASSOCIATION INVESTMENT INCOME.

(a) The Congress finds that—

(1) The President's fiscal year 2000 federal budget proposal to impose a tax on the interest, dividends, capital gains, rents, and royalties in excess of $10,000 of trade associations and professional societies exempt under sec. 501(c)(6) of the IRC of 1986 represents an unjust and unnecessary penalty on legitimate association activities.

(2) At a time when the government is projecting on-budget surpluses of more than $800,000,000,000 over the next ten years, the President proposes to increase the tax burden on trade and professional association by $1,440,000,000 over the next five years.

(3) The Presidents association tax increase proposal will impose a tremendous burden on thousands of small and mid-sized trade associations and professional societies.

(4) Under the President's association tax increase proposal, most associations with annual operating budgets of as low $200,000 or

more will be taxed on investment income and as many as 70,000 associations nationwide could be affected by this proposal.

(5) Associations rely on this targeted investment income to carry out tax-exempt status related activities, such as training individuals to adapt to the changing workplace, improving industry safety, providing statistical data, and providing community services.

(6) Keeping investment income free from tax encourages associations to maintain modest surplus funds that cushion against economic and fiscal downturns.

(7) Corporations can increase prices to cover increased costs, while small and medium sized local, regional, and State-based associations do not have such an option, and thus increased costs imposed by the President's association tax increase would reduce resources available for the important standard setting, educational training, and professionalism training performed by association.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall reject the President's proposed tax increase on investment income of associations as defined under section 501(c)(6) of the Internal Revenue Code of 1986.

Mr. ABRAHAM. Mr. President, I am joined today by Senators CRAPO, SANTORUM, HAGEL, INHOFE and COLLINS in introducing a sense of the Senate amendment to the budget resolution rejecting the President's proposed tax, as part of his fiscal year 2000 budget proposal, on the investment income earned by nonprofit trade associations and professional societies.

This proposal would tax any income in excess of $10,000 earned through the non-competitive activities of nonprofit associations, such as interest, dividends, capital gains, rents and royalties, posing a tremendous burden on an estimated 70,000 registered trade associations and professional societies.

Mostly operating on a state and local level, these organizations depend on this income to perform such vital community services as education, training, standard setting, industry safety, and community outreach. Faced with an additional increase in taxes of $1.4 billion over the next five years, many associations will be forced to cut back or eliminate these important services, forcing the government to step in, increasing expenditures and creating additional programs.

During a time when the government is projecting on-budget surpluses of more than $800 billion over the next 10 years, it is unconscionable that we would allow the administration to levy a new tax on these nonprofit organizations.

I ask unanimous consent that the full text of the resolution be printed in the RECORD immediately following my statement.

Mr. CRAPO. Mr. President, I am pleased to join my good friend, Senator ABRAHAM of Michigan, in offering this amendment.

This amendment is being offered in reaction to a provision in the President's FY 2000 budget that would impose a new tax on the investment income of nonprofit trade and professional associations. These trade and professional associations are currently exempt from taxes under section 501(c)(6) of the Internal Revenue Code.

The administration's proposal would tax the investment income—interest, dividends, capital gains, rents, and royalties—of 501(c)(6) associations. Associations currently rely on this investment income to carry out exempt-status related activities such as education, training, standard-setting, research, and community outreach.

Under the President's proposal, the first $10,000 an association earns from investments would not be taxed. However, all income earned over $10,000 would be subject to the unrelated business income tax under the Internal Revenue Code. It is estimated that this new tax, which can be as high as 35 percent, will increase the tax burden on the nation's nonprofit trade and professional associations by $1.4 billion over the next 5 years.

Contrary to assertions made by the administration, this proposal will affect thousands of small and mid-sized trade associations and professional societies. According to the American Society of Association Executives' Operating Ratio Report, most associations with annual operating budgets as low as $200,000 would be subject to a new tax under this proposal.

As many as 70,000 associations nationwide could be affected by this new tax, including the American Youth Soccer Organization, American Nurses Association, the National Education Association, National Association of State Departments of Agriculture, and many others. Important trade associations in my home state that could be affected by the new tax include the Idaho Association of School Administrators, Idaho Credit Union League, Idaho Mining Association, the Idaho Cattle Association and others.

This amendment is supported by the American Society of Association Executives (ASAE), the trade organization that represents our Nation's trade and professional associations.

Mr. President, I urge my colleagues to oppose this new tax and support the amendment.

AMENDMENT NO. 228

At the appropriate place, insert the following:

SEC. XX. FINDINGS; SENSE OF CONGRESS ON THE USE OF FEDERAL FUNDS FOR NEEDLE EXCHANGE PROGRAMS.

(a) The Congress finds that—

(1) Deaths from drug overdoses have increased over five times since 1988.

(2) A Montreal study published in the American Journal of Epidemiology, found that IV addicts who used a needle exchange program were over twice as likely to become infected with HIV as those who did not.

(3) A Vancouver study published in the Journal of AIDS, showed a stunning increase in HIV in drug addicts, from 1 to 2 percent to 23 percent, since that city's needle exchange program was begun in 1988. Deaths from drug overdoses have increased over five times since 1988 and Vancouver now has the highest death rate from heroin in North America.

(4) In November of 1995 the Manhattan Lower East Side Community Board #3 passed a resolution to terminate their needle exchange program due to the fact that ''the community has been inundated with drug dealers. . . . Law-abiding businesses are being abandoned; and much needed law enforcement is being withheld by the police.''

(5) The New York Times Magazine in 1997 reported that one New York City needle exchange program gave out 60 syringes to a single person, little pans to ''cook'' the heroin, instructions on how to inject the drug and a card exempting the user from arrest for possession of drug paraphernalia.

(6) Alcoholism and Drug Abuse Weekly reports that heroin use by American teenagers has doubled in the last five years.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall continue the statutory ban on the use of federal funds to implement or support any needle exchange program for drug addicts.

Mr. ABRAHAM. Mr. President, I am joined today by Senators COVERDELL, ASHCROFT, and HUTCHINSON in introducing a sense of the Senate amendment to the budget resolution rejecting the use of federal funds for needle exchange programs.

Deaths resulting from drug overdoses have increased five times since 1988. According to Alcoholism and Drug Abuse Weekly, the number of American teenagers using heroin, once considered a drug used primarily by hard-core drug addicts, has doubled in the past five years.

Last year, the Clinton administration attempted to lift the ongoing ban on federal funds for needle exchange programs as a solution to reducing the rate HIV infection among intravenous (IV) drug use without increasing the use of drugs like heroin. Needle exchange programs are not the answer—giving an addict a clean needle is equivalent to giving an alcoholic a clean glass—both do a more sanitary job of delivering the poison that is killing our kids.

A Montreal study published in the American Journal of Epidemiology, found that IV addicts who used a needle exchange program were over twice as likely to become infected with HIV as those who did not. The New York Times magazine reported that one New York City needle program gave a single individual 60 syringes, little pans to ''cook'' the heroin, instructions for usage, and a card amounting to a ''get out of jail free'' pass for possession of drug paraphernalia.

At a time when heroin use is skyrocketing among our youth, the last thing we need is for Washington to send the message that drug use is okay, and that we are not serious about the war on drugs. Join with us in finding that Congress shall continue

the statutory ban on the use of federal funds to implement or support any needle exchange program for drug addicts.

AMENDMENT NO. 229

(Purpose: To express the sense of the Senate concerning funding for special education)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING FUNDING FOR SPECIAL EDUCATION.

(a) FINDINGS.—Congress makes the following findings:

(1) In the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (referred to in this resolution as the ''Act''), Congress found that improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

(2) In the Act, the Secretary of Education is instructed to make grants to States to assist them in providing special education and related services to children with disabilities.

(3) The Act represents a commitment by the Federal Government to fund 40 percent of the average per-pupil expenditure in public elementary and secondary schools in the United States.

(4) The budget submitted by the President for fiscal year 2000 ignores the commitment by the Federal Government under the Act to fund special education and instead proposes the creation of new programs that limit the manner in which States may spend the limited Federal education dollars received.

(5) The budget submitted by the President for fiscal year 2000 fails to increase funding for special education, and leaves States and localities with an enormous unfunded mandate to pay for growing special education costs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that part B of the Individuals with Disabilities Act (20 U.S.C. 1400 et seq.) should be fully funded at the originally promised level before any funds are appropriated for new education programs.

Mr. REED. Mr. President, I rise to join my colleague from Maine, Senator COLLINS, in offering this important amendment to express the Sense of the Senate that funding for need-based student financial aid programs should be increased.

The Republican budget proposal provides some welcome news when compared with past Republican budget proposals because it at least includes increased funding for elementary and secondary education. Indeed, it can be called much improved in contrast with past Republican proposals to eliminate the Department of Education.

However, I am deeply concerned that this funding increase may be financed by cutting critical programs like Head Start, Summer Jobs for Youth, and job training by up to 10% in FY2000, and 20% in the following years.

Moreover, this budget proposal assumes an increase for elementary and secondary education programs of $2.6 billion over a freeze. However, it only assumes a $2.4 billion overall increase for all education programs in fiscal year 2000, which means other vital education programs, like student financial aid programs, would have to be deeply cut or frozen in order to meet these assumptions.

It would be a shame to limit our ability to realize the reforms we just recently enacted as part of the Higher Education Act Amendments of 1998 to enhance federal assistance to college students. That is why I have joined Senator COLLINS and others in offering this amendment.

Mr. President, this amendment simply urges increases in funding for need-based student financial aid programs. These programs include Pell Grants, the Federal Work Study Program, the Leveraging Educational Assistance Partnership (LEAP) program, and TRIO.

I strongly support a greater investment in all of these important programs than is provided by the budget resolution. And, in particular, I have long been a champion of more robust funding for the LEAP program, a federal-state partnership that is essential to our efforts to help needy students attend and graduate from college.

I worked closely with Senator COLLINS on a successful amendment two years ago to save LEAP from elimination and on legislation to reform this program, which was included in the Higher Education Act Amendments of 1998. These reforms seek to encourage states to increase their commitments to need-based student grant aid in exchange for increased flexibility to provide a broader array of higher education assistance to needy students.

We are currently working together to secure $75 million for LEAP in the Fiscal Year 2000 Labor, Health and Human Services, and Education Appropriations bill to trigger these reforms, and I urge my colleagues to join us in this important effort.

LEAP and the rest of the federal financial aid programs are critical to helping students achieve their higher education goals.

All higher education and student groups endorse the effort to increase funding for need-based student financial aid programs, and I strongly urge my colleagues to support our amendment in order to meet the commitment to higher education that we reaffirmed last fall by passing the Higher Education Act Amendments of 1998.

AMENDMENT NO. 230

(Purpose: To provide an exception for emergency defense spending)

At the end of section 205 of the resolution, add the following:

(f) EXCEPTION FOR DEFENSE SPENDING.—This section shall not apply to a provision making discretionary appropriations in the defense category.''.

Mr. STEVENS. Mr. President, this amendment modifies section 205 of the resolution, which creates a 60 vote point of order against emergency appropriations. The modification establishes an exception from the 60 vote point of order for national security emergency appropriations. Given the on-going operations in the Balkans, the need for this exception is clear.

Much like the vote to authorize the Persian Gulf war, where only 52 members of the Senate voted in support of that action, the current military operations in Kosovo and Serbia gained the support of only 58 Senators. I opposed that resolution. That doesn't change the fact that the men and women of the Armed Forces mut be properly supplied, equipped and supported when they are sent to combat. That is our job, irrespective of whether each of us agrees with the specific policy that led to the deployment of U.S. forces.

Earlier this month, the Governmental Affairs Committee reported S. 93, which established new procedures for the consideration of emergency appropriations. That bill creates a point of order that requires 51 votes to waive. That bill has been referred to the Budget Committee, and will probably come before the Senate after the Easter recess. I urge the adoption of the amendment.

AMENDMENT NO. 231

(Purpose: Sense of the Senate on providing tax relief to all Americans by returning the non-Social Security surplus to taxpayers)

At the appropriate place, insert:

SEC. ___. SENSE OF SENATE ON PROVIDING TAX RELIEF TO ALL AMERICANS BY RETURNING NON-SOCIAL SECURITY SURPLUS TO TAXPAYERS.

(a) FINDINGS.—The Senate finds the following:

(1) Every cent of Social Security surplus should be reserved to pay Social Security benefits, for Social Security reform, or to pay down the debt held by the public and not be used for other purposes.

(2) Medicare should be fully funded.

(3) Even after safeguarding Social Security and Medicare, a recent Congressional Research Service study found that an average American family will pay $5,307 more in taxes over the next 10 years than the government needs to operate.

(4) The Administration's budget returns none of the excess surplus back to the taxpayers and instead increases net taxes and fees by $96,000,000,000 over 10 years.

(5) The burden of the Administration's tax increases falls disproportionately on low- and middle-income taxpayers. A recent Tax Foundation study found that individuals with incomes of less than $25,000 would bear 38.5 percent of the increased tax burden, while taxpayers with incomes between $25,000 and $50,000 would pay 22.4 percent of the new taxes.

(6) The budget resolution returns most of the non-Social Security surplus to those who worked so hard to produce it by providing $142,000,000,000 in real tax relief over 5 years and almost $800,000,000,000 in tax relief over 10 years.

(7) The budget resolution builds on the following tax relief that Republicans have provided since 1995:

(A) In 1995, Republicans proposed the Balanced Budget Act of 1995 which included tax relief for families, savings and investment incentives, health care-related tax relief, and

relief for small business—tax relief that was vetoed by President Clinton.

(B) In 1996, Republicans provided, and the President signed, tax relief for small business and health care-related tax relief.

(C) In 1997, Republicans once again pushed for tax relief in the context of a balanced budget, and this time President Clinton signed into law a $500 per child tax credit, expanded individual retirement accounts and the new Roth IRA, a cut in the capital gains tax rate, education tax relief, and estate tax relief.

(D) In 1998, Republicans (initially opposed by the Administration) pushed for reform of the Internal Revenue Service, and provided tax relief for America's farmers.

(8) Americans deserve further tax relief because they are still overpaying. They deserve a refund. Federal taxes currently consume nearly 21 percent of national income, the highest percentage since World War II. Families are paying more in Federal, State, and local taxes than for food, clothing, and shelter combined.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the levels in this resolution assume that the Senate not only puts a priority on protecting Social Security and Medicare and reducing the Federal debt, but also on middle-class tax relief by returning some of the non-Social Security surplus to those from whom it was taken; and

(2) such middle-class tax relief could include broad-based tax relief, marriage penalty relief, retirement savings incentives, death tax relief, savings and investment incentives, health care-related tax relief, education-related tax relief, and tax simplification proposals.

AMENDMENT NO. 232

(Purpose: To allow increased tobacco tax revenues to be used as an offset for the Medicare prescription drug benefit provided for in section 209)

On page 53, line 4, after ''may change committee allocations'' insert '', revenue aggregates for legislation that increases taxes on tobacco or tobacco products (only).''.

AMENDMENT NO. 233

(Purpose: To protect taxpayers from retroactive income and estate tax rate increases by creating a point of order)

At the end of title III, add the following:

SEC. ____. RESTRICTION ON RETROACTIVE INCOME AND ESTATE TAX RATE INCREASES.

(a) PURPOSE.—The Senate declares that it is essential to ensure taxpayers are protected against retroactive income and estate tax rate increases.

(b) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that includes a retroactive Federal income tax rate increase.

(2) DEFINITION.—In this section—

(A) the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(B) a Federal income tax rate increase is retroactive if it applies to a period beginning prior to the enactment of the provision.

(c) SUPERMAJORITY WAIVER.—

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

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

(d) EFFECTIVE DATE.—This section takes effect on January 1, 1999.

AMENDMENT NO. 234

(Purpose: To express the sense of the Senate regardng the need for incentives for low- and middle-income savers and investors and the need for such incentives to be accompanied by an expansion of the lowest personal income tax bracket)

At the end of title III, add the following:

SEC. _____. SENSE OF THE SENATE REGARDING INCENTIVES FOR SMALL SAVERS.

(a) FINDINGS.—The Senate finds that—

(1) in general, the Federal budget will accumulate nearly $800,000,000,000 in non-Social Security surpluses through 2009;

(2) such a level of surplus affords Congress the opportunity to return a portion to the taxpayers in the form of tax relief;

(3) the Federal tax burden is at its highest level in over 50 years;

(4) personal bankruptcy filings reached a record high in 1998 with $40,000,000,000 in debts discharged;

(5) the personal savings rate is at record lows not seen since the Great Depression;

(6) the personal savings rate was 9 percent of income in 1982;

(7) the personal savings rate was 5.7 percent of income in 1992;

(8) the personal savings rate plummeted to 0.5 percent in 1998;

(9) the personal savings rate could plummet to as low as negative 4.5 percent if current trends do not change;

(10) personal saving is important as a means for the American people to prepare for crisis, such as a job loss, health emergency, or some other personal tragedy, or to prepare for retirement;

(11) President Clinton recently acknowledged the low rate of personal savings as a concern;

(12) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years would move 7,000,000 middle-income taxpayers into the lowest income tax bracket;

(13) excluding the first $500 from interest and dividends income, or $250 for singles, would enable 30,000,000 low- and middle-income taxpayers to save tax-free and would translate into approximately $1,000,000,000,000 in savings;

(14) exempting the first $5,000 in capital gains income from capital gains taxation would mean 10,000,000 low- and middle-income taxpayers would no longer pay capital gains tax;

(15) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000, would mean over 5,000,000 taxpayers will be better equipped for retirement; and

(16) tax relief measures to encourage savings and investments for low- and middle-income savers would mean tax relief for nearly 112,000,000 individual taxpayers by—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this budget resolution and legislation enacted pursuant to this resolution assume that—

(1) Congress will adopt tax relief that provides incentives for savings and investment for low- and middle-income working families that assist in preparing for unexpected emergencies and retirement, such as—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000; and

(2) tax relief as described in this subsection is fully achievable within the parameters set forth under this budget resolution.

AMENDMENT NO. 235

(Purpose: To reduce the size of the tax cut)

On page 3, line 10, increase the amount by $3,717,000,000.

On page 3, line 11, increase the amount by $26,559,000,000.

On page 3, line 12, increase the amount by $16,152,000,000.

On page 3, line 13, increase the amount by $24,590,000,000.

On page 3, line 14, increase the amount by $31,319,000,000.

On page 3, line 15, increase the amount by $54,638,000,000.

On page 3, line 16, increase the amount by $67,877,000,000.

On page 3, line 17, increase the amount by $75,346,000,000.

On page 3, line 18, increase the amount by $88,598,000,000.

On page 4, line 5, increase the amount by $3,717,000,000.

On page 4, line 6, increase the amount by $26,559,000,000.

On page 4, line 7, increase the amount by $16,152,000,000.

On page 4, line 8, increase the amount by $24,590,000,000.

On page 4, line 9, increase the amount by $31,319,000,000.

On page 4, line 10, increase the amount by $54,638,000,000.

On page 4, line 11, increase the amount by $67,877,000,000.

On page 4, line 12, increase the amount by $75,346,000,000.

On page 4, line 13, increase the amount by $88,598,000,000.

On page 4, line 18, decrease the amount by $83,000,000.

On page 4, line 19, decrease the amount by $783,000,000.

On page 4, line 20, decrease the amount by $1,946,000,000.

On page 4, line 21, decrease the amount by $3,057,000,000.

On page 4, line 22, decrease the amount by $4,616,000,000.

On page 4, line 23, decrease the amount by $6,966,000,000.

On page 4, line 24, decrease the amount by $10,401,000,000.

On page 4, line 25, decrease the amount by $14,557,000,000.

On page 5, line 1, decrease the amount by $19,436,000,000.

On page 5, line 6, decrease the amount by $83,000,000.

On page 5, line 7, decrease the amount by $783,000,000.

On page 5, line 8, decrease the amount by $1,946,000,000.

On page 5, line 9, decrease the amount by $3,057,000,000.

On page 5, line 10, decrease the amount by $4,616,000,000.

On page 5, line 11, decrease the amount by $6,966,000,000.

On page 5, line 12, decrease the amount by $10,401,000,000.

On page 5, line 13, decrease the amount by $14,557,000,000.

On page 5, line 14, decrease the amount by $19,436,000,000.

On page 5, line 19, increase the amount by $3,800,000,000.

On page 5, line 20, increase the amount by $27,342,000,000.

On page 5, line 21, increase the amount by $18,098,000,000.

On page 5, line 22, increase the amount by $27,647,000,000.

On page 5, line 23, increase the amount by $35,935,000,000.

On page 5, line 24, increase the amount by $61,604,000,000.

On page 5, line 25, increase the amount by $78,278,000,000.

On page 6, line 1, increase the amount by $89,903,000,000.

On page 6, line 2, increase the amount by $108,034,000,000.

On page 6, line 6, decrease the amount by $3,800,000,000.

On page 6, line 7, decrease the amount by $31,142,000,000.

On page 6, line 8, decrease the amount by $49,240,000,000.

On page 6, line 9, decrease the amount by $76,887,000,000.

On page 6, line 10, decrease the amount by $112,822,000,000.

On page 6, line 11, decrease the amount by $174,426,000,000.

On page 6, line 12, decrease the amount by $252,704,000,000.

On page 6, line 13, decrease the amount by $342,607,000,000.

On page 6, line 14, decrease the amount by $450,641,000,000.

On page 6, line 18, decrease the amount by $3,800,000,000.

On page 6, line 19, decrease the amount by $31,142,000,000.

On page 6, line 20, decrease the amount by $49,240,000,000.

On page 6, line 21, decrease the amount by $76,887,000,000.

On page 6, line 22, decrease the amount by $112,822,000,000.

On page 6, line 23, decrease the amount by $174,426,000,000.

On page 6, line 24, decrease the amount by $252,704,000,000.

On page 6, line 25, decrease the amount by $342,607,000,000.

On page 7, line 1, decrease the amount by $450,641,000,000.

On page 37, line 2, decrease the amount by $83,000,000.

On page 37, line 3, decrease the amount by $83,000,000.

On page 37, line 6, decrease the amount by $783,000,000.

On page 37, line 7, decrease the amount by $783,000,000.

On page 37, line 10, decrease the amount by $1,946,000,000.

On page 37, line 11, decrease the amount by $1,946,000,000.

On page 37, line 14, decrease the amount by $3,057,000,000.

On page 37, line 15, decrease the amount by $3,057,000,000.

On page 37, line 18, decrease the amount by $4,616,000,000.

On page 37, line 19, decrease the amount by $4,616,000,000.

On page 37, line 22, decrease the amount by $6,966,000,000.

On page 37, line 23, decrease the amount by $6,966,000,000.

On page 38, line 2, decrease the amount by $10,401,000,000.

On page 38, line 3, decrease the amount by $10,401,000,000.

On page 38, line 6, decrease the amount by $14,557,000,000.

On page 38, line 7, decrease the amount by $14,557,000,000.

On page 38, line 10, decrease the amount by $19,436,000,000.

On page 38, line 11, decrease the amount by $19,436,000,000.

On page 42, line 2, strike the amount and insert ''$71,016,000,000''.

On page 42, line 4, strike the amount and insert ''$388,791,000,000''.

On page 42, line 16, strike the amount and insert ''$71,016,000,000''.

On page 42, line 18, strike the amount and insert ''$388,791,000,000''.

AMENDMENT NO. 236

(Purpose: To strike section 201)

Strike section 201.

AMENDMENT NO. 237

(Purpose: To express the sense of the Senate on the importance of social security for individuals who become disabled)

At the appropriate place, insert the following:

SEC. ____. SENSE OF THE SENATE ON THE IMPORTANCE OF SOCIAL SECURITY FOR INDIVIDUALS WHO BECOME DISABLED.

(a) FINDINGS.—The Senate finds that—

(1) in addition to providing retirement income, Social Security also protects individuals from the loss of income due to disability;

(2) according to the most recent report from the Social Security Board of Trustees nearly 1 in 7 Social Security beneficiaries, 6,000,000 individuals in total, were receiving benefits as a result of disability;

(3) more than 60 percent of workers have no long-term disability insurance protection other than that provided by Social Security;

(4) according to statistics from the Society of Actuaries, the odds of a long-term disability versus death are 2.7 to 1 at age 27, 3.5 to 1 at age 42, and 2.2 to 1 at age 52; and

(5) in 1998, the average monthly benefit for a disabled worker was $722.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that levels in the resolution assume that—

(1) Social Security plays a vital role in providing adequate income for individuals who become disabled;

(2) individuals who become disabled face circumstances much different than those who rely on Social Security for retirement income;

(3) Social Security reform proposals that focus too heavily on retirement income may adversely affect the income protection provided to individuals with disabilities; and

(4) Congress and the President should take these factors into account when considering proposals to reform the Social Security program.

AMENDMENT NO. 238

(Purpose: To provide $200,000,000 for the State-side program of the land and water conservation fund)

On page 15, line 8, increase the amount by $200,000,000.

On page 15, line 9, increase the amount by $200,000,000.

On page 18, line 15, decrease the amount by $200,000,000.

On page 18, line 16, decrease the amount by $200,000,000.

At the end of title III, add the following:

SEC. 3____. SENSE OF THE SENATE CONCERNING FUNDING FOR THE LAND AND WATER CONSERVATION FUND.

(a) FINDINGS.—The Senate finds that—

(1) amounts in the land and water conservation fund finance the primary Federal program for acquiring land for conservation and recreation and for supporting State and local efforts for conservation and recreation;

(2) Congress has appropriated only $10,000,000,000 out of the more than $21,000,000,000 covered into the fund from revenues payable to the United States under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(3) 38 Senators cosigned 2 letters to the Chairman and Ranking Member of the Committee on the Budget urging that the land and water conservation fund be fully funded.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that Congress should appropriate $200,000,000 for fiscal year 2000 to provide financial assistance to the States under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C 460*l*–8), in addition to such amounts as are made available for Federal land acquisition under that Act for fiscal year 2000.

Mr. CHAFEE. Mr. President, I rise today to offer an amendment to restore funding to a program that has been dormant for too long, a program that could provide vital funding to assist small municipalities in conserving their resources. I rise today to offer an amendment to provide $200 million for funding the State-side program of the Land and Water Conservation Fund (LWCF). I am pleased to be joined by Senators BOB SMITH, FEINGOLD, LEAHY, JEFFORDS, MOYNIHAN, ROTH, ALLARD, COLLINS, and SNOWE in sponsoring this amendment.

The LWCF was started in 1964 to provide funds for land and water conservation through two programs: Federal land acquisitions, and Federal cost-sharing of State conservation and recreation projects. Moneys for the LWCF are derived from revenues obtained through oil and gas drilling in the Outer Continental Shelf. These revenues amount to $4 billion to $5 billion annually, which go into the General Treasury. Of this amount, $900 million is authorized to go specifically to LWCF. However, in recent years, only about $300 million to $350 million has been appropriated for LWCF, and since 1995, funding for the State-side program has been entirely eliminated.

The principle behind the LWCF is a simple but noble one: to reinvest the revenues earned from the depletion of offshore oil and gas resources to the conservation of other natural resources. Unfortunately, the promise of the LWCF has never been fully realized because of sporadic funding. Many opportunities to conserve precious lands

and to work with our State and local partners have been lost.

People across the country are realizing that they cannot afford to lose more opportunities to protect the lands they consider important. The elections of November 1998 underscored the groundswell of support for these efforts. Voters approved more than 200 State and local ballot initiatives—70 percent of the total initiatives offered—to commit $7 billion for conservation and related activities.

Congress should play a role in supporting these efforts, and the LWCF was created 35 years ago precisely for this purpose. The two components of the Fund—Federal acquisitions and State-side conservation—provide a perfect complement to one another in a comprehensive package. Just two weeks ago, I spearheaded efforts to encourage 37 of my Senate colleagues to cosign a letter to the Budget Committee supporting full funding for the LWCF.

The State-side program, however, deserves specific attention. It is a grants program, that requires States to contribute 50 percent of the total cost of projects they wish to fund. The Federal Government matches the other 50 percent. States must prepare a comprehensive plan in order to be eligible for the funding, and they receive funds through an allocation formula. In short, the State-side program is a cost-sharing grants program, based on sound planning, with an apolitical distribution formula. What could be better? And yet Congress has not funded it since 1995.

One reason it has not been funded has been a question of priorities among a long list of conservation needs. Federal land acquisition; operations and maintenance of Federal lands; and assistance to States are all important. Indeed, Mr. President, the Budget Committee explicitly recognizes this in its report for S. Con. Res. 20. However, the State-side program has suffered too long by being completely without funds. It is high time we restore some funding to this program, while recognizing that other needs still exist. My amendment does just that.

In order to increase the LWCF by $200 million, of course, we need to find an offset with equivalent budget authority and outlays. This is never an easy task, but my amendment takes the funds from Function 370, relating to Commerce and Housing Credit. I believe that there are several programs within that function that can be cut to provide $200 million for LWCF.

I urge my colleagues to support this amendment. Thank you, Mr. President. I yield the floor.

Ms. SNOWE. Mr. President, I support the CHAFEE amendment that assumes funding of $200 million specifically for the stateside program of the Land and Water Conservation Fund to come out of Function 370. It is my understanding that no specific program in Function 370 has been designated as an offset for the Chafee amendment, nor do I believe that programs such as the Advanced Technology Program be considered as an offset. The ultimate funding decision of course rests with the appropriators, but I wanted to take this opportunity to cast my support for funds for the LWCF stateside program, which has not received any funding since 1995.

Up until 1995, LWCF stateside program funds were used in my state to assist communities for planning, acquiring and developing outdoor recreation facilities that would not otherwise have been affordable, especially in the smaller communities in Maine.

The LWCF stateside program has funded such local projects in Maine as the community playground in Durham, the Mt. Apatite trails in Auburn, the Dionne Park Playground in Madawaska, the East-West Aroostook Valley trail in Caribou, the Williams Wading Pool in Augusta, multi-purpose fields in St. George, Hampden, Buxton, Calais, and Bradford, the skating rink in Bucksport, and wharf rehabilitation in Greenville.

By leveraging state dollars with critical LWCF stateside funds, Maine's communities have been able to enjoy recreational facilities such as neighborhood parks, swimming pools, and ball fields, and also have had the opportunity to conserve certain highly valued lands that the citizens of the state wish to save for outdoor recreational activities for themselves and for generations to come.

AMENDMENT NO. 239

(Purpose: To express the sense of the Senate that the Social Security Trust Fund shall be managed in the best interest of current and future beneficiaries)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE SOCIAL SECURITY TRUST FUND SHALL BE MANAGED IN THE BEST INTEREST OF CURRENT AND FUTURE BENEFICIARIES.

It is the sense of the Senate that the Social Security Trust Fund surplus shall be invested in interest-bearing obligations of the United States in a manner consistent with the best interest of, and payment of benefits to, current and future Social Security beneficiaries.

AMENDMENT NO. 240

(Purpose: To express the sense of the Senate concerning Federal tax relief)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING FEDERAL TAX RELIEF.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Congressional Budget Office has reported that payroll taxes will exceed income taxes for 74 percent of all taxpayers in 1999.

(2) The Federal Government will collect nearly $50 billion in income taxes this year through its practice of taxing the income Americans sacrifice to the government in the form of Social Security payroll taxes.

(3) American taxpayers are currently shouldering the heaviest tax burden since 1944.

(4) According to the non-partisan Tax Foundation, the median dual-income family sacrificed a record 37.6 percent of its income to the government in 1997.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that a significant portion of the tax relief will be devoted to working families who are double-taxed by—

(1) Providing taxpayers with an above-the-line income tax deduction for the Social Security payroll taxes they pay so that they no longer pay income taxes on such payroll taxes, and/or

(2) gradually reducing the lowest marginal income tax rate from 15 percent to 10 percent, and/or

(3) other tax reductions that do not reduce the tax revenue devoted to the Social Security Trust Fund.

AMENDMENT NO. 241

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE REGARDING THE CLOSURE OF HOWARD AIR FORCE BASE AND REPOSITIONING OF ASSETS AND OPERATIONAL CAPABILITIES IN FORWARD OPERATING LOCATIONS.

(A) FINDINGS.—The Senate finds the following—

(1) at noon on the last day of 1999, the Panama Canal and its adjacent lands will revert from U.S. control to that of the government of Panama, as prescribed by the Carter-Torrijos treaties concluded in 1978.

(2) with this act, nearly ninety years of American presence in the Central American isthmus will come to an end.

(3) on September 25, 1998, the United States and Panama announced that talks aimed at establishing a Multinational counter-narcotics Center (MCC) were ended through mutual agreement. The two countries had been engaged in discussions for two years.

(4) plans to meet the deadline are going forward and the U.S. is withdrawing all forces and proceeding with the return of all military installations to Panamanian control.

(5) Howard Air Force Base is scheduled to return to Panamanian control by May 1, 1999. Howard AFB provides a secure staging for detection, monitoring and intelligence collecting assets on counter-narcotics drug trafficking. Howard Air Force Base was the proposed location for the Multinational Counter-narcotics Center.

(6) AWACS (E–3) aircraft used for counter-drug surveillance is scheduled for relocation from Howard AFB to MacDill AFB in April. The E3's are scheduled to resume this mission in May from MacDill.

(7) USSOUTHCOM and the Department of State have been examining the potential for alternative forward operating locations (FOLs). A potential location would require the operational capacity to house E–3 AWACS KC–135 tankers, Night Hawk F–16s/F–15s, Navy P–3s, U.S. Customs P–3s and Citations, Army Airborne Reconnaissance Low, and Senior Scout C–130s. No agreement has been reached regarding the number of FOLs required, cost of relocating these assets, time to build ensuing facilities, or plans for housing these assets for long-term stays.

(B) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the United States is obligated to protect its citizens from the threats posed by illegal drugs crossing our borders. Interdiction

in the transit and arrival zones disrupt the drug flow, increases risk to traffickers, drives them to less efficient routes and methods, and prevents significant amounts of drugs from reaching the United States.

(2) there has been an inordinate delay in identifying and securing appropriate alternate sites.

(3) the Senate must pursue every effort to explore, urge the President to arrange long-term agreements with countries that support reducing the flow of drugs, and fully fund forward operating locations so that we continue our balanced strategy of attacking drug smugglers before their deadly cargos reach our borders.

AMENDMENT NO. 242

(Purpose: To express the sense of the Senate that increased funding for elementary and secondary education should be directed to States and local school districts)

On page 73, after line 10, insert the following:

(c) ADDITIONAL FINDINGS.—Congress makes the following findings:

(1) Children should be the primary beneficiaries of education spending, not bureaucrats.

(2) Parents have the primary responsibility for their children's education. Parents are the first and best educators of their children. Our Nation trusts parents along with teachers and State and local school officials to make the best decisions about the education of our Nation's children.

(3) Congress supports the goal of ensuring that the maximum amount of Federal education dollars are spent directly in the classrooms.

(4) Education initiatives should boost academic achievement for all students. Excellence in American classrooms means having high expectations for all students, teachers, and administrators, and holding schools accountable to the children and parents served by such schools.

(5) Successful schools and school systems are characterized by parental involvement in the education of their children, local control, emphasis on basic academics, emphasis on fundamental skills, and exceptional teachers in the classroom.

(6) Congress rejects a one-size-fits-all approach to education which often creates barriers to innovation and reform initiatives at the local level. America's rural schools face challenges quite different from their urban counterparts. Parents, teachers, and State and local school officials should have the freedom to tailor their education plans and reforms according to the unique educational needs of their children.

(7) The funding levels in this resolution assume that Congress will provide an additional $2,800,000,000 for fiscal year 2000 and an additional $33,000,000,000 for the period beginning with fiscal year 2000 and ending with fiscal year 2005 for elementary and secondary education.

(d) ADDITIONAL SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) increased Federal funding for elementary and secondary education should be directed to States and local school districts; and

(2) decisionmaking authority should be placed in the hands of States, localities, and families to implement innovative solutions to local educational challenges and to increase the performance of all students, unencumbered by unnecessary Federal rules and regulations.

AMENDMENT NO. 243

(Purpose: Sense of the Senate to create a task force to pursue the creation of a natural disaster reserve fund)

At the appropriate place, insert:

It is the sense of the senate that a task force be created for the purpose of creating a reserve fund for natural disasters. The task force should be composed of three Senators appointed by the majority lender, and two Senators appointed by the minority leader. The task force should also be composed of three members appointed by the Speaker of the House, and two members appointed by minority leader in the House. It is the sense of the Senate that the task force make a report to the appropriate committees in Congress within 90 days of being convened. The report should be available for the purposes of consideration during comprehensive overhaul of budget procedures.

Mr. LAUTENBERG. I now yield to Senator ROBB from Virginia so that he may offer an amendment.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 182

(Purpose: To ensure fiscal discipline by requiring that any tax relief be offset in accordance with current budget rules and practices, and that any surpluses be used for debt reduction, until Congress saves Social Security and strengthens Medicare and pays off the publicly held debt)

Mr. ROBB. Mr. President, I have an amendment at the desk and I ask that the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ROBB], for himself and Mr. GRAHAM of Florida, proposes an amendment numbered 182.

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

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

The amendment is as follows:

On page 46, strike section 204.

On page 42, strike lines 1 through 5, and strike lines 15 through 19. Insert at the appropriate place the following:

''SEC. . SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the savings from this amendment shall be used to reduce publicly held debt and to strengthen and extend the solvency of the Medicare program.

AMENDMENT NO. 178, AS MODIFIED

Mr. LAUTENBERG. Mr. President, I send a modification to amendment No. 178 to the desk.

The PRESIDING OFFICER. The modification will be accepted.

The amendment (No. 178), as modified, follows:

On page 43, strike beginning with line 3 through line 6, page 45, and insert the following:

SEC. 201. RESERVE FUND FOR AN UPDATED BUDGET FORECAST.

(a) CONGRESSIONAL BUDGET OFFICE UPDATED BUDGET FORECAST FOR FISCAL YEARS 2000–2004.—Pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the Congressional Budget Office shall update its economic and budget forecast for fiscal years 1999 through 2009 by July 15, 1999.

(b) REPORTING A SURPLUS.—If the report provided pursuant to subsection (a) estimates an on-budget surplus for fiscal year 2000 or results in additional surpluses beyond those assumed in this resolution in following fiscal years, the Chairman of the Committee on the Budget shall make the appropriate adjustments to revenue and spending as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take the amount of the additional on-budget surplus for fiscal years 2000 through 2009 estimated in the report submitted pursuant to subsection (a) and in the following order in each of the fiscal years 2000 through 2009—

(1) increase the allocation to the Senate Committee on Agriculture, Nutrition and Forestry by $6,000,000,000 in budget authority and outlays in each of the fiscal years 2000 through 2004;

(2) reduce the on-budget revenue aggregate by any remaining amounts for fiscal years 2000;

(3) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by those amounts for fiscal year 2000 and all subsequent years; and

(4) adjust the instruction in sections 104(1) and 105(1) of this resolution to—

(A) reduce revenues by amounts in section (c)(2) for fiscal year 2000; and

(B) increase the reduction in revenues for the period of fiscal years 2000 through 2004 and for the period of fiscal years 2000 through 2009 by that amount.

(d) BUDGETARY ENFORCEMENT.—Revised aggregates and other levels under subsection (c) shall be considered for the purposes of the Congressional Budget Act of 1974 as aggregates and other levels contained in this resolution.

SEC. 202. RESERVE FUND FOR AGRICULTURE.

(a) ADJUSTMENT.—If legislation is reported by the Senate Committee on Agriculture, Nutrition and Forestry that provides risk management and income assistance for agriculture producers, the Chairman of the Senate Committee on the Budget may increase the allocation of budget authority and outlays to that Committee by an amount that does not exceed—

(1) $6,500,000,000 in budget authority and in outlays for fiscal year 2000;

(2) $36,000,000,000 in budget authority and $35,165,000,000 in outlays for the period of fiscal years 2000 through 2004; and

(3) $36,000,000,000 in budget authority and in outlays for the period of fiscal years 2000 through 2009.

Mr. DOMENICI. Mr. President, the next amendment will be an amendment offered by Senator ASHCROFT on education. Frankly, I am wondering, with such a short period of time before the vote must occur, whether we should just go ahead and ask him to delay and start with that amendment after the vote.

Mr. ASHCROFT. Will the Senator yield?

Mr. DOMENICI. Yes.

Mr. ASHCROFT. Mr. President, I would be pleased to operate in a way consistent with your wishes. I will begin debate now, or we can defer it until after the vote.

UNANIMOUS CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, I ask unanimous consent that the vote occur

on the first of the stacked amendments, and that the first vote be a 20-minute vote instead of 15, thus making up for the 5 minutes we might have misled people on.

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

AMENDMENT NO. 157

Mr. DOMENICI. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. BUNNING addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, the pending amendment, No. 157, offered by the Senator from Pennsylvania, Senator SPECTER, proposes to create a new entitlement for the NIH funded with increased taxes. This language is not germane to the budget resolution before us; therefore, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

MOTION TO WAIVE THE BUDGET ACT

Mr. DOMENICI. Mr. President, Senator SPECTER is not here. I know he would move to waive the point of order. So in his behalf, I move to waive the point of order and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR), is absent because of a death in family.

The PRESIDING OFFICER. (Mr. FITZGERALD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—47

Abraham	Durbin	Levin
Akaka	Feingold	Lieberman
Bayh	Feinstein	Mack
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Inouye	Murray
Bryan	Jeffords	Reed
Byrd	Johnson	Reid
Cleland	Kennedy	Rockefeller
Collins	Kerrey	Santorum
Daschle	Kerry	Sarbanes
DeWine	Kohl	Schumer
Dodd	Lautenberg	Smith Gordon H
Dorgan	Leahy	
Snowe	Thurmond	Wellstone
Specter	Torricelli	Wyden

NAYS—52

Allard	Enzi	Lott
Ashcroft	Fitzgerald	McCain
Baucus	Frist	McConnell
Bennett	Gorton	Murkowski
Bond	Gramm	Nickles
Breaux	Grams	Robb
Brownback	Grassley	Roberts
Bunning	Gregg	Roth
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Chafee	Helms	Smith Bob
Cochran	Hollings	Stevens
Conrad	Hutchinson	Thomas
Coverdell	Hutchison	Thompson
Craig	Inhofe	Voinovich
Crapo	Kyl	Warner
Domenici	Landrieu	
Edwards	Lincoln	

NOT VOTING—1

Lugar

The PRESIDING OFFICER. On this vote the yeas are 46, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

Mr. DOMENICI. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, before you call up the vote, I remind Senators that vote was supposed to be over 15 minutes ago. It is almost 30 minutes. This one is supposed to be 10 minutes under the unanimous consent agreement. I am going to work very hard to see that we stick to 10. The next one right after it is 10 minutes. If we are here in 10, we will get two of them done in 20 minutes. So if we call the regular order, don't be surprised if you miss a vote.

AMENDMENT NO. 176, AS MODIFIED

The PRESIDING OFFICER. There are 2 minutes equally divided. Who yields time?

Mr. DOMENICI. Senator ROTH has 1 minute and the other side has 1 minute.

The PRESIDING OFFICER. That is correct.

Mr. ROTH. Mr. President, this amendment does not endorse any one course of action. It calls upon the Finance Committee to develop bipartisan legislation to reform the Medicare program. Congress should work in a bipartisan fashion to extend the solvency of the Medicare program and to ensure that benefits under that program will be available to beneficiaries in the future. Congress should move expeditiously to consider the bipartisan recommendations of the chairman of the National Bipartisan Commission on the Future of Medicare. It urges the President to work with the Congress in fixing the problems in the Medicare program.

I thank my colleagues Senator BREAUX, Senator FRIST, Senator KERREY, Senator DOMENICI, Senator THOMPSON, Senator Bob GRAHAM, Senator ABRAHAM as well as Senators PHIL GRAMM, NICKLES, GRASSLEY, MURKOWSKI, and ASHCROFT for cosponsoring this legislation.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. LAUTENBERG. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROCKEFELLER. Mr. President, I will use my minute in response to simply say this is not a ''bipartisan'' Commission. The Finance Committee may very well take it up. But people, before they praise what the Bipartisan Commission has done, should understand the sick and disabled are going to have to pay the most. Mr. President, 71 percent of all counties in this country have no HMOs whatsoever. The costs of beneficiaries are going to go up. Medicare prescription drugs are not in any way, shape, or form universal.

Mr. WELLSTONE. Mr. President, can we have order? We cannot hear.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their conferences off the floor. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I will continue by saying rural seniors and urban seniors are going to be hurt in this process because there will be fewer physicians who are trained because the training of doctors is completely removed from Medicare. It was turned over to the appropriators. I think you will see a diminution of personnel.

The numbers of uninsured seniors are going to be increased, some estimate by 1.4 million. Medicare was begun because the private sector was not able to handle the insurance, was not willing to handle it. I hope Members will vote against this nonbipartisan Commission.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—56

Abraham	Campbell	Enzi
Allard	Chafee	Fitzgerald
Ashcroft	Cochran	Frist
Bennett	Collins	Gorton
Bond	Coverdell	Gramm
Breaux	Craig	Grams
Brownback	Crapo	Grassley
Bunning	DeWine	Gregg
Burns	Domenici	Hagel

Hatch
Helms
Hutchinson
Hutchison
Inhofe
Jeffords
Kerrey
Kyl
Lott
Mack
McCain
McConnell
Murkowski
Nickles
Roberts
Roth
Santorum
Sessions
Shelby
Smith (NH)
Smith (OR)
Snowe
Specter
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner

NAYS—43

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Bryan
Byrd
Cleland
Conrad
Daschle
Dodd
Dorgan
Durbin
Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Mikulski
Moynihan
Murray
Reed
Reid
Robb
Rockefeller
Sarbanes
Schumer
Torricelli
Wellstone
Wyden

NOT VOTING—1

Lugar

The amendment (No. 176), as modified, was agreed to.

Mr. ROTH. 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.

AMENDMENT NO. 177

The PRESIDING OFFICER. There are 2 minutes on the Kennedy amendment, equally divided.

Mr. DOMENICI. I ask unanimous consent that Senator ASHCROFT be made a cosponsor of the Abraham amendment.

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

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, over the course of the past 2 days of debate, we have seen that there really are no additional funds in this budget proposal before the Senate for the preservation of the financial security of Medicare. But there are proposals for a tax cut of $778 billion over the period of the next 10 years.

This amendment says we will take $320 billion of the amount that is reserved for the tax cut and use it for the financial security of Medicare. Effectively, we are saying, with the surplus, which represents the pay-ins by hard-working Americans—hard-working Americans—that we are going to use that money for the preservation of Medicare, and then we can move ahead and really reform Medicare, and give that a priority over tax cuts which are currently in the budget.

It is a simple question. Are we going to favor financial stability and security of Medicare or are we going to favor tax cuts? I say we can do both, but let us do the financial security of the Medicare system first. That is what this amendment is all about.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first, this is an anti-tax-relief amendment. Secondly, compared to the resolution, we increase taxes $320 billion. And there is absolutely no relationship between this amendment and Medicare, no matter how much the distinguished Senator from Massachusetts wants to say that there is. There is no relationship. This money sits around, can be spent. It is applied to the debt. We already apply more of the surplus to the debt than the President did with the Kennedy amendment. And last, we have already voted on it. We voted on Conrad. It is almost identical.

Having said that, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR), is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—53

Abraham
Allard
Ashcroft
Bennett
Bond
Brownback
Bunning
Burns
Campbell
Chafee
Cochran
Collins
Coverdell
Craig
Crapo
DeWine
Domenici
Enzi
Fitzgerald
Frist
Gorton
Gramm
Grams
Grassley
Gregg
Hagel
Hatch
Helms
Hutchinson
Hutchison
Inhofe
Jeffords
Kyl
Lott
Mack
McCain
McConnell
Murkowski
Nickles
Roberts
Roth
Santorum
Sessions
Shelby
Smith (NH)
Smith (OR)
Snowe
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner

NAYS—46

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Breaux
Bryan
Byrd
Cleland
Conrad
Daschle
Dodd
Dorgan
Durbin
Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Kerrey
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Mikulski
Moynihan
Murray
Reed
Reid
Robb
Rockefeller
Sarbanes
Schumer
Specter
Torricelli
Wellstone
Wyden

NOT VOTING—1

Lugar

The motion to lay on the table the amendment (No. 177) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

PRIVILEGES OF THE FLOOR

Mr. GORTON. Mr. President, I ask unanimous consent that full floor privileges be granted to the following staff persons for the duration of the budget resolution debate: Mark Prater, Brig Pari, Tom Roesser, Bill Sweetnam, Jeff Kupfer, Ed McClellan, Alec Vachon, Kathy Means, DeDe Spitznagel, Monica Tencate, Marc Hahn, and Jennifer Baxendell.

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

AMENDMENT NO. 242

Mr. GORTON. Mr. President, I believe it is now in order to consider an amendment previously offered by the Senator from Missouri.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself, and Mr. GORTON, proposes an amendment numbered 242, as previously offered.

Mr. ASHCROFT. Mr. President, this amendment relates to the education funding included in this budget proposal. I have joined with other Republican Senators in calling for an increase in Federal spending for education and urging that those additional dollars go directly to the classroom. This is a proposed sense-of-the-Senate amendment, and I am offering this measure with Senator GORTON. It is a measure which already is at the desk.

Mr. President, as I mentioned earlier, this budget is very generous in terms of education, providing additional resources for the purpose of enhancing the capacity of our students to perform.

This budget provides, for instance, for my own State—I think if the money were to be divided equally between the States, Missouri would get $56 million next year, more than it gets now. Over the next 5 years, it would get about $660 million more. So that is a substantial increase in the resource.

I have joined with Senator GORTON of Washington to say that when we have that kind of resource flowing to the States, it is important for us that this increased resource in Federal education dollars be directed to the States and local schools out of the Federal budget and not to the Federal bureaucracy.

You see, our intention with this resource is to elevate the capacity of students to perform, not to elevate the capacity or the propensity of the bureaucracy to intermeddle in directing, and sometimes misdirecting, the resources that would otherwise be best directed at the local level.

Our hope is that this additional resource will give States and local communities, will give teachers and principals, and will give people at the

classroom level—places where decisions can be made effectively about allocation of the resources—the maximum flexibility to design and run education programs that will literally elevate performance of our students.

One of our Nation's highest priorities is that every child would have the opportunity to receive the kind of challenging, rigorous education that would prepare them for not only success personally, but would also prepare them as team members of Team U.S.A. to keep America where it ought to be—leading the world.

Congress should develop and support Federal policy that will best promote education practices that succeed in our States and schools. Sometimes those practices are different in one State than they would be in other States. So we really want to invite the States, the school boards, the parents, and the teachers, those whose children are in the schools, to participate in developing the right deployment of these resources—spending the money wisely in ways that will help the students.

Successful school systems are characterized by parental involvement, where parents really care, where parents get involved with the school system, where they energize their children, where they assign a high value to achievement in education. That is where our children soar. We should have Federal policy that gives the parents, the schools, the school boards, the school districts, the local governments, and the States the right to tailor the expenditure of resources so as to meet the needs of our children. Successful schools are also characterized by fundamental skills, excellent teachers, dollars spent in the classroom, and not dollars wasted in the bureaucracy. So many of our current Federal educational resources are misspent. They drive a demand for paperwork. They don't drive a demand for performance. They don't contain elements that further our goal of giving our children a world-class education. A number of our Federal education programs contain these mountainous paperwork burdens—regulations and restrictions that hinder States' and local schools' ability to design programs.

Here are a couple of examples about the bureaucracy. Listen to these numbers. They are almost mind staggering.

In Florida, 374 employees administer $8 billion in State funds. So it takes 374 to administer the $8 billion in State funds. However, there are 297 State employees needed to oversee only $1 billion in Federal funds, six times as many employees, six times as much bureaucracy, six times as much administration per dollar of funds spent in Federal dollars as there are for State dollars.

I think if we want to avoid that kind of overlay of inefficiency, if we want to avoid the weight of paper that is weighing down the educational system that keeps teachers writing reports to bureaucrats instead of teaching our students, we ought to be working for this amendment which says that resources should go to State and local efforts; they should be tailored to meet the needs of the schools and to elevate student performance. The enhanced resources in this bill should not be devoted to the Federal bureaucracy where we have that 6-to-1 ratio demonstrated in the Florida experience where there are six times as many administrators for federal dollars as there are for State dollars.

The Federal Department of Education requires over 48.6 million hours of paperwork each year just to receive the Federal dollars. That translates into the equivalent of 25,000 full-time employees every year just doing the paperwork. This bureaucratic maze for Federal education bureaucracy takes up to 35 percent of Federal education dollars.

If I were to hand my son $1 and before it got from my hand to his it changed from $1 to 65 cents, I would hear about it. I would hear about it with justification—''You say you are giving me a dollar. You are only giving me 65 cents.'' That is what has been happening with Federal education dollars.

The Governors of the country know about it. That is why they were so adamant in unanimously supporting the Ed-Flex bill which we passed in the Senate. Flexibility is important. That is what we would be providing to support student achievement if we are able to support this amendment.

A recent example of inflexible Federal funding is the $1.2 billion earmarked exclusively for classroom size reduction for early elementary grades. It may have been a noble aspiration, but it may not be what some schools need.

Listen to what Gov. Gray Davis, a Democratic Governor of California, recently said. He said it this way. His State had already achieved smaller classroom sizes in the early grades and needed to use the new Federal funds for reducing class size in 10th grade math and English classes. But no. The Federal bureaucrats and we, in conjunction with them, said no; this is only to be used in another specific arena.

Let's give the flexibility to a school district, to the Governors, to teachers, to principals, to people at the local level. Let's give them the flexibility to meet student needs instead of to satisfy the bureaucratic demand. Why should we handcuff States and local schools from using money in the way they best see fit?

According to the 1998 National Assessment of Educational Progress Reading Report Card, nearly 40 percent of our fourth grade students cannot even read at a basic level. United States 12th graders outperformed only 2 out of 21 nations in mathematics on a recent Third International Math and Science Study Test.

The Brookings Institution has reported that public institutions of higher education have to spend $1 billion each year on remedial education for students who want to go to college. They have to have remedial work because it didn't happen at the elementary and secondary level.

Let's not continue to spend money, Federal funds, in the old way of running it through the bureaucracy, first shrinking it and then allowing it to go from the bureaucracy forward in ways that aren't serving students. We should direct any new and existing Federal education resources to States and local schools to design and implement education programs that work, and that they know can work, because they are working with the program. And they also know what programs they need for their students.

When Governor Gray Davis said he didn't need the money for smaller class sizes in early grades, he wasn't saying the program wouldn't work. He is just saying we already did that; we need to use the resource for something else.

We cannot afford to keep spending our dollars in the same way that we have been doing for years. A profound friend of mine said, ''Your system is perfectly designed to give you what you are getting. If you do not like what you are getting, you had better change your system.''

We can't do it the same way. It has been giving us the wrong results. Let's let States and local communities decide how to spend dollars to improve performance—not give us the same result but give us an elevated outcome.

I think we should give States and local schools the kind of flexibility they need to spend Federal dollars on programs that are needed at the local level rather than programs that are mandated from the bureaucracy. I think we need programs that boost student achievement, and that somehow foster academic excellence, giving local individuals the right to deploy the resources to do that.

Under this approach, schools will be able to deploy resources to hire new teachers and to raise teachers' salaries. They could buy textbooks, or new computers, enhance the library, or even build—do all kinds of things, whatever they believe is most important in order to achieve that fundamental goal that we will all agree we want to pursue: that is, elevated student performance.

That is what education is for—not for the bureaucracy in Washington. It is not really even for the bureaucracies at the State level, or the school boards, or even for the teachers. Our education effort is designed to elevate the performance and capacity to build the future of the United States by enhancing the future of individual students.

In conclusion, parents, teachers, school boards, and administrators are in the best position to say what is needed. You wouldn't think of going to a doctor who is 1,000 miles away who is prescribing only one thing for all the people in the country regardless of their symptoms. We would say that is the most foolish thing of all. Yet we go to the bureaucracy in Washington, have them prescribe what we are going to do with our educational resources, no matter what the situation is in the State, or the school, or the local school area, or in the classroom. We need the capacity to say, here is what is wrong. Let's make the diagnosis at the local level, and then let's get at the problem at the local level.

We can provide those resources. The resources in this budget should be devoted to that. Senator GORTON of Washington has been a champion of this idea. Several years ago, really in a breakthrough in the Senate, we voted for this concept, and it was on his motion that we did so. I am pleased to join with him in this sense-of-the-Senate resolution.

I ask unanimous consent to add Senator SESSIONS as a cosponsor of this amendment. There may be others as well.

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

Mr. ASHCROFT. Mr. President, I am pleased to have the opportunity to join my colleague from Washington State, SLADE GORTON, in making sure that we give the Senate an opportunity to express itself clearly in favor of the kind of funding for schools that boosts student achievement.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, it is almost 35 years since Congress passed the first Elementary and Secondary Education Act. That marked a fundamental change in the relationship between the Federal Government and local school districts in the management of education policy. That act in 1965 was 30 pages long. Today the Elementary and Secondary Education Act takes up 400 pages of our statute books. The regulations passed pursuant to that act and other education acts literally occupy thousands of pages of the Federal regulations.

For a third of a century, Washington, DC—often Congress but most particularly the people who work in the Department of Education—has been dominated by the thought that centralized decisions and centralized control exercised here in Washington, DC, was the best way to solve problems relating to the education of our young people.

Mr. President, 35 years of that experience has been demonstrably shown not to work. Test scores have not improved anything like the degree that centralized control has been imposed from Washington, DC. In addition, of course, the Congress has not really kept its promise with respect to education. Only 7 or 8 percent of the money that our schools spend comes from appropriations from the Congress of the United States, but a good 50 percent of the rules and regulations do. A failed experiment should be abandoned, and we should try something else.

To focus on a particular incident in my own State of Washington, a team of researchers at the University of Washington found that it wasn't more money that improved test scores in 26 elementary schools in Seattle. It was better people and more freedom. The schools that showed the greatest improvements had principals who motivated teachers to work together, parents who cared and were involved, and the flexibility to do things differently among these various schools. Those principals had more control over the moneys that their schools spent, and it allowed them to custom build programs tailored to their particular school's needs.

The idea has caught on in my State to the point at which our Governor has proposed the creation of ''opportunity schools,'' school districts that would choose to send their funding directly to the schoolhouse and thus free themselves from many regulations at the State level.

This amendment, this sense-of-the-Senate resolution, suggests that we here in Washington, DC, abandon the failed pattern of more and more Federal rules and regulations and repose more trust in parents, in teachers, in principals, and in elected school board members all across the United States.

My friend, the Senator from Missouri, dramatically illustrated how much more money goes into administration when you deal with Federal dollars than is the case with State dollars. He talked about the thousands of school employees throughout the United States who must occupy their time filling out Federal forms. We believe that we should provide more in the way of dollars to our students across the United States, and in fact, this budget resolution is far more generous than the budget proposed by the President of the United States, but we believe that we should impose far fewer controls with those dollars and impose more trust in those people who spend their full time caring about the education of our children.

In the Presiding Officer's State of Ohio and in mine, Washington State, and the State represented by the Senator from Missouri, the electors who were wise enough to elect us to this position are certainly wise enough to elect school board members who care passionately about the kids in their school districts and about the success of their education.

Later in this year, we will deal with the renewal of the Elementary and Secondary Education Act. Then our voices and our votes will carry even more weight because we will be voting on real policies. In this budget resolution, however, we are making a promise of more resources for our schools and for our schoolchildren, and we should accompany that promise with the promise to trust our parents and teachers and principals and school board members to spend that money wisely.

The Senator from Missouri was very complimentary with respect to my efforts in this regard. Twice in the last 2 years the Senate has voted to move in exactly that direction. We have not yet been successful. We have not gotten this all the way through Congress and past the President of the United States. In fact, the President's budget underfunds the programs that we have already established without removing the regulations that accompany those programs and establishes a whole new series of categorical programs in which we tell the schools what their priorities ought to be and how they ought to spend their money.

What does that do in the real world? The Seattle Times recently reported remarks by the superintendent of the Snoqualmie Valley School District, Rich McCullough, who said:

> It's a little discouraging, but I think there is a lack of trust implicit in almost all Federal funding programs we deal with. They don't trust us to spend the money right, so they force us to do whatever they think is best. It's not always best for every school.

I think that Mr. McCullough knows more about what the students in the Snoqualmie Valley School District in Washington need and how the money he has should be spent on their education than does any Member of Congress, myself included, or any bureaucrat in the Department of Education in downtown Washington, DC.

Dwayne Slate, the executive director of the Washington State School Board, made a similar point in a recent letter that he wrote to me:

> At some point elected officials in Washington, DC simply must trust local education officials to do what's in the best interests of kids in their communities. We all have their best interests at heart.

Mr. President, this sense-of-the-Senate resolution will follow that advice and will allow these superintendents, these teachers, these parents, more in the way of decisionmaking authority as to the kids to whom they are devoting their lives and their careers.

I have every hope that the Senate will accept this amendment.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time do we have?

The PRESIDING OFFICER. The Senator has 30 minutes.

Mr. KENNEDY. Thirty minutes.

Mr. President, I yield myself 7 minutes.

As has been pointed out by our friends and colleagues on the other side of the aisle, the importance of providing resources and help and assistance to local communities and then having a degree of flexibility within those communities is basically a concept which this body has gone on record supporting as long as we have some accountability for those funds. That is incorporated in the amendments which I cosponsored with Senator Hatfield in 1994, providing States with flexibility, and now we see that legislation is in conference with the House of Representatives.

We did not have the resolution of our friends until just a few moments ago, but after a quick look at the sense-of-the-Senate, I urge our colleagues on this side to support it. The point that I think is always well worth understanding is that education is basically a local responsibility as has been pointed out by the two speakers on the other side of the aisle. Only about 5 to 6 cents out of every dollar that is spent locally comes from the Federal Government. The rest is raised locally and by the States. So whatever success or failure we have out there in local communities obviously is attributable to the local communities.

We have had some success. We have other challenges. What I think the American people want today is a partnership between the local community and the State and the Feds to try to enhance academic achievement. What we have heard from those schoolteachers and what we have heard from parents and what we have heard from students is a series of recommendations. They had talked about smaller class size, better trained teachers, afterschool programs. They talked about technology in the classroom and some other recommendations—literacy programs as well. That is what they have been telling us, and we have developed legislative proposals to respond to those ideas.

I point out for the benefit of the RECORD that currently, according to the Department of Education—and I will include their study in the RECORD—95 cents of every dollar is actually appropriated for local schools, 95.5 percent of the Federal funds actually go to local districts; a half of 1 percent stays at the Federal level, 4 percent stays at the State level.

So, this is a pretty good indication that whatever we do—and it is very modest when you look at the Nation—it is getting to the community. We can always do better with what we are providing there, but we are, at least with regard to getting the funds into the local communities, doing pretty well, I think. It is certainly better than the kind of bureaucracy that exists at the State level.

Having said that, we will have an opportunity this afternoon to do something which I consider to be very significant in the area of education—a real choice. The proposal we have today indicates the importance of supporting local desires and local interest in the community, and I am certainly going to recommend we all support that. But, later on this afternoon, we will have a measure which the Senator from Connecticut and I will send to the desk, and which we will vote on, which will say: Let's really do something, provide some additional resources to help assist those local communities.

It is all nice and well to agree to a resolution that, as this resolution does, encourages further flexibility at the local level. We are going to embrace and support that. But we will have an opportunity this afternoon to say the following: Before we have the tax breaks for the wealthiest individuals, let us go ahead and fully fund the IDEA program at 40 percent.

We heard a great deal of debate about that in the earlier debate on education. Now, this afternoon, we will have an opportunity to fully fund, at 40 percent, the IDEA program—the special needs programs of help and assistance for the local communities that have special needs children—and meet for the first time our responsibility of funding it at 40 percent, prior to the time we have tax breaks for the wealthy. That will be the significance of the vote on our amendment this afternoon. We will say that we will support a program for smaller class size from K–3, we will support the afterschool programs, we will as a result of this particular amendment see an expansion of the Pell grants and an expansion of the work/study programs, and we will see an expansion of the Head Start programs.

We are effectively saying, instead of $778 billion in tax breaks, we are going to take $156 billion of that over the next 10 years and put it where it will make a difference for children in our country at the local level, in the local community—in smaller class sizes, in helping and assisting in modernizing buildings, in upgrading the skills of our teachers, in effective afterschool programs, in additional technology, in helping and assisting in bringing the Pell Program up to date in a more effective way, and in work/study programs which in many instances are used to expand literacy training and fund the literacy program.

It will be very easy later on this afternoon when we vote on this; the choice will be very clear. After all the pronouncements, all the speeches, all the declarations, all the press releases, this afternoon this Senate will have an opportunity to say we are, over the next 10 years, going to have the most serious support for local improvement, raising the standards of education, that we will have had in the last 35 years. That will be before the Senate this afternoon in our amendment.

There still will be ample resources, over $500 billion, that will be available for the tax breaks.

So I hope when the time comes we will have the support of those who have been speaking in support of local schools and districts involving parents, involving local decisions. I hope we are going to have their help and their support. Do they want to really put their vote where their voice has been and where their press releases have been in supporting education? Or are they going to vote and say: We will do that at another day, but I am going to vote for tax breaks for wealthy individuals? That is the choice. That will be the choice when the Senate considers the amendment that Senator DODD and I will introduce at the first available opportunity.

Mr. DODD addressed the Chair.

Mr. KENNEDY. I yield 10 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, they are not here on the floor at this moment, but let me say to my colleagues from Missouri and Washington, that I appreciate the sense-of-the-Senate resolution in which they called for increased Federal funding for elementary and secondary education to be directed to the States and local school districts, granting decisionmaking authority in the hands of the States. I have no difficulty with that assertion. But, as my colleague from Massachusetts has just pointed out, there is not a single dime that flows to the States as a result of this amendment.

I commend the distinguished chairman of the Budget Committee, Senator DOMENICI, and the members of the committee, both Democrats and Republicans, for earmarking additional funds for education. This was a long overdue but welcome addition to the budget process. But, as the Senator from Massachusetts has pointed out, there are some significant differences in what we should do with those dollars because we are competing within the educational function, in effect, on some very critical needs.

Many times Members stand on the floor of the Senate and tell you what message the American public may be sending. Two Senators can get up on the same subject matter, take entirely different positions, and tell you they are speaking on behalf of the American people. On education, Mr. President, we hear one message. We hear, I think, very loudly and very clearly, regardless of geography, economics, ethnicity,

gender, or age, that education is a major concern of the American people. There has been a deep and abiding appreciation throughout the long history of our Nation for the importance of education, the fundamental understanding that the subtleties of our democracy and our Constitution can only be perpetuated in time because each succeeding generation is an educated generation. We prosper economically, we grow culturally and intellectually, because we are an educated people. That has been ingrained from the founding days of this Republic.

Earlier today I heard our new colleague from Indiana give his maiden speech on the floor of the Senate. It was a fine speech in which he talked about this being the last budget of the 20th century. I would like to take that in a different direction, in a sense, and remind our colleagues, that this is the first budget of the 21st century. What we are adopting here today, tonight, or tomorrow by noon will be the first budget that will apply to the first year of the coming millennium.

I suppose historians looking back, as they are apt to, will want to know what we were saying about our society as we left the 20th century and began this new millennium. Where were our priorities? What was our agenda? What did we want to see envisioned for our country? Again, I think the voice of the American public is pretty loud and clear and pretty uniform on the issue that education ought to be paramount on our agenda.

For those reasons, the Senator from Massachusetts and I will offer an amendment later today—we will not be able to debate it so we are doing it now—which will say that 80 percent of the tax cut that we are talking debating today will stay in place, if, in fact, that is the will of the majority. Twenty percent of that proposed tax cut we would like to take and deal with the educational needs of America over the next 10 years.

We would like to do something about the commitment we made almost a generation ago, when it came to the Individuals with Disabilities Education Act. I do not know of a mayor, Mr. President, or a Governor, I say to the Presiding Officer, who knows what I am talking about, in my State or across the country, who has not begged me to do something about us living up to that 40-percent level that we said we would fulfill when it came to the educational needs of special needs children.

We have gone from 8 to about 11 percent of special education funding. I offered an amendment 5 or 6 years ago, Mr. President, in the Budget Committee, which I lost on a tie vote on the IDEA budget that would have increased our commitment to special education.

What Senator KENNEDY and I are offering this afternoon is an opportunity for us to do that over the next 10 years and fulfill that commitment by merely saying, let's slightly modify the tax cut proposal. We are also proposing to take some of those funds, and apply them to deal with the issue of class size—again, a subject matter that I think all Americans agree is important—to have an additional 100,000 teachers, to reduce the ratio of student to teachers in our classrooms; thus, obviously, as I think we all appreciate, increasing the opportunity for learning. Those are the two things we do in this amendment we plan to offer.

There are other questions, obviously, including both school construction and student loans. The Senator from Massachusetts made reference to Pell grants. Does anyone doubt in the 21st century that there is going to be an increasing cost in higher education for families? What a signal to send on the first budget of the 21st century that we recognize that need and that growing cost, and we are going to commit some resources to provide for the higher educational cost needs of average American working families.

School construction: Again, it is incredible to me that in the most affluent nation in the world, we have school buildings that are falling down within blocks of this building. Within blocks of where we are speaking today, there are school buildings that were built in the early part of the 20th century, facilities in which we are training and educating young people who will be the leaders of the 21st century. We somehow have not yet been able to find the resources to make sure those schools are going to be well constructed, are going to be wired with the technology that they need.

The problem with the budget resolution that our good friend from New Mexico and others have crafted is that while it increases spending for education, it does so at the expense of the very programs I have just identified, and others.

It says, in order to do that, we are going to take it from Head Start and higher education, and we are going to take it from other areas. Further, it says we are not going to do something about special education costs at the local community level.

So on the one hand, I commend my colleagues for raising the ante, if you will, on education. Simultaneously, they are squeezing the other programs that are absolutely critical, so that we can attempt to provide for the educational needs of the Americans of the 21st century.

We have a way of paying for this. Again, I think our colleagues earlier today talked about a balance in this budget. There is a need for tax cuts. I am looking forward to supporting some good tax cut proposals—child care, the marriage penalty tax, investment in small business, innovation and technology, housing. I can think of a dozen areas where good, strong tax cuts make sense.

But that is not the only need in this country. There is a need to do something about the educational improvement of American schools. There is something valuable in assisting our communities and local governments with the cost of special education. What we will offer in our amendment will do that.

New school construction, classroom size, special education: why not also provide for that and simultaneously provide the resources for some of the tax cuts people are proposing?

The resolution before us, the sense of the Senate which says we ought to do more about elementary and secondary education, if Senators vote for that, and I hope they will, then they are going to get a chance momentarily, right after that, to fulfill that commitment. Rarely do we get to do that. We make a promise with one resolution, and within minutes we will be given a chance to actually fulfill that commitment and that promise with the amendment that we will offer.

We hope, Mr. President, that our colleagues will support the resolution by the Senator from Missouri. In doing so, we also hope that when the amendment is offered by the Senator from Massachusetts and myself, to fulfill our commitment on IDEA and do something about classroom size by reducing marginally the tax cut proposal, that we will also put real dollars and real meaning behind the commitments made in the resolution before us.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. SNOWE. Mr. President, how much time is available?

The PRESIDING OFFICER. The sponsor of the amendment has 10 minutes 5 seconds, and the opponents, 11½ minutes.

Ms. SNOWE. Mr. President, I will take the remaining 10 minutes.

First of all, I ask unanimous consent that at 4 p.m. today, all remaining debate time on the budget resolution be considered yielded back and, further, that the Senate proceed to a stacked series of votes on the remaining pending amendments.

I further ask that the first vote be 15 minutes in length, with the remaining votes in the sequence limited to 10 minutes in length, with 2 minutes equally divided between each vote for brief explanations of the amendments.

Finally, I ask that the votes alternate between Republican and Democrat amendments.

Mr. KERRY. Reserving the right to object, I want to make sure I understood that correctly, Mr. President. Was that request, again, as of 4 to begin the process of serial votes?

Ms. SNOWE. That is correct.

Mr. DODD. Further reserving the right to object, Mr. President—

Mr. KERRY. Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maine.

Ms. SNOWE. Thank you, Mr. President.

I wanted to make a few comments on an amendment that the Senator from Oregon and I have introduced already. It has already been brought up.

I wanted to offer a few words of explanation, because we think this is a very important amendment that would expand the reserve fund in the budget resolution for Medicare and the prescription drug benefit program. Specifically, our amendment would allow for new tobacco taxes to be used as an offset for the new Medicare prescription drug benefit that this reserve fund would create.

As I stated on the floor yesterday, I believe that one of the most critical items included in this year's Senate budget resolution is the reserve fund for Medicare and prescription drugs. This reserve fund received support from virtually all the members of the committee, both Democrats and most Republicans, which would address the prescription drug benefit program by allowing the use of onbudget surpluses.

We know that the Bipartisan Commission did not report out a majority report, but we do know that the Senate Finance Committee will be considering the Commission's recommendations nevertheless. So in this proposal, in the bipartisan resolution, it does include, in the reserve fund in the budget resolution, language that in the event that the Senate Finance Committee reports out a reform package of the Medicare program that extends the solvency of the program, then we would also include a prescription drug benefit program.

To the credit of the chairman of the Budget Committee, he proposed, when we were trying to work out exactly how this would be funded, whether or not to use tobacco taxes or other sources of revenue, we decided that the onbudget surplus was one means of supporting a prescription drug benefit program. But we also know that could also be tenuous depending on the surpluses that develop over the next 5 to 10 years. We want to provide certainty to the funding of this prescription drug benefit program.

So the Senator from Oregon and I have proposed an amendment that would provide an additional means of funding for this prescription drug benefit program so that we provide the continuity and the stability for funding by raising tobacco taxes in order to fund the program.

In fact, the President includes a 55-cent tax increase in his own budget for a tobacco tax increase. He talks about a prescription drug benefit program but does not provide a plan nor does he provide any sources for funding. We think this is an important step forward.

I appreciate being able to work with the Senator from Oregon in a bipartisan fashion to address this most critical issue, critical problem that is facing our Nation's senior citizens. Twelve percent of our Nation's elderly account for more than a third of the drug expenditures that occur in this country. Clearly, it is a real problem for seniors. It certainly is the black hole in the Medicare program because of the absence of support for a drug benefit program.

We want to provide the means by which it can happen and can happen this year. So the reserve fund in the budget resolution, contrary to what has been said, does provide the means for a prescription drug benefit program. If that reserve fund and that line item was not in the budget resolution, we would have a 60-vote hurdle to bring it to the floor.

So it guarantees the prospects of having a prescription drug benefit program with use of onbudget surpluses. We are just adding another option to the funding of that program because we think it is so important.

HCFA will say 65 percent of the Nation's elderly who are on Medicare have support of prescription drug benefits through other insurance policies. Well, not exactly. When you start to look at the Medigap policies, the cost of the deductibles and the caps, it is a very expensive proposition, and very few seniors have the option of using it in a way that can help them given the enormous costs that prescription drugs represent to their families.

So we realize this is a necessity. That is why we wanted to develop this bipartisan approach on funding, and ultimately the Senator from Oregon and I are going to develop bipartisan legislation to move this process forward.

I want to yield to the Senator from Oregon, because I know there is very little time left, to be able to address this issue as well. I think it is important. It makes sense to use tobacco taxes. The Columbia University did a study on this issue.

And there is no question that tobacco-related illnesses has cost the Medicare program to a tremendous extent, in fact, more than $34 billion. And 80 percent of the $32 billion in total substance abuse costs in 1994 were as a result of tobacco-related illnesses, as this chart will illustrate right here. So $25 billion alone in 1994.

So Mr. President, there is no question that it makes sense to link a tobacco tax increase to financing a prescription drug program when you consider the costs and the impact of tobacco-related illnesses on the Medicare program. And that is only going to get worse in the future.

Now I would like to yield to the Senator from Oregon for any comments he would like to make on our amendment.

Mr. WYDEN. I thank my colleague from Maine. Thank you, Mr. President.

Mr. KENNEDY. Mr. President, whose time is being used now?

The PRESIDING OFFICER. If the Senators have submitted an amendment, they have 30 minutes as proponents on the amendment. The Chair has accepted the proposition that an amendment has been accepted.

Mr. KERRY. Mr. President, parliamentary point of inquiry. Which amendment is, in fact, the amendment that is currently under controlled time?

The PRESIDING OFFICER. There are more than 80 amendments.

Mr. KERRY. No. It is my understanding, Mr. President, that the Ashcroft amendment is the pending business.

The PRESIDING OFFICER. That was the last amendment that was proposed.

Mr. KERRY. The Ashcroft amendment is being debated under controlled time; is that correct? There is a unanimous consent request as to the order of amendments. Excuse me. There is a unanimous consent order that has set up the order of amendments now. So the order is the Ashcroft amendment. Subsequent to the Ashcroft amendment, there is an additional Daschle amendment, and then it is going back and forth. So we are on the Ashcroft amendment. If debate on that is finished, under the consent order, we would move to a separate order. This amendment, if it is separate, would not be in order at this time.

Mr. DOMENICI. That is correct.

Mr. LAUTENBERG. If you will give me a moment, I have an inquiry. I ask the Parliamentarian, is there a UC now that lists amendments in order?

The PRESIDING OFFICER. No, there is not.

Mr. DOMENICI. We did not get a UC.

Mr. KENNEDY. Point of inquiry. Can I try to clarify this issue? If I could have the attention of the Parliamentarian. As I understood, we had the Ashcroft amendment. And then we had 12 minutes left on our side; 12 minutes on the other side. And as someone who was interested in our side, the Democratic side, I thought the Senator from Maine asked to take the 10 minutes—it was on the other side—to talk about an amendment that was going to come up, just as we talked about an amendment we hoped would be considered later in the afternoon. I do not remember a consent request that we set that aside. I have been sitting here, Senator DODD has been sitting here, ready to debate the Ashcroft amendment.

Mr. KERRY. Further inquiry, Mr. President. Last night I stood here in this very chair when the distinguished manager——

Mr. DOMENICI. I was not here.

Mr. REID. I was here.

Mr. KERRY. Senator REID. And we propounded a unanimous consent request at that time which the Chair, in fact, did rule on, saying there would be six amendments, three on each side; and the three on our side were specifically listed at that point in time. And I think the distinguished minority whip will confirm what I am saying.

Mr. REID. There was an order entered last night with names of Senators on this side mentioned. Senator DOMENICI indicated he would fill in the names of the Republican Senators, for the three amendments to be offered on their side.

Mr. DOMENICI. Mr. President and Senators, I was not here, but I do not challenge what anybody has said. Somebody else was here in my stead. I think it was—no. Was I here?

Mr. REID. You were here.

Mr. DOMENICI. OK. My recollection is getting weaker by the hour here.

Mr. DODD. Join the club.

Mr. DOMENICI. But if you let me try to fix it, just give me a moment.

How much time is left on the amendment that is known as the Ashcroft-Gorton?

The PRESIDING OFFICER. There is 10 minutes to the sponsors and 11½ minutes to the opponents——

Mr. DOMENICI. What is the argument?

The PRESIDING OFFICER. On the Ashcroft amendment. So we are still on Ashcroft.

Mr. DOMENICI. They are supposed to have that time. Why not give them that time? What is wrong with that?

Mr. KERRY. The Snowe amendment is a separate amendment, and not in order.

Mr. DOMENICI. Could you clarify, what is the status of Senator SNOWE's amendment?

The PRESIDING OFFICER. There have been submitted in excess of 80 amendments. Under the Senate's precedents, each of those amendments can be brought up on the call of the regular order.

Mr. KERRY. Mr. President, again——

Mr. DOMENICI. She did not ask for regular order. Her amendment isn't pending. Is it pending or not?

Mr. WYDEN. Parliamentary inquiry.

The PRESIDING OFFICER. That is what we are trying to get to right now.

Mr. DOMENICI. Could we ask Senator SNOWE, what do you desire to do? Do you want to talk about your amendment?

Ms. SNOWE. That is correct. Yes, Mr. Chairman, I want to talk about my amendment.

Mr. DOMENICI. How long would you like to talk about your amendment?

Ms. SNOWE. Not too much longer, perhaps another 10 minutes. The Senator from Oregon could finish up his remarks and then any concluding remarks.

Mr. DOMENICI. Ten minutes between the two Senators?

Mr. WYDEN. Mr. President, I think we can be finished with this in probably 15 minutes.

The Senator from Maine and I, as well as our colleague from Massachusetts, have been here for the last few hours. If I had 10 minutes and Senator SNOWE could wrap up briefly, we could be done.

Mr. DOMENICI. We will make time for you.

Mr. KERRY. Mr. President, I am absolutely confident that we can work this out appropriately with the help of the distinguished manager. I make it clear that no call for regular order was made. We were in the middle of the process of debating the Ashcroft amendment which is under controlled time. In the course of that debate of controlled time, the Senator from Maine—and I have no objection to this—stood up to speak on a separate amendment without calling for regular order.

So that is not the pending business before the Senate.

Now, I am delighted to have the Senator from Maine and the Senator from Oregon be able to debate their amendment, but there is, in fact, an order setting up a line of amendments here.

I am happy to enter into a new unanimous consent agreement that adequately protects those people in line and the time of the Senator from Maine's, and then we can proceed. I would be willing to lift my objection to having the serial votes follow at that point in time. I do think we ought to follow the procedures of the Senate.

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, I ask unanimous consent that Senators SNOWE and WYDEN be permitted to speak without calling up their amendment for 15 minutes, after which time the regular order will be the Ashcroft amendment, which will then vest in the respective Senators the remaining time under the hour that they had. As soon as that is over, we will proceed with the Daschle-Dorgan amendment, and they will have 1 hour equally divided, after which we will move to a Republican amendment for Grams-Roth, which will be one half-hour equally divided. Then we will have Senator JOHN KERRY of Massachusetts to follow that with one half-hour equally divided.

We can stay on that path for just a while and then we will do something else.

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

Who yields time on the pending Ashcroft amendment?

Ms. SNOWE. Mr. President, I have the time.

Mr. DOMENICI. Mr. President, we just entered into a unanimous consent agreement. What do we need the Parliamentarian for? He can sit there. Senators SNOWE and WYDEN are to proceed under the UC now for 15 minutes, and we just stated what is to follow.

You don't have to ask the Parliamentarian anything; just call on Senator SNOWE.

You are the Parliamentarian; you run the Senate.

The PRESIDING OFFICER. The Chair rules that we will have 15 minutes divided between the Senator from Maine and the Senator from Oregon.

The Senator from Maine.

Ms. SNOWE. Mr. President, I yield 10 minutes to the Senator from Oregon.

Mr. WYDEN. Mr. President, first let me thank my colleague from Maine and say that the reason we have come to the floor at this time is there would be an opportunity today for the Senate, after all of the frustrations surrounding the Medicare Commission, to take a major step forward in the cause of Medicare reform, and finance it in a responsible way.

What the Senator from Maine and I have done, both in the Budget Committee and with this amendment, is sought to ensure that the Senate would have an opportunity in this bipartisan amendment to ensure for the first time in this session the Senate could make a significant addition to the Medicare program: Start covering prescription drugs for vulnerable older people and pay for it in a responsible fashion.

More than 20 percent of the Nation's elderly spend over $1,000 a year out of pocket on their prescription medicine. These are older folks who are walking on an economic tightrope. They balance their food bills against their medical bills, their medical bills against their housing expenses, and many of these older people end up with a prescription that would involve their taking three pills a day which they cannot afford. So they end up taking two pills at the beginning and then maybe they take one. They get sicker. As a result, this country's inability to finance prescription drug coverage for older people under Medicare, this results in a lot of those older folks having to face hospitalizations, unnecessary surgeries, institutional health care.

The reason Senator SNOWE and I have acted as we have: First, to ensure that part of the onbudget surplus could be used for this additional benefit; and, second, to raise the opportunity for additional revenue through new tobacco taxes. We believe that a significant portion of Medicare expenses are due to tobacco-related illnesses. In fact, the evidence shows that perhaps 15 percent of all Medicare costs are tobacco related.

In this amendment we have provided a two-step process for ensuring that we will have the opportunity to finance a decent pharmaceutical benefit for low-income older people. The first is the

proposition that many Democrats have felt strongly about, and that is to ensure that a portion of the onbudget surplus could be used for this benefit. Second, we have felt that it may take additional funds, which is why we are saying that the Senate Finance Committee would have the opportunity, should they choose to do so, to add to the reserve fund money that would come from a new tobacco tax.

I believe, having seen the frustrations of the Medicare Commission and their inability to come up with a bipartisan agreement, the Snowe-Wyden amendment, the amendment that we will vote on today, is a major step forward.

When we talk with our older constituents, they tell us that the great gap today in Medicare is prescription drugs. More than 37 percent of older people are responsible for their prescription drug bill. On average, they pay twice as much as those without coverage. The AARP has estimated that fee-for-service beneficiaries with annual incomes below $10,000 are estimated to be spending about 10 percent of their entire income on prescription drugs.

I am very pleased to have a chance, after some of the bickering that has surrounded this Medicare issue, to come to the floor of the Senate today and say that with the Snowe-Wyden amendment we are in a position to add coverage for the vulnerable older people of this country and to pay for it in a responsible way.

Many of our colleagues know that Medicare offers very little in the way of preventive benefits. We have finally been able to add some mammography coverage, some coverage for those with diabetes. But the fact of the matter is, this drug coverage benefit is perhaps the next best step we can take in terms of preventive health care.

What we are seeing with these new drugs and new therapies, they are absolutely key to keeping older people out of the hospital, to making sure we are avoiding unnecessary surgeries. I submit that this legislation, which meets an enormous need in our country, is also a major step forward in terms of preventive health services.

I know that there are going to be some on the Republican side and some on the Democratic side who will say that this is not perfection in terms of Medicare reform. Well, I would agree with that. But I also say that the opportunity to take a major step now to helping those 20 percent of the Nation's senior citizens who pay more than $1,000 out of pocket for their prescription drugs is certainly an opportunity that the Senate should move to take advantage of.

It isn't a perfect amendment. The Senate Finance Committee is going to have an opportunity to make refinements in it. But for the vulnerable older people, 37 percent of the Nation's elderly that are responsible for their prescription drug bill, this is going to mean that some of those folks are actually going to be able to pay for three pills a day when the doctor tells them that is needed.

I want to wrap up by thanking my colleague from Maine. She, like myself, has worked on this issue for many years—really, since our House days. I am so pleased that now we can, after there have been the frustrations surrounding the Medicare Commission, come to the floor of the Senate with a significant Medicare reform that is responsibly financed. We got a 21–1 vote in the Senate Budget Committee, and the addition that we have made today, with the opportunity for additional revenue to be generated for this program with any new tobacco tax, is another step forward.

I thank my colleague from Maine for this time. I know she would like to wrap up, and I tell her I very much appreciate the opportunity to, with her, address Medicare reform now in a bipartisan fashion and to meet the needs of some of the Nation's most vulnerable citizens, our elderly. I thank her for this time to speak.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I want to commend my colleague, Senator WYDEN, for his leadership on this issue, not only here in the Senate, but as he referred to, during our days in the House of Representatives. I know he has worked considerably on the issues of senior citizens in this country, and in his service on the Aging Committee as well in the House of Representatives.

I want to also commend the chairman of the Budget Committee because at a time when I was discussing the idea of creating a reserve fund for the prescription drug benefit program, Senator DOMENICI came up with the idea of including onbudget surpluses of which there is probably more than $132 billion estimated over the next 5 years, and that that could be a potential source for funding for the prescription drug management program.

So this amendment is to build on that leadership, to ensure that there will be continuity and funding in the event that those surpluses do not materialize. Also, this is a carrot-and-stick approach because the reserve fund in the budget resolution includes a prescription drug benefit program contingent on a reform package being passed out by the Senate Finance Committee that extends the solvency of the Medicare program.

We think that is important, but we don't want to overlook the significance of providing this benefit to senior citizens because it has constituted a crisis in this country for our Nation's elderly, without a doubt. As Senator WYDEN has indicated, it has consumed most of their income when it comes to the cost of prescription drugs. We think it is an appropriate linkage between a tobacco tax increase and the impact on the Medicare program. Again, if you look at this chart, $25 billion is the cost to the Medicare program in 1995 as a result of tobacco-related illnesses. Well, if you take that even further, it represents 14 percent of Medicare costs in that year alone. That is all going to grow exponentially. It will get worse. It could be more than a $400 billion problem over the next 10 to 15 years.

So that is why it is important, I think, to look at the source of revenue through a tobacco tax increase, in the event the surpluses don't materialize, but that we have a permanency in terms of coverage. That is what we are attempting to do in this amendment. That is why we think it is so important because to do otherwise is failing to acknowledge the reality of the impact of not having this kind of benefit program currently in the Medicare system.

Finally, I should say, Mr. President, that in the reserve fund in the budget resolution we prohibit any transfer of IOUs to the Medicare program. We do not artificially address the Medicare program. We are doing it in a real way, and that is also the case with the prescription drug benefit program.

I might also just mention, in talking about Medicare, as one quote that came out of the President's book—the OMB fiscal year 2000 budget—what it said with respect to the President's Medicare proposal is:

> Trust fund balances are available to finance future benefit payments and other trust fund expenditures—but only in a bookkeeping sense. . . . They do not consist of real economic assets that can be drawn down in the future to fund benefits. Instead, they are claims on the Treasury that, when redeemed, will have to be financed by raising taxes, borrowing from the public, or reducing benefits or other expenditures. The existence of large trust fund balances, therefore, does not, by itself, have any impact on the Government's ability to pay benefits.

What that means, in a nutshell, is that the President's proposal, contrary to what is suggested on the floor, isn't putting a penny of real money into these programs, and the same is true for the prescription drug benefit program. They talk about the State of the Union Address, but did not propose a plan, did not provide one penny for a prescription drug benefit program. The budget resolution, on a bipartisan basis—21–1—supported the reserve fund I offered with the onbudget surpluses to pay for it. That is a step in the right direction that is going to ensure that the Nation's senior citizens have that benefit. In addition, on this amendment offered by the Senator from Oregon and myself, I should also mention that Senator SMITH from Oregon is a cosponsor.

Mr. WYDEN. Will the Senator yield?

Ms. SNOWE. Yes.

Mr. WYDEN. I thank my colleague for yielding. I want to come back to how bipartisan this amendment has been——

Mr. KENNEDY. Will the Senator yield?

Mr. WYDEN. In a moment, I will. In the Budget Committee, this received a 21–1 vote. Suffice it to say, for an issue that has been this controversial, which generated so much discussion in the Medicare Commission, to be able to come to the Senate today with a 21–1 vote from the Senate Budget Committee and then to take the additional step that the Senator from Maine and I and many of our other colleagues have taken, like Senator KENNEDY who has fought this battle valiantly for so many years—we have now taken the additional step of saying that any new tobacco tax money could be used for this program, and that strikes me as the kind of bipartisan work that the Senate ought to be doing. It would be one thing if this was a narrowly fought battle in the Senate Budget Committee. Instead, we got a 21–1 vote.

Now we come to the Senate floor and say that onbudget surpluses could be used to finance this program for the vulnerable, No. 1. The second is to say that any new tobacco tax revenue could be generated for this program. That is the kind of bipartisan approach we ought to be taking. I thank my colleague from Maine. I know my friend from Massachusetts wants to speak.

Mr. KENNEDY. May I ask a question, please? On this trust fund, the reserve fund, on page 90, which describes the fund, there are also the words that the committee report would not allow the reserve to be funded by the intergovernmental transfers. That would be the part that the President talked about—any of the funding from the surpluses. And then, on page 90, it indicates that you can't have the funds from other revenues, as it talks about being adjusted for legislation that extends the solvency of the fund.

How are we going to extend the solvency without additional funds in order to trigger this program? You have the solvency mentioned, and 9 years and 12 years. We don't want to create a program that says we are going to do something on prescription drugs and then, on the other hand, which says we are only going to do it if we extend solvency, and then we don't have additional funds to extend solvency. I am interested in what kind of a commitment or promise this is really going to be.

Ms. SNOWE. Mr. President, the answer to the Senator's question is, that is occurring through the Part A program of Medicare. The prescription drug benefit will be in Part B of the program.

Mr. KENNEDY. The provision here talks about now allowing transfer of new subsidies from the general fund. That is not applicable to Part B. It says right here on page 90. That is prohibited without the use of transfers of new subsidies from the general fund. And it also talks about prohibition of intergovernmental transfers.

Can the Senator tell us how she foresees the solvency being worked out, if it isn't going to be higher premiums, or reduced benefits?

The PRESIDING OFFICER. The time that has been allocated to the Senator has expired.

Mr. KENNEDY. May I ask for a minute so the Senator can respond?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. SNOWE. Mr. President, if I may respond, I would be glad to respond. We are not proposing any reforms to solvency. That will be determined by the Senate Finance Committee with respect to Part A. With respect to the prescription drug benefit program, that would come under Part B. And that is why we will be using onbudget surpluses, plus the tobacco tax increase, if it is necessary.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. First, Mr. President, to the Parliamentarian, I apologize for my statements a while ago. I guess I have been here too long.

Anyhow, let me see who is under the order. Is not the Daschle amendment up? We understand there is time remaining on other amendments. That is bothering you. So why don't we just say whatever time remains on amendments that have been set aside, or otherwise are not disturbed, by unanimous consent will not be changed or altered by setting them aside, reserving that time, and going to the Daschle amendment as ordered a few moments ago.

The PRESIDING OFFICER. Daschle-Dorgan. There was a unanimous consent on three amendments that are going to be made, and this is the beginning of that with the Daschle amendment. The clerk will report that amendment.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Parliamentary inquiry: After the amendments are called up, are you going to ask unanimous consent that they be entered?

Mr. KENNEDY. Mr. President, I have just been back here now distracted. Are we going to just finish up now the amendment? We have been here with Senator DODD all during the lunch hour since 1 o'clock, which I am glad to do to accommodate others. And the chairman has been enormously accommodating. But I thought we would have Senator DODD next. Senator MURRAY is here and wanted to speak. Senators HARKIN and DODD wanted to speak on it and to do the last 10 minutes. The chairman has been extremely courteous in accommodating everyone's interest. Both of them are here. What I would like to do is to have some idea.

Mr. DOMENICI. What amendments are they speaking to?

Mr. KENNEDY. Ashcroft. We have 10 minutes remaining on the Ashcroft amendment.

The PRESIDING OFFICER. The Chair's recollection is that there was a unanimous consent ordered to give the Senator from Maine and the Senator from Oregon 15 minutes, and then we would proceed under an order in regard to specific amendments.

Mr. LAUTENBERG. Regular order is the Ashcroft amendment.

Mr. KENNEDY. Ashcroft is pending.

Mr. LAUTENBERG. That is the pending amendment. I think the Parliamentarian will agree.

Mr. DOMENICI. Mr. President, if there is any confusion, might I modify the previous unanimous consent request and say that there are 10 minutes remaining on each side on the Ashcroft amendment, 10 under the control of Senator KENNEDY, 10 under the control of Senator ASHCROFT, and that we proceed to do that now, and then follow the sequence that we just agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered. We will proceed. There being no objection, the Senator from Massachusetts.

Mr. KENNEDY. I yield to the Senator from Washington.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President.

Mr. President, before the body at this time is an amendment on education. We have heard from this floor many times over the course of this Congress that education is a priority. And that is a fact; it is a priority here in the Senate. I am delighted to say that. It is certainly a priority for thousands of families across the country who have children in school who want them to get a good education. But it is also a priority for many businesses who want to make sure that we are educating young people today in order to give them the skills they need to be able to hire them. It is a priority for our police officers and the community leaders, because they know that investing in education and making sure that young people get what they need in our schools means the safety, the health, and the viability of our country for many years to come.

The pending amendment talks about education. But talking about education is not what our constituents are asking for. They are asking for us to invest in education. We can all talk about quality, but unless we provide the resources for those schools out there, we will not be providing them with the kind of education they have to have in order

for our country to be strong in the future. The amendment that my colleagues, Senator KENNEDY and Senator DODD, have introduced offers us a way to do that.

Too often on this floor we have set up challenges between different funding. We can either support IDEA funding for special education, or we can support teacher quality, or class size. The amendment that Senator KENNEDY will offer at a later time provides us with the alternative to make sure that we do provide the funds for special education under IDEA and complete the promise we have made to young students and teachers and communities to reduce class size. It simply says that this is an investment we are going to make.

I urge my colleagues to support this amendment. It will make a difference in our classrooms across this country.

Mr. President, too often we are told that we are providing a tax cut and returning money to the people. I can think of no better way to return money to our constituents than by investing it in education so that our young people get the skills they need, so they can get jobs and become a viable part of our economy in the future. A budget is not just about putting dollars out there today, it is making good investment so that our budgets will be strong in the future.

That is why I am going to support the Kennedy amendment, which gives actual real resources to our students, and not just another empty promise and another way of moving bureaucratic paper around.

Thank you, Mr. President. I yield my time back to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 4 minutes.

Mr. President, I want to just mention to the Members again what we are basically talking about is funding, meeting our responsibility under IDEA, which this Nation is committed to offer the next 10 years, and also funding the smaller class program and providing a significant increase in the Head Start Program, the Pell grants, the work/study programs, afterschool programs, school dropout programs.

These are the groups that support our program: American Association of School Administrators, the National Education Association, Parent-Teachers, Council of Greater City Schools, Chief of State School Offices, Federation of Teachers, Committee on Education Funding, the National Parent Network on Disabilities, the Disability Rights Education Fund, Easter Seals, Consortium of Citizens with Disabilities, National Federation of Children with Special Needs.

Virtually every children's group and every education group understands that this is our best opportunity in this Congress to really make a downpayment in terms of the partnership among local, State, and Federal in terms of enhancing academic achievement and accomplishment in the schools across our country.

We have a chance now to fulfill our commitments that we have all made in statements and speeches and press releases to do something now. That is what this vote is about. It says we will fund these programs before we go for tax breaks for wealthy individuals. That is the choice. It is as clear as can be. That is what the issue is. We are hopeful that we will get strong support for that program.

Mr. President, I yield what time remains to my colleague and cosponsor, Senator DODD.

Mr. DODD. Mr. President, this is a letter that I think the Presiding Officer will be very familiar with. This is a letter from the National Governors' Association.

Let me quote this letter, if I may. So my colleagues will be aware, this is signed by Michael Leavitt, Republican Governor of Utah; Mike Huckabee, Republican Governor of Arkansas; Tom Carper, Democratic Governor of Delaware; and Jim Hunt, Democratic Governor of North Carolina. They say in their letter to us, to the chairman of the Budget Committee, ''Governors urge Congress to live up to the agreements already made to meet current funding commitments'' regarding education before adopting ''new initiatives or tax cuts in the Federal budget.''

It goes on in the letter to say that they are already cutting existing funds locally to provide for special needs students. They are asking unanimously, Democratic and Republican Governors across this country, to do exactly what Senator KENNEDY and I will be asking our colleagues to do in the amendment when we vote on it, and that is to place the special education needs of children ahead of a tax cuts. Our commitment to special education ought to come before tax cuts. There will still be plenty of room financially for the tax cuts. But here is Mike Leavitt, Mike Huckabee, Tom Carper, and Jim Hunt speaking on behalf of the National Governors' Association telling us to fund IDEA before enact tax cuts. What clearer message could we have?

I hope our colleagues today, after they vote on the Ashcroft amendment and say that we ought to provide more for education, and then quickly thereafter have a chance to vote on the Kennedy-Dodd amendment, will remind themselves—and I will see that each Member gets a copy of the NGA letter regarding IDEA funding—to live up to the commitment in the Ashcroft amendment by fulfilling the request of the National Governors' Association to support this program as crafted by this amendment.

With that, Mr. President, I yield the floor.

How much time remains?

The PRESIDING OFFICER. Three minutes 5 seconds to the opponents and 10 minutes to the proponents.

Who yields time?

Mr. DODD. Mr. President, I do not know if there are—Senator HARKIN of Iowa wanted to be heard, but I don't see him in the Chamber at this time. I don't know, are there any further requests for time on this side?

We reserve the remainder of our time, unless the distinguished chairman of the committee wants to be heard.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I am going to argue for 2 minutes and yield back the remainder of my time so we can get going. If Senator HARKIN isn't here, I hope Senators will cooperate with me.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I am very pleased that a Governor occupies the Chair while I make this statement.

Those Governors are friends of ours. The Republicans have been increasing the funding for special education. We do not need a lecture from the Governors about it. What we need is help from the Democrats who have resisted it every time. The President didn't even put an increase in his budget last year. We put the whole increase in. I don't remember if he did much this year, but it is mighty small. It is Senator JUDD GREGG and others who have been leading the parade around here on IDEA.

Now, frankly, we would like to ask those Governors who signed that letter, would you like us to cut the extra $3 billion in this budget that we put in and the extra $27 billion that we put in here? If you would like that cut, we will make room for more IDEA money for you. That is an increase in education, and it is left up to the committees to do what they would like, except we would like to make a sense-of-the-Senate resolution binding, adopted by us, that says, let's reform the Federal program and let's make sure that they are more responsive by focusing them in at the local level with local control.

Now, we ought to pass that, because it is time we reform it. There is no IDEA issue in this amendment. They are going to raise IDEA in a later amendment. They are going to raise something on special education.

So with that, I wish their amendment well when they bring it up. It is high time that they are for significantly increasing funding under special education, but for now we have raised it and we ask that the local control be attached to that with one of the qualities being that it be accountable, that there be accountability in those laws.

I yield back the remainder of time so we can move on.

Mr. KENNEDY. Mr. President, may we have 30 seconds?

Mr. DODD. We have more time remaining.

Mr. KENNEDY. Mr. President, the Ashcroft amendment is a sense-of-the-Senate. Our amendment is real dollars, real dollars. We are saying fund the education programs before the tax cut. That is what the issue is. I am interested in what the Governors say, but I care most about those parents who are supporting this program. Every child group, every education group supports it.

Mr. DODD. Mr. President, in response to my good friend from New Mexico, I served on the Budget Committee for a number of years. Back in 1992 or 1993, I offered the IDEA amendment. I lost on a tie vote. I must say, the majority leader, TRENT LOTT, a member of the Budget Committee, voted with me. That was the only vote I got on the other side, so I lost on the tie vote. The amendment failed. I commend the chairman and others who have wanted to increase this. We have funded IDEA at about $500 million a year. I think there is $500 million this year, I say to the chairman of the committee, on the IDEA funding. They deserve credit for doing that.

What we are saying here is that we have all tried different ways over the last number of years. I don't think you necessarily want to turn around and say to Head Start or to Pell grants or to school construction, fine, you can do IDEA but we are going to cut your budget.

We are not saying that. We are saying, look, with an $800 billion tax cut, that is a big tax cut, keep 80 to 85 percent of the tax cut; how about 10 or 15 percent of that to do what the Governors have asked us to do here? That is specifically what we have said. Do this before you do the tax cut.

All we are suggesting is their request is well founded. When Republican and Democratic Governors ask the Congress to set some priorities so they can have the resources to do the job, I think we in this body ought to take note of it. That is the reason I offer the argument.

Mr. President, I ask unanimous consent that the letter from the National Governors' Association be printed in the RECORD.

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

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, March 9, 1999.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As you prepare the budget resolution for the coming fiscal year, the nation's Governors urge Congress to live up to agreements already made to meet current funding commitments to states before funding new initiatives or tax cuts in the federal budget.

The federal government committed to fully fund—defined as 40 percent of the costs—the Individuals with Disabilities Education Act (IDEA) when the law, formerly known as Education of the Handicapped Act, was passed in 1975. Currently, the federal government's contribution amounts to only 11 percent, and states are funding the balance to assist school districts in providing special education and related services. Although we strongly support providing the necessary services and support to help all students succeed, the costs associated with implementing IDEA are placing an increased burden on states.

We are currently reallocating existing state funds from other programs or committing new funds to ensure that students with disabilities are provided a ''fee and appropriate public education.'' In some cases, we are taking funds from existing education programs to pay for the costs of educating our students with disabilities because we believe that all students deserve an equal opportunity to learn. Therefore, Governors urge Congress to honor its original commitment and fully fund 40 percent of Part B services as authorized by IDEA so the goals of the act can be achieved.

This is such a high priority for Governors, that at the recent National Governors' Association Winter Meeting, it was a topic of discussion with the President as well as the subject of an adopted, revised policy attached. Many thanks for your consideration of this request.

Sincerely,

GOV. THOMAS R. CARPER.
GOV. JAMES B. HUNT, Jr.,
Chair, Committee on Human Resources.
GOV. MICHAEL O. LEAVITT.
GOV. MIKE HUCKABEE,
Vice Chair, Committee on Human Resources.

Mr. DODD. Mr. President, I will be glad to yield back the remainder of our time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. DORGAN addressed the Chair.

AMENDMENT NO. 178, AS MODIFIED

The PRESIDING OFFICER. Who yields time on the Daschle amendment?

The Senator from North Dakota.

Mr. DORGAN. Mr. President, it is my understanding that we have 1 hour equally divided.

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. That amendment is an amendment that I have introduced with a number of my colleagues, including Mr. DASCHLE. So let me begin by describing the amendment and the reason that we are here. I will then call on my colleague from North Dakota, Senator CONRAD, Senator DASCHLE, and others.

Mr. President, first, let me tell you that I am offering an amendment for my colleagues to try to strengthen rural America, and to try to provide some better price supports for family farmers.

I want to tell you about a 90-year-old woman I talked to this morning. Her name is Margaret Hansen. A few weeks ago, Margaret, age 90, got in her car in the rural part of North Dakota and got stuck in a snow bank. This 90-year-old lady got out of her car and began to walk. She walked a mile and a half when her legs gave out. Then this 90-year-old woman began to crawl on this gravel road. She crawled for a half mile, and then she couldn't crawl any longer. She laid there huddled on that road apparently for about 8 hours before someone came along in a pickup truck and stopped to wonder what was lying on the road. He found this 90-year-old woman. She wasn't dead. They took her to a hospital.

I am happy to report that Margaret is doing quite well. She said to me, yeah, I am doing fine, but my legs aren't so good. She was remarkably upbeat.

Why would it take 7 or 8 hours before a 90-year-old woman is found lying on a gravel road in the middle of winter? That's because there aren't many people living in rural America anymore.

I want to show you a chart. This chart shows, blocked out in red, the counties in this country that are losing population. If you look at the farm belt in the Great Plains, up and down the middle part of America, you will see a part of our country that is being depopulated. And some of these counties have lost half their population in a relatively short period of time.

Now, why is that? The overriding reason is we have a farm program that doesn't work. We have a farm program that doesn't allow family farmers to stay on the land and work the land. We have a miserable farm program that pulls the rug out from under family farmers.

Let me show you a chart that shows what has happened to the price of wheat. The price of wheat has dropped 53 percent since the passage of the farm law. It was $5.75 a bushel. Last, month prices received by farmers nationwide average $2.72. Now, ask yourself, if instead of the price of wheat it were your salary or your profit, your wages, your minimum wage, your Social Security check, were cut in half? If this was your income, how do you think you would be doing?

We have folks in the Senate who said some years ago within budget debate that we are going to change the farm program. In making those changes, in essence they told rural America that they were going to pull the rug out from underneath family farmers. They were going to have farmers operate in the marketplace and, when prices collapse, the nation won't care. If farmers go out of business, they wouldn't care. They basically said they don't care whether there are family farmers in this country's future. Boy, you talk about a wrongheaded public policy for America. That was it.

What my colleagues and I are suggesting today is that it is time to decide that family farmers matter in this country. It is time to provide the resources to get some price protection so that when commodity prices collapse, those folks operating out on America's farms have the underpinnings so that they are going to be able to get across those price valleys. That way, they will be able to continue working the land, continue a rural lifestyle. Other countries do it. But, our country has decided that, gee, if things are fine on Wall Street, they are fine everywhere.

That is not true. This country has a very strong economy. Things are going well in this country. But our family farmers face a very serious crisis. This is a serious emergency on the family farm, and we must do something to respond to it.

Mr. DOMENICI. I ask my friend if he will yield for a unanimous consent request?

Mr. DORGAN. I will be happy to yield.

Mr. DOMENICI. I might say to Senators, we have been working on this for a long time. We will see if we can't put ourselves in a position where we might finish a little earlier, perhaps even tonight. I am not sure. This has been worked out by the majority leader, minority leader, and those of us on the floor. I assume there has been consultation elsewhere.

UNANIMOUS CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, on behalf of the leader I ask unanimous consent that following the previously allotted debate times, the following debate times be in order: Hollings amendment on debt reduction; Craig amendment No. 146; Durbin amendment, emergencies; Crapo amendment No. 163; Boxer amendment No. 175; Sessions amendment No. 210—I ask each of the above-listed amendments be limited to 7½ minutes equally divided in the usual form. I ask unanimous consent that, following the conclusion of those debates, I be recognized in order to yield back all remaining debate time on the budget resolution.

Therefore, the Senate will then proceed to a stacked series of votes on the remaining pending amendments. I further ask that the first vote be 15 minutes in length, with remaining votes in sequence limited to 10 minutes each, with 2 minutes equally divided between each vote for brief explanations of the amendments.

Finally, I ask the votes alternate between Republicans and Democrat amendments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. I thank all Senators.

Mr. DORGAN. Mr. President, how much time have I consumed?

The PRESIDING OFFICER. The Senator has 4 minutes 11 seconds.

Mr. DORGAN. Mr. President, let me continue briefly and then call on my colleague from North Dakota, Senator CONRAD, and I believe the Democratic leader, Senator DASCHLE, will be here as well.

Imagine for a moment that corporate profits were cut by 50 percent, or 75 percent, or 90 percent, as farm income was cut one year recently in my State. Imagine what would happen in this country if that were the case, and corporate profits were slashed. We would have an apoplectic seizure here in Congress trying to figure out what happened and what can we do about it.

The question is what do we do about the economic all-stars, the families out there on our family farms that produce, raise crops, and take the risks? What about when their income collapses? Again, we have people here who say that doesn't matter and that corporations can farm America from the California coast to Maine. It doesn't matter, they say. I cannot describe how wrong they are. So we come to the floor to say we propose this amendment to add $6 billion a year, which would provide the opportunity for real, significant price support increases when commodity prices collapse for family farmers. Is that a lot to ask?

We hear folks come to the floor and say defense needs more. So, we stick in money for defense. We want to build a missile system. You put $1 billion in for a missile system last fall that the Defense Department said it did not want and could not use. Money for tax cuts? There's plenty of money for that. But what about money for mom and pop out there on the family farm who are ravaged by collapsed prices? No, they say, we are out of money.

I would say this. This Congress is out of ideas when it comes to family farming, if it believes the current farm program is the road to prosperity for these producers who are this country's real economic all-stars. We need to backtrack just a bit and decide that family farmers matter to this country's future. We need to say to them that we are going to reconnect a reasonable price protection program. So, when prices collapse our country will say to farmers that we will give them a chance to make it across those price valleys.

I started by talking about Margaret Hansen, the 90-year-old woman from North Dakota. We are a sparsely populated State. Half of our economy is agriculture. But that is also true with respect to a major part of this farm belt. This Congress should understand that America's economy is never going to be doing well in the long term if the middle part of its farm belt is being depopulated. Food production is important to this country's future and the health of family farming is important in producing America's food.

Let me call on my colleague from North Dakota and allocate 7 minutes to my colleague, Senator CONRAD.

Mr. CONRAD. Mr. President, I thank Senator DORGAN and I thank our colleagues. This is a matter of sheer survival. I want to say to my colleagues, we are on the brink of a depression in farm country in this Nation. If you come to North Dakota today and go with me to community farms, what you find people want to talk about is the collapse of farm income because it is threatening the survival of literally tens of thousands of family farmers just in our State of North Dakota. In fact, this year, unless something happens and happens quickly, we anticipate we will lose one-third of all the farmers in the State.

The reason that is occurring is really very simple. This chart shows what happened from 1996 to 1997, as farm income was washed away: In 1 year, a 98 percent reduction in farm income in our State. The reason we have seen this collapsing income is really three factors: Bad prices, bad weather, and bad policy.

The bad prices are stunning. This shows what has happened to farm prices over a 52-year period. We now have the lowest prices for our major commodities in 52 years. We have wheat selling for $2.60 a bushel. Mr. President, $2.60 a bushel. That is 5 cents a pound. There is no way anybody can make it at those prices. The cost of production is about double that. So what we have is a hemorrhaging, a loss of income, and farmers' livelihoods being threatened. That is what we are faced with.

When I talk about bad policy, when we passed the last farm bill—which is, frankly, a disaster itself—the support for farmers was cut in half. Under the previous legislation we averaged $10 billion a year. Under the new legislation, $5 billion a year. This makes it virtually impossible to write any kind of decent farm legislation. The current farm legislation cuts support for farmers each and every year and cuts it sharply, without regard to what happens to prices. In previous legislation we used to make an adjustment. When prices fell there was more assistance.

But look what our major competitors are doing. It is very interesting, because if we look at what they are doing we see that they are spending almost 10 times as much as we are to support their producers. In Europe, they are spending nearly $50 billion a year to support their farmers. We are spending $5 billion. This is not a fair fight. This is unilateral disarmament in a trade confrontation. We would never do it in a military confrontation. Why ever are we doing it in a trade confrontation? This says to our farmers: You go out there and compete against the French farmer and the German farmer. And, oh, while you are at it, you take on the

French Government and the German Government as well. That is not a fair fight. You have to say to our farmers it is pretty amazing you are able to survive in a circumstance like this one, when our major competitors are spending 10 times as much to support them.

When we look at what they are doing for support of exports, it is even more dramatic. Instead of a factor of 10 to 1, they are outspending us by a factor of more than 100 to 1. In fact, it is about 130-to-1 to support their farm exports versus what we are doing. Then some say just leave it to the market. That is not what our competitors are doing. If that is what we do, we are going to consign our farmers to a life of economic hardship and economic collapse. That is what is happening in farm country today. That is why it is absolutely critical that an amendment like this one pass to help farmers through this period of collapsed commodity values. If we do not do it, we will see literally thousands of farm families forced off the land. The stakes are high. I urge my colleagues to support this amendment.

Mr. DORGAN. Mr. President, I yield 2 minutes to the Senator from Minnesota.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, before I start, I ask unanimous consent that Jodi Niehoff, who works in my office, be granted the privilege of the floor during the duration of this debate.

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

Mr. WELLSTONE. I thank the Chair.

Mr. President, I make this appeal to my colleagues as a Senator from Minnesota: First of all, please get this disaster relief bill through, at least get the agricultural part of it through.

If we don't get that, our FSA offices run out of loan money. They will have to let people go, and we will not be able to provide people with the loan money that they need and they are going to go under. Please make that happen. We should not go home without that happening.

Second of all, I rise to support this amendment. Time is not neutral. It rushes on. It is not on the side of family farmers in our States. I have never seen it this bad in all the years we have lived in Minnesota. People are in real economic pain.

It was the wheat farmers in the northwest. Now it is the other grain farmers. It is the dairy farmers in southern Minnesota. The hog producers are facing extinction while the packers are in hog heaven. We have to get the price up. We have to get farm income up.

I think this amendment, which speaks to taking the cap off the loan rate, is the right thing to do. Price, price, price. Get farm income up and get it up now.

This is a critically important crisis amendment. If Senators are on the side of family farmers and a family farm structure of agriculture, which is good for farmers and rural America and consumers, they will vote for this amendment.

I yield the floor.

Mr. DORGAN. Mr. President, I yield 2 minutes to the Senator from Arkansas,

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. I thank the Senator for yielding.

Mr. President, I appreciate my colleagues being on the floor today to talk about this important issue. I am pleased to be here in support, and I am pleased to see these Senators helping to educate our other colleagues in this body about the importance of this issue.

It is not just to educate. It is also to impress upon them the urgency of this issue. I come from a seventh-generation Arkansas farm family. We are in dire straits. All farmers across this Nation are in dire straits. It is so very important for us to act in this body and in this Congress in a timely fashion.

I believe my colleagues have expressed it, but it is so absolutely critical. Our farmers have been in dire straits for the past year, with bad weather, bad prices, and bad markets. This is the last straw. It is absolutely essential that we do something before we go home for this recess.

Our farmers right now are looking at the equivalent of 1970 prices. What industry could make it with the increase in production costs, the increase of keeping the business going, surviving on what people were making in the 1970s? It is absolutely impossible to survive in today's agriculture economic climate.

We produce the safest, most abundant, and most affordable food supply in the world. It is not going to be there for the future of this Nation and for the world if we do not support our farmers at this critical time. It is simply a desperate time.

I spent the last recess looking at the worry on the faces of Arkansas farmers as they have talked about this crisis. These farmers are ready to throw in the towel; many of them already have. I applaud Senator DORGAN's efforts and hope my colleagues will join him in addressing the needs of our agricultural community.

I thank the Senator for yielding.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Iowa, Mr. HARKIN.

Mr. HARKIN. I thank the Senator for yielding me this time. I thank him for his leadership on this amendment, and I thank our Democratic leader also for his leadership.

Mr. President, last Saturday was National Agriculture Day. Each year on the first day of spring, we celebrate the success and the accomplishment of American agriculture. U.S. consumers today spend less than any country in the world, as a percent of their disposable income, on food. Nine cents out of a dollar, that is all. Think about this, the productivity of American farmers, what it has done for us. In the 1960s, one farmer in America supplied food for 25 people. Now they supply food for over 130 people. Tremendous.

Isn't it a cruel irony that we set aside the first day of spring every year to recognize agriculture and the American farmer, yet tens of thousands of American farm families are going under right now? They are on the verge of losing their livelihoods and their life savings. It is devastation in the agricultural sector.

What this amendment basically says is that with the expected budget surplus for fiscal year 2000 and greater surpluses in years to follow, we will apply $6 billion of that extra surplus to putting a safety net underneath agriculture. In other words, if we have extra money in the years 2000 to 2004, that money will be made available to agriculture. Of course, if the farm economy improved, then it wouldn't be needed.

This chart here kind of tells it all. People say, why do you need $6 billion? Here is last year, 1998. This is all of the farm income; that is, the crop receipts, their AMTA payments, their aid, their loan deficiency payments—$69.5 billion. Expected this year, $64 billion. That is about a $5 billion, $5.5 to $6 billion decrease. But last year this was 17 percent lower than the average 5 years before. This year it is expected to be 27 percent less in income for farmers. That is why this amendment is sorely needed. Those who have much in our society, to whom the Republicans want to give these tax breaks, they are doing well. They are doing well on Wall Street. They are doing well in Palm Beach. They are doing well on Rodeo Drive in Beverly Hills. In the farm sector of America, our families are struggling to survive. All we are asking for is a decent safety net. That is why this amendment is sorely needed.

Mr. DORGAN. Mr. President, I yield 5 minutes to the Democratic leader, Senator DASCHLE.

Mr. DASCHLE. Mr. President, I thank my friend from North Dakota for his leadership on this matter.

Let me say, you can't say it better than what the ranking member of our committee, Senator HARKIN, has just said. The fact is that you can look at virtually any commodity in agriculture today, and the situation continues to worsen. Whether it is in livestock or in grain, the commodity doesn't matter.

The fact is, our circumstances are so dire that in spite of all the help we have attempted to provide through disaster assistance over the last 6 months,

we are still going to lose millions of farmers and millions of rural Americans in the next couple of years. That is fact.

All we are simply saying is this: If we are going to be of any assistance as we go through this extraordinary transition, we need to recreate the safety net that we once had. We need to recognize that farmers and ranchers cannot do it alone. We need to recognize that if there is going to be a surplus, one of the single best investments we can make is to ensure that those farmers and ranchers can survive with what meager tools they are going to have to manage their risks more effectively.

That is what the Senator from North Dakota is saying. We are not going to specify and delineate each and every tool today. We will work that out. But we have got to set the parameters. We have got to send the message. We have to ensure that the priority is there.

I have to say, Mr. President, this is a very important amendment. I applaud the Senator from North Dakota for his willingness to take the leadership in ensuring that we are at this point. I am hopeful that we can get a broad bipartisan consensus in passing it. It sends as clear a message as we can send out to agriculture across this country: We hear you. We are as concerned as you are, and we want to do something about it.

I yield the floor.

Mr. DORGAN. Mr. President, I send a modification to my amendment to the desk.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. DOMENICI. Mr. President, may we have a copy, please?

Mr. DORGAN. Mr. President, I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum and ask that the time be charged to me for the next 5 minutes.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I rise with great empathy and sympathy and heartfelt concern about the farmers of the United States. That is why in the budget before you we put $6 billion of new money for crop insurance and other things which was, indeed, modified in the committee so as to accommodate farm Senators by even making sure it was available this coming year.

Now, I guess there is an adage around that it is harder to manage the surplus than it was a deficit. I agree with that statement without a question. And here today it is very, very interesting. My wonderful friends on the other side of the aisle, I am sure joined by some on my side of the aisle, are here on the floor about 2½ months after the President of the United States sends his budget to us, and they are lamenting the terrible state of economics for the farmers of America.

I did not ask any of them, as they spoke—and I do not know that I will—but frankly, the President of the United States knew about all this. Isn't it interesting he asked for not one red cent for the farmers—zero. Typical. Typical. There is a crisis prevailing. If there is one, the President ought to know about it. He puts nothing in the budget. We put $6 billion in thinking we are being helpful. The President claims he lives within the caps, he isn't breaking any budget. Of course he is not. He did not even provide the $6 billion we did in our budget resolution.

Now, $6 billion isn't enough. Hold on, everybody. This is $6 billion a year. This is $30 billion. When is enough enough? So $30 billion of new money on top of the $6 billion we put in is $36 billion in 5 years in new money for agriculture.

Frankly, I am fully aware that there is a problem. There are some other sectors of America with problems, big problems—steel, oil and gas. All kinds of pieces of the American economy are having trouble because of the world economy. We are doing a little bit here and there, but we cannot go in and make everybody whole everywhere in America when we are having a downturn that adversely affects their business.

If the Senators proposing this want to spend more money because they want a new agriculture program, then I submit they ought to go to the Agriculture Committee and get a new agriculture program written into the laws of this land. I believe they would not get it done. I believe that is why they did not do it.

So each year they come along and add a few more billions, and while saying we still have a law around they, little by little, destroy it. If that is what they want, they ought to say it. If they think this amendment is repealing the law we have on the books, let them say it, so then we can at least add this as an amendment to repeal the competitive agricultural reforms that we put in place not too many years ago.

Frankly, it will be difficult for some not to vote for $30 billion more in support money for farmers when there is already $6 billion in the bill and when the President of the United States asks for none—zero—zip. No. It is kind of interesting. When is enough enough? It seems to me that this amendment is an indication that for some it does not matter what you put in a budget resolution because it will not be enough.

I believe $6 billion in new money for agriculture, addressing the most significant issue they have, crop insurance, is sufficient at this point. Maybe we have an emergency, maybe the President should have looked at the emergency before he sends us a budget with nothing in it for farmers so we have to come along and put it in, cut other programs in our arsenal, or in this case reduce the tax cuts that we planned for the American people.

I just do not think that is right. I would hope some would listen today. I am not sure how many. Normally I try to accommodate, but I don't think, as one trying to write budgets, that I can accommodate today. Either they win or my position prevails. If I could find another way, I would try it. I just do not think there is one.

Either we decide that in an era of surpluses the American taxpayer does not matter a bit—you remember what some of us said, why it would be difficult to manage a surplus. You remember? Because we will spend it all; we will spend it all. Why did the Senator from New Mexico say, ''Yes, you can claim you put it all on the surplus and it's sitting there to get rid of the debt.'' Why did I say, I do not choose that method. I choose it for all the Social Security money, but I do not choose it for everything. I said, ''Because you know what, we'll spend it. Then we'll have bigger Government, the public will be paying for bigger Government, and they'll be paying more and more taxes.'' And that isn't the right kind of America.

So, Mr. President, I have some additional time, and depending upon what is said in the remaining 5 minutes that they have on the other side, that the proponents have, I may yield back the remainder of my time. But for now I reserve it.

Mr. DORGAN. I yield 1 minute to the Senator from South Dakota, Senator JOHNSON.

Mr. JOHNSON. I thank the Senator from North Dakota. I thank my colleague from South Dakota, Senator DASCHLE, for his great work on this amendment.

What we have here is a very fundamental priority decision that this Congress needs to make. The question is not whether we will have tax relief or not. Certainly we will have tax relief. The question is whether we have a commonsense kind of budget that also allows for some key investments, in this case in agriculture. Are we going to preserve the strongest agricultural system in the world that provides the highest quality, most affordable food in the world or not?

To say that we have an $800 billion tax relief package and there is no room for $6 billion of investment in our ag sector simply makes no sense. The American people see through the budget resolution on the floor. They know that they want some tax relief, especially if it is targeted to middle-class

and working families. But they also know that we need to make some key strategic investments in important sectors of our economy. Nothing is more important than agriculture as we craft ways to get a better price out of the market, as we craft ways to keep a fine meshed system of family farms and ranches all across America. But as things are going right now, we are headed for a catastrophic train wreck in agriculture.

The PRESIDING OFFICER. The Senator has used 1 minute.

Mr. JOHNSON. I yield such time as I have back to the Senator from North Dakota.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Would the Presiding Officer notify me when I have 1 minute remaining?

Mr. President, this is about priorities. We just heard my colleague say: ''Well, this isn't a priority. We don't have resources for this.'' Gosh, we have resources for some very large tax cuts. If that is their priority, then there is money for that. Or, what about the $1 billion for national missile defense which the Department of Defense says it does not want, does not need, and cannot spend. They have money for that. And, then there is $110 billion or so for readiness in defense. They have money for that.

The question is, What is a priority? We do have a surplus of empathy and sympathy. I do not disagree with that. Everybody empathizes and sympathizes.

The fact is, we have farmers going broke in record numbers.

How would you feel I would ask if any of you listening or watching or participating had your income cut by 98 percent? All of a sudden you have 98 percent less income. Would that be a catastrophe? I think it would. That is what happened to our farmers. I had a fellow at a forum, a big, husky guy with a beard. He said, ''My dad farmed, my granddad farmed on the same place. I farmed for 23 years.'' Then he got tears in his eyes and his chin began to quiver. He said, ''I am quitting, I can't continue. I am being forced off the farm.''

That is what this amendment is about. We need to consider the human toll of farm failures all across this country. What will be left when only the corporate agrifactories are producing America's food. Some people think that would be great because they love big corporations—the bigger the better. Of course, there will be no yardlights lighting farmsteads. There will be nobody living in the country, because all the farmers who risked their money will have found that the auction block served as the final resting place for their dreams and their hopes.

We can do something about that if we decide it is a priority.

I say to my colleague from New Mexico, this is where the current farm bill started in 1995. It started right here in the budget. It is where it ought to stop. It is where we ought to make the modifications and changes. It is where we, as a Congress, ought to say this is a priority, and that family farmers are a priority. But, it is not just about farm families. It is also about Main Streets and small towns. It is about the economic and social fabric in a part of our country that is now being depopulated.

Let me again refer to this chart. The red on the chart shows the middle part of the country, which is full of rural counties that are losing population. This little place right here is where I grew up in Hettinger County, North Dakota. When I left, there were 5,000 people in that county. Today, there are 3,000 people. That county is symbolic of so much of the farm belt that is now being depopulated because we have a farm program that doesn't work.

There is a whole range of other programs that we must address. It is not enough to say that things will work out, or that this doesn't matter. This matters very much to a significant part of America. We have a right to be standing here on the floor of the Senate saying, this too is a priority. This is a priority for us, for our part of the country, and for family farmers.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from New Mexico has 21½ minutes and the sponsor has 3 minutes 24 seconds.

Mr. DOMENICI. Mr. President, I think the Senator is right, that this is a question of priority.

The Senator mentioned missile defense. He said it will cost $1.5 billion. We don't need it; we shouldn't pay for it. What would be prioritizing would be if he would move to strike the missile defense system. The problem is, if he did that, he would find that not only the American people would say no, but 65 or 70 Senators would say no. He picked the wrong program, because most Americans think we have a missile defense system. They think if a rogue country or North Korea or China sent a missile to the United States that we could destroy it. The truth of the matter is, whoever thinks that is wrong. We don't.

Republicans have been saying, and now we are joined by Democrats, use every single technological achievable end to get a missile defense system started. That is a high priority, too.

I don't know what else the Senator mentioned, but whatever he mentioned, the truth of the matter is he could come to the floor and say farmers have a higher priority than this whole list of things in the Government. That is not what is being done; it is just making the Government bigger.

In fact, it is very interesting. It is a tax-and-spend proposal. It is increasing the taxes on the people of this country because we intend to give them back some to pay for more Government. I think Government is about as big as it ought to be. I remind everyone, the President put nothing in for the state of emergency. For a President who is worried about Main Street, and everything else alluded to on the floor, isn't that interesting?

We did what we thought was right and put in $6 billion. The first amendment that was sent to the desk would have cost $60 billion. I was in error—now it is $30, it has been modified. The price is cut in half in about 26 minutes. I laud the Senator for modifying it. I wish it were still at 60—we could argue about 60. That sounded like a good, round number.

Having said that, I reserve my time.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, I prefer to close for a minute, but if the Senator wishes to keep it open I assume he will want to move along here and be able to get as much done as is possible.

Let me have the attention of the Senator from New Mexico. If I finish our time, would the Senator then yield back his time so we can proceed?

Mr. DOMENICI. I am pleased to do that.

Mr. DORGAN. Let me respond to a couple points.

First, let's talk about national missile defense. He makes an interesting argument, but the Senator misunderstood what I said. I talked about the $1 billion last fall that was stuck into the omnibus appropriations bill. No one asked for it and the Defense Department said they couldn't use it. Go track the money and find out what happened to it. They didn't want it, but Congress said, ''We demand you take it.'' My point is, if it is a priority, then the sky is the limit. It doesn't matter that it is not needed. That is the point I was making.

The tax-and-spend cliche is such an old argument it is calcified. I thought I heard the last of that some years ago. This debate is about what is important and what are our priorities.

I want to talk about the big print and the little print which got us to this mess. Some years ago, we had people in Congress who said we should change the farm program. In the big print in the 1996 farm law it says that we will provide a marketing loan and it will be at 85 percent of the Olympic average of the prices received by farmers in the previous five years. That was the big print. Then they put the little print in the bill. It said, by the way, although we promised you that marketing loan

at 85 percent, we are going to cap it at $2.58 a bushel for wheat. What the big print giveth, the little print taketh away.

Does it matter? Does it cost? Of course. It matters in terms of the failure of hopes and dreams for family farmers who are bankrupted by these little print policies. These little print policies really say that family farming doesn't matter too much to this country anymore. It says that we would rather have big corporate agrifactories. It says we like corporate agriculture. and corporate farming. It says that mom and pop don't have to live out there so the yardlights don't have to be on. It says we can mechanically milk all the cows and have 3,000-head dairy herds. That is a very different version of America than I have and a different sense of priorities than I think should exist for this country.

That is what this debate is about. The Senator from New Mexico says this should go to the Agriculture Committee. This started in 1995 in the Budget Committee. That is where it started. The budget resolution prescribed the Freedom to Farm bill. If you can start the farm bill in 1995 in the Budget Committee, we can, it seems to me, debate it in 1999 as we debate the budget resolution.

Today, we face depression-era prices on the farm. Family farmers are going belly up on a wholesale basis out there in the country and this Congress must do something about it.

Did the President's budget address this? No. Does this budget resolution address it in an appropriate way? No. Do I appreciate that the Budget Committee put in $6 billion over 6 years or so for crop insurance? Of course I do. I appreciate that. But it is so far short of what is needed. We are about $5 billion a year short of what we used to do to provide to fund price protection for family farmers.

Today we need to repair that by deciding our priority in this budget resolution is to stand up and help family farmers during this time of trouble.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. DOMENICI. I yield back any time I have.

AMENDMENT NO. 178, AS FURTHER MODIFIED

The PRESIDING OFFICER. Previously, the Senator sought modification.

The amendment is so modified.

The amendment (No. 178), as further modified, is as follows:

On page 43, strike beginning with line 3 through line 15, page 44, and insert the following:

SEC. 201. RESERVE FUND FOR AN UPDATED BUDGET FORECAST.

(a) CONGRESSIONAL BUDGET OFFICE UPDATED BUDGET FORECAST FOR FISCAL YEARS 2000–2004.—Pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the Congressional Budget Office shall update its economic and budget forecast for fiscal years 1999 through 2009 by July 15, 1999.

(b) REPORTING A SURPLUS.—If the report provided pursuant to subsection (a) estimates an on-budget surplus for fiscal year 2000 or results in additional surpluses beyond those assumed in this resolution in following fiscal years, the Chairman of the Committee on the Budget shall make the appropriate adjustments to revenue and spending as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take the amount of the additional on-budget surplus for fiscal years 2000 through 2009 estimated in the report submitted pursuant to subsection (a) and in the following order in each of the fiscal years 2000 through 2009—

(1) increase the allocation to the Senate Committee on Agriculture, Nutrition and Forestry by $6,000,000,000 in budget authority and outlays in each of the fiscal years 2000 through 2004 for legislation that provides risk management and income assistance for agricultural producers;

(2) reduce the on-budget revenue aggregate by any remaining amounts for fiscal years 2000;

(3) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by those amounts for fiscal year 2000, and all subsequent years; and

(4) adjust the instruction in sections 104(1) and 105(1) of this resolution to—

(A) reduce revenues by amounts in section (c)(2) for fiscal year 2000; and

(B) increase the reduction in revenues for the period of fiscal years 2000 through 2004 and for the period of fiscal years 2000 through 2009 by that amount.

(d) BUDGETARY ENFORCEMENT.—Revised aggregates and other levels under subsection (c) shall be considered for the purposes of the Congressional Budget Act of 1974 as aggregates and other levels contained in this resolution.

Mr. DORGAN. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 231

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is to be recognized to speak on his amendment.

The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS], for himself, Mr. ROTH, Mr. COVERDELL, and Mr. ABRAHAM proposes an amendment numbered 231, as previously offered.

Mr. GRAMS. Mr. President, I rise today to offer this sense-of-the-Senate amendment with Senators ROTH, COVERDELL and ABRAHAM.

I ask unanimous consent to add the names of Senators HAGEL, BURNS, MCCAIN and CRAIG as original cosponsors as well.

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

Mr. GRAMS. Mr. President, again, what I am talking about is supporting the middle-income tax relief included in this budget resolution. This is a crucial amendment that we all should support.

This amendment says that the Senate Budget Resolution places a priority not only on protecting Social Security and Medicare and reducing the Federal debt, but also on middle-income tax relief by returning nearly $800 billion of the non-Social Security surplus to those from whom it was taken. It discusses options for middle-income tax relief such as broad-based tax relief, marriage penalty relief, retirement savings incentives, death tax relief, health care-related tax relief, and education-related tax relief.

This amendment does not put us on record as supporting any one form of tax relief, or any particular combination. That is the task of the Finance Committee under the able leadership of Senator ROTH.

While many of us will discuss our own preferences for the tax relief, our job today is to support the nearly $800 billion total, recognizing the need for tax relief, and then to ask the Finance Committee to come up with specific tax relief proposals.

Again, Mr. President, the purpose of this amendment is to assure the American people that we've made a commitment to major tax relief, and that there is room in this budget to fulfill this commitment while protecting Social Security and Medicare, providing debt relief and respecting some new spending priorities.

I just heard it said in the last debate on the farm issues, ''if there is something for a tax cut,'' or ''if that is a priority''—it should be a priority. There would not be a surplus if American taxpayers had not been overcharged and paid more in taxes than they should have. What they are doing is fighting over how can they spend those dollars, rather than trying to find a way to give those overcharges back to the people who paid them.

Mr. President, let me highlight a few points as to why we must provide a major tax relief this year.

Polls showed many Americans were skeptical about whether they would ever get meaningful tax relief this year. They have good reason to be skeptical about President Clinton's rhetoric on tax relief.

Despite a huge on-budget surplus over the next 10 years, President Clinton has failed to secure a single significant tax cut for working Americans. Instead, he has proposed to increase our taxes by at least $50 billion in his budget over the next five years and $90 billion over 10 years. He also spends $158 billion right out of the Social Security surplus he claims to protect. President Clinton talks about helping the American people build retirement security but to offset his new spending, he has proposed many new taxes including taxing life insurance products, which will hurt the retirement annuities of millions of Americans. The

President talked about helping small business, but he has proposed to tax the income of non-profit trade associations and change the tax treatment for ESOPs, which will adversely affect millions of small businesses. These are just some of his new taxes that will hurt hard-working Americans.

Unlike President Clinton, our budget resolution has reserved nearly $800 billion of the non-Social Security budget surplus over the next 10 years for tax relief. This is in fact the largest tax relief since President Reagan's. This amendment has once again proved the Republican majority is committed to providing meaningful tax relief in 1999 as well as protecting Social Security, Medicare, reducing the debt, and funding important priorities.

Mr. President, with more middle-income workers being thrown into higher tax brackets, the ''middle class tax squeeze'' is devastating. There are over 20 million workers today with annual earnings between $20,000 and $50,000. Before 1993, they paid income tax at the 15 percent rate. But most of them have now been pushed into the 28 percent tax bracket due to inflation and economic growth. Worse still, they have to pay the 28 percent federal income tax rate on top of a 15.3 percent payroll tax. This adds up to a tax rate of 43 percent, without counting state, local tax, and other taxes. So any gains they made in wages have been taken by Washington. The bigger tax bite continues to eat up more of their wages.

Again, my point, Mr. President, is that this non-Social Security surplus is nothing but tax overpayments, and it should be returned to the taxpayers, not spent, as you are going to hear argued here on the floor day after day, hour after hour—''let's spend it.'' It should be given back to the taxpayers.

How to use the remaining surplus once we wall off Social Security has been the central focus of this year's budget debate. The Democrats want Washington to spend it because they don't believe the American people can be trusted to use it responsibly. We're heard it before, but let me remind you what the President said about the surplus during a speech in Buffalo in January: ''We could give it all back to you and hope you spend it right, [but] if you don't * * *.'' You are smart enough to earn the money, but you are not quite smart enought to know how to spend it.

A top aide to the President, Paul Begala, said, ''We could squander the surplus by giving a tax cut.''

So, in other words, we have overcharged you and taken more money from you than we should have, or you have paid more in, but to give it back would be squandering it. Washington thinks they should spend it.

Republicans want to give the surplus back to working Americans—those who paid too much taxes in the first place.

We've recently heard some claims on the Senate floor that the American people today aren't interested in tax relief. That's not what I'm seeing and hearing. Those who don't care about tax relief are a minority, especially in my state. Tax relief continues to be a major interest of Minnesotans.

Mr. President, let me read to you letters from just three of the many Minnesotans who have taken time to contact me: Ken Ebensteiner from Audubon, Minnesota wrote: ''* * * please understand that the silent majority are sick and tired of all the taxes and regulations. We're just too busy working to voice our opinions.'' Taxpayers are working, and don't have the time to come to Washington. They can't afford to defend themselves because the government takes so much of their income. Washington's philosophy is apparently, ''Keep them poor, keep them quiet, keep them home.''

Rev. Craig Palach of Fergus Falls wrote: ''With four children—two soon to be in college, one beginning to think about college, and one in a parochial school—I could sure use some of the money that goes to taxes.'' But again, the President says Rev. Craig Palach wouldn't spend it right.

The third letter, this one by Alicia Jones of White Bear Lake, is right on target with the story she shared. She wrote:

> Last year, both my husband and I had graduated from college and had just begun working full time. I have never written a letter like this before, but after completing my taxes for 1998, I felt that this was my only option.
>
> I can't do anything about the amount of money my husband and I will have to pay to both the federal and state governments, but I hope that you can be active in making changes for next year.
>
> During 1998, my husband and I both worked full time in professional careers. We have no children and we are renting an apartment, saving to buy a house. Based on the fact that we both work, we are married, we have no children, and that we do not own a house—when we filed our taxes this year we owed approximately $700 more in federal income taxes, on top of the over $10,000 that we have already had taken out of our paychecks * * *.
>
> I am frustrated by this, I'm frustrated for the future—how do we get ahead, when each year we have to take money from our savings to pay more for our taxes. I hope that you will remember my concern.

But again, presidential aide Paul Begala says Alicia would ''squander'' any tax cut.

Working people have good reason to ask for a tax cut. Since 1993, Federal taxes have increased by 50 percent—50 percent. That is a tax increase of nearly $4,000 a year for Alicia and her husband—50 percent; $4,000 more in the last 6 years. As a result, Americans today have the largest tax burden since World War II, and it is still growing.

Federal taxes consume now 21 percent of the total national income. A typical American family pays nearly 40 percent in total taxes. And that is more than it spends on food, clothing, and shelter combined.

People should go home and look at their pay stubs and find out exactly how much of their money is going to support Government, and how much they have left. And then figure out whether they should have a tax cut.

Mr. President, why should we continue taxing middle-class Americans at such a high rate? Who can rightfully argue that they don't need a tax cut? Who can argue that it is fair to take more than 40 percent of a person's income so Government can spend it?

That is why I, along with Senator ROTH and others, introduced bill No. S. 3, the Tax Cuts for All Americans Act. Our bill calls for a 10-percent across-the-board income tax for working Americans.

It is simple, fair, profamily, and progrowth. It will help millions of middle-income families to avoid the middle-income ''real income bracket creep'' that they have been subjected to since 1993.

Although I prefer broad-based tax relief, I understand this is just one of many tax relief proposals that are on the table. Again, there is nothing in this budget that endorses one proposal over the others. All we have done is to reserve some of the non-Social Security surplus for tax relief.

The Finance Committee will consider all tax relief proposals and decide how this reserved onbudget surplus should be distributed.

It is my hope that we can use the surplus to provide broad-based tax relief as well as other tax relief I support which would give families a break, and encourage savings, encourage investment, and provide incentives for higher education.

I remember vividly when I first proposed the $500-per-child tax credit back in 1993. The naysayers called it bad policy, even dangerous. Democrats accused us of cutting taxes for the rich. That sounds familiar, doesn't it? Every time it is a tax cut, it is for somebody else.

Some in Congress contended it was too costly, and others argued that we should balance the budget first. I argued then repeatedly that we could, and should, do both. And we did. As a result, we now have a balanced budget, and the largest non-Social Security surplus in U.S. history.

Cutting taxes, reducing the national debt, and reforming and protecting Social Security and Medicare at the same time are all possible. We can do it again. Mr. President, we must do it again.

That is what this budget is about, and that is what this amendment is about. I urge my colleagues to strongly support reserving this money for tax relief for working Americans.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, what is the time situation on this amendment?

The PRESIDING OFFICER. There is a total of a half hour equally divided. The sponsor has 3 minutes remaining. There are 15 minutes in opposition.

Mr. LAUTENBERG. Thank you.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. LAUTENBERG. Mr. President, I stand here, and I request recognition.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Thank you, Mr. President.

Mr. President, I was, obviously, very much interested—I will not say moved—by the discussion that I just heard on this amendment, because the drill is a familiar one. The drill is the people who earned it want it back; and, why not give it to them? Of course, we want to give it to them. But whether you give it to them in direct tax cuts or you shore up Social Security, you say that no matter when you retire, for the next 75 years, you will know that the retirement program is going to be there for you. Or you say, ''Well, we are going to take the Medicare fund, and we are going to increase its solvency from 2008 to 2020, 12 years more, during which time, or during this time, because we are looking at something 21 years away. We want to institute the reforms that are so often talked about so that health care can be provided in a reasonable fashion with longevity, with the solvency that is required.

I heard the distinguished Senator from Minnesota in our Budget Committee the other day presenting a poll in which he said 63 percent of the people—I think I have it accurately and fairly—polled wanted a tax cut. I read a newspaper story about that poll. Once the question was put as to whether you would rather have a tax cut, or pay down the debt, or make sure that Social Security is there for you, or make sure that Medicare is there when you need it, the numbers changed radically. The numbers that said pay down the debt, increase the longevity for Social Security, increase the longevity and solvency of Medicare, and, boy, they went the other way.

When I hear that the typical American family pays 40 percent in taxes—I don't know what the income is for the typical American family, but I can tell you that almost 60 percent of the people are in the $38,000 or below income strata. They are not paying 40 percent taxes. Come on. Let's be reasonably direct and accurate about these things.

Look at what happened. If we use the GOP tax program as outlined by the distinguished Senator, the chairman of the Finance Committee, he says that if you are in the top 1 percent of the income, over $300,000 or more, an average of $800,000 a year, you get a $20,000 tax cut. But if you make $38,000, which is the bottom 60 percent of the people in this country, $38,000, you save $99. The guy on the top who gets a $20,000 refund could buy another car for that, or add a wing to his house. But the family that is earning $38,000 is not going to do a lot with 100 bucks—$99 to be precise.

I think we ought to be fairly clear when we have this debate. Yes, everyone is entitled to offer amendments they think are appropriate, but we ought not to color the facts such that we ignore the reality of what it is we are talking about.

Mr. President, I think that it is quite obvious that this gets back to the essential dispute between the parties with the Republicans wanting tax breaks primarily for the wealthy, ignoring the fact that they can improve the condition of Medicare.

We on this side want to have as our principal programs: save Social Security; extend the life of Medicare; make sure there are targeted tax breaks so that families who have an elderly parent can take care of that parent and get a tax deduction, a tax break for that responsibility; or who needs day care for their children, and get a tax break so that mama can work. That is what we are talking about. We are talking about things that pertain to the average American.

I am one of the people lucky enough to be in the top 1 percent. I was in business before I was here. I will tell you something. I am so happy every time I have the ability to earn that kind of money to pay my taxes, because I belong to the best club in the whole world, the club called ''America,'' where everything is available to you. Opportunity should be—education should be—everything should be available for those who want to climb the ladder and who are clever enough to do it.

That is what I am paying for when I send in my tax bill. I don't think it is being squandered by a bunch of bureaucrats. Some, maybe. That happens in corporate life. I ran a big corporation. I can tell you. What I want is a secure country. I want a country where people feel good about themselves and aren't looking at the guys on top and saying they are getting all the breaks. That is not a stable society. The stable society says, I want a chance to educate my children, I want a chance to have a roof over my head, and I want a chance to have a job. That is what I want. I want to know that when I am of retirement age that Social Security is going to be there for me. And I am happy to pay my dues. That is what it is—dues. We are so lucky to be here. People are willing to die, and are fleeing in inner tubes across the straits near Cuba, near Florida, to get to this country, and risk death coming out of ships' holds and things such as that to get to this country. We are not talking about squandering money and throwing away the citizens' dollars.

I think we ought to defeat this amendment.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I yield the remainder of my time to Senator ROTH.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, as we turn our attention to the Budget Resolution, pondering the course government is going to take—the philosophy and policies that are going to lead us into a new millennium—I want my colleagues to consider that rather than a time for acrimony and partisan politics, this is a time of great opportunity.

In fact, few times in history have been so rich with the opportunities that are before us—opportunities to set a future where the needs of taxpayers, families, students, and communities come before the insatiable appetite of the federal government. Because of policies we began to implement in the early 1980s, we are the beneficiaries of the longest peacetime economic expansion in history.

Our efforts to support the home—to provide incentives to save and invest—as well as our work to encourage risk-taking businessmen and -women, researchers and developers, our agricultural and educational communities—these efforts have paid tremendous dividends.

Now the question, as we face the final hours of the 20th century, is simple: Do we move forward, embracing economic policies that are proven to increase prosperity and economic opportunity for all Americans, or do we abandon them for proposals that will raise taxes on the most vulnerable among us, proposals that will fill government coffers, swell federal programs, and risk shutting down the tremendous engine of growth that we have successfully created?

It seems that the answer to this question is clear, and therefore I rise today to support a Sense of the Senate amendment to the Budget Resolution—a Sense of the Senate amendment that is bipartisan in nature—one that makes it clear that in the choice between a tax cut, as authorized in the resolution, or a tax increase, as provided in the Administration's budget, we are resolved and choose to be consistent as to the direction we want to go.

Today the federal government is collecting more taxes than ever before. Because of our entrepreneurs, our farmers, laborers, and families preparing for the future, we are witnessing strong economic growth, and this has

been very beneficial for the government's income. These individuals have been encouraged by our efforts to dramatically cut taxes in the 1980s, to create incentives for saving and investing in the 1990s, and by our work to reduce government interference in their lives.

Unfortunately, and despite the fact that government is collecting more revenue than ever, the Administration's budget reverses this important trend. It represents another in a series of large tax increases this Administration has tried to impose on Americans. In fact, this proposal is a net tax increase of $50 billion over five years and $90 billion over ten years. It is not a targeted tax cut as its proponents claim. Rather, it is a tax increase that dramatically hits lower-income Americans the hardest. For example, under the Administration's budget, taxpayers with incomes of $25,000 and under will bear almost 40 percent of the net tax increase. Taxpayers with incomes of $75,000 and under will bear over 75 percent of the burden.

One might ask, with all the talk about targeted tax breaks in the Administration's budget, how can it be a tax increase on America's most vulnerable. The simple answer is that the Administration's budget relies to a great degree on a 55 cents per pack cigarette tax increase. That tax increase, which largely goes for new spending, far outweighs any tax cutting provisions in the budget, and it hits lower-income Americans the hardest.

On the other hand, Mr. President, the budget resolution proposed by Senator DOMENICI does not unfairly penalize one group of Americans. In fact it does not penalize any group. Rather, it provides the Senate Finance Committee with the authority to cut taxes, not increase them. And it allows us to cut taxes in a way that will continue to energize the economic growth our nation is enjoying. This is what America needs as we look to the opportunities before us.

I reject any argument that tries to raise the old worn-out issue of class warfare—those who might try to suggest that this resolution will provide tax cuts for the rich. First, I reject it because this resolution does not actually cut taxes, but only authorizes the Finance Committee to proceed to cut taxes. And second, I reject it because the kind of across-the-board tax cuts that are being discussed are just that —fairly applied across-the-board tax cuts that go to everyone. They are just like the tax cuts that President Kennedy implemented in the 1960s and the tax cuts that President Reagan implemented in the 1980s. On both occasions these bipartisan tax cuts led to record-setting economic growth, so not only were they fairly applied, but they benefitted everyone.

Mr. President, I also reject the argument that the federal revenue windfall, or budget surplus, will be used by the Administration to retire the debt. For years, there were many among us who argued that tax increases were needed to reduce deficit spending and retire the debt. On occasion, they prevailed and taxes were raised, but then something interesting happened. Deficit spending did not stop, the debt was not retired. The increased taxes actually placed a damper on the economy, and the government spent more than $1.50 for every $1.00 it increased taxes. In other words, the government actually taxed itself into higher deficit spending. It wasn't until Congress insisted on holding the line on spending that the growing economy actually brought about a balanced budget.

According to a new study by the Joint Economic Committee, in the post-war period, sixty cents of every dollar of surplus taken into government coffers has been spent by government within a year. Does anyone doubt the taxpayer overpayments that are now contributing to surplus revenue will not be spent by future Congresses? Of course they will. The way to reduce the debt is to keep the economy growing—to keep an environment of opportunity available to all Americans. And the way to keep the economy growing is to cut taxes and minimize government interference in the lives of Americans. This is the message of the Grams Sense of the Senate amendment. It reaffirms support for the tax cut authorized under the resolution offered by Senator DOMENICI. The tax cut provided in that resolution is $142 billion over five years and $778 billion over ten.

This resolution will empower the Finance Committee, Republicans and Democrats, to work together and provide comprehensive tax relief. The Finance Committee can provide across-the-board tax relief, over the long-term—relief that is simple, fair, and meaningful to all taxpayers. With the authority given us by this resolution, the Finance Committee can provide tax relief in the short term for many good purposes—purposes supported by Republicans and Democrats alike.

For example, we could enhance retirement security. By this I mean improving small business pension plans, making IRAs more accessible, and simplifying employer 401(k) plans. Also, we should address the needs of women returning to the workforce. Every worker has a stake in a better retirement that these incentives could provide.

Second, we could enhance family tax relief. For instance, we could ensure that the $500 per child tax credit, dependent care tax credit, and education credits are available to middle income families by exempting these credits from the alternative minimum tax (''AMT''). If we do not provide these exemptions, millions of families could be adversely affected. In addition, the Budget Committee, on a bipartisan basis, has emphasized the importance of providing marriage penalty relief.

Third, we could do more to correct our abysmal national savings rate. Chairman Alan Greenspan says this is the number one economic problem confronting America. To this end, in addition to the retirement plan and IRA expansion mentioned above, we could do something for small savers. For instance, we could simplify the tax system by providing an exclusion for small savers of $200 for singles and $400 for married couples.

This bipartisan tax cut would benefit more than 60 million taxpayers. It would also allow up to 11 million Americans to file the 1040 EZ—which is the simpliest federal tax form there is.

Fourth, we could provide greater tax relief to improve educational opportunities for students and their families. We could provide incentives for families and students to seek higher education and avoid large debt burdens. For instance, nearly every state has a prepaid college tuition plan, and those plans could be made tax-free under a bipartisan proposal.

Fifth, we could address the expiring provisions in the current tax code, and we could look at real tax code simplification. The Finance Committee could eliminate needless complexity that results from income limits, phase-outs, and the alternative minimum tax. Again, these are bipartisan objectives.

And finally, Mr. President, we could continue to push for proper taxpayer protections. Reform of the IRS is in its infant stages. Elimination of unjust penalties and interest scores as revenue loss. In order to continue meaningful reform of the Internal Revenue Service, we must realize that our efforts will be scored as revenue losses and we must consequently address them in the context of tax cuts.

This Sense of the Senate amendment makes clear that without the authority provided in the budget resolution, the Finance Committee will not be able to provide significant tax relief—we will not be able to address these important bi-partisan issues and fix problems in the current code.

The resolution will allow us to move forward. And let me conclude by explaining how important it is that we move forward.

Working together, we have delivered on a bold promise to the American people—the promise of a balanced budget and a dynamic economy where jobs, opportunity, and growth are available to all. Since 1995, we have worked for tax relief for families, savings and investment incentives, health care-related tax relief, relief for small business, and tax simplification. As we moved forward in these areas, not everyone was supportive at first, but they were eventually adopted by Congress and signed

into law by the President. Among the items enacted were tax deductible treatment for long-term care insurance and raising the deductible portion of health insurance for self-employed small businesses and farmers. In addition, pension plan reforms, especially for small business, were enacted.

In 1997, we pushed for tax relief in the context of a balanced budget. The President agreed to tax relief he had previously vetoed. Among the tax relief proposals enacted was a $500 per child tax credit that is now providing relief to millions of taxpaying families. We also expanded individual retirement accounts and created the new Roth IRA. Millions of taxpayers now have tax-favored savings vehicles open to them. We reduced the top capital gains rate from 28% to 20%. This provision helped unlock investment dollars for the economy and provided relief to farmers and small business.

Beyond this, Mr. President, we have worked together to offer education-related tax relief, including educational IRAs, prepaid college tuition plans, an extension of the tax-free treatment of employer-provided educational assistance, and a revival of the student loan interest deduction.

We have passed estate tax relief, including relief for small businesses and farmers. And we have succeeded with historic reform of the Internal Revenue Service, including new taxpayer protections regarding the collection activities of the IRS.

The Grams Sense of the Senate amendment makes clear that once again, we are at the crossroads on the question of tax relief or tax increases. The Sense of the Senate clarifies that the resolution continues Congress on the same tax relief path begun in 1995. It can be summarized into three points:

First, the Administration's budget, though described by its supporters as targeted tax cuts, is a tax increase.

Second, if you are serious about tax relief, it must be accommodated in the resolution. The Finance Committee must have the tools to provide meaningful relief. To oppose the tax cut in the resolution is to deny the Finance Committee the tools to do the job.

Third, a vote for the tax cut in the resolution is a vote for tax relief that is consistent with tax cuts that have been enacted over the past four years.

Mr. President, I urge my colleagues to support the Grams Sense of the Senate amendment and I ask unanimous consent to insert into the RECORD a copy of the Tax Foundation's analysis of the Administration's budget, as well as a copy of a revenue table, prepared by the Joint Committee on Taxation, which scores the Administration's budget.

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

[From the Tax Foundation Special Report, March 1999]

THE PRESIDENT'S FISCAL YEAR 2000 BUDGET—LOW- AND MIDDLE-INCOME TAXPAYERS TO PAY LION'S SHARE OF NEW REVENUE DESPITE RECORD SURPLUS

(By Patrick Fleenor)

President Clinton's newly proposed budget plans on a steadily growing series of budget surpluses over at least the next ten years. To ensure the surpluses, the Administration plans to hold the line on most types of federal spending while increasing the current record peace-time level of federal taxation.

Ostensibly to bolster the failing Social Security and Medicare programs, the Clinton plan would use more than three quarters of the projected surplus to reduce federal debt. Another 12 percent would be used to fund private savings accounts, and the balance would fund new spending initiatives.

Some programs would see an increase over the next five years, notably education and training programs as well as funding for roads and other transportation projects. The budget also calls for additional spending for more teachers, after-school programs, and Head Start. The Administration's plan to use surplus funds to pay down the national debt would significantly lower interest expenses while entitlement spending remains essentially unchanged under the plan.

On the revenue side of the ledger the Clinton plan contains a mix of tax and fee increases as well as a host of tax credits. These would, on net, boost federal revenues by $45.8 billion over the next five years. Revenue raisers include a 55-cent-per-pack hike in the federal cigarette tax and higher corporate income taxes. The revenue reducers are a myriad of tax credits that would subsidize activities ranging from long-term medical care to first-time home purchases in the District of Columbia.

WHICH INCOME GROUPS WILL PAY THE NEW TAXES

Figure 1 shows the net distributional effects of the Clinton plan. Individuals with adjusted gross incomes of less than $25,000 would bear 38.5 percent of the increased tax burden, or $17.7 billion. People in the $25,000–$50,000 range would pay 22.4 percent of the new revenue, or $10.2 billion. Taxpayers making $50,000–$75,000 would pay $6.7 billion in additional taxes, or approximately 14.6 percent of the total. In sum, then, over 75 percent of the President's new tax revenue would be paid by people whose tax returns report less than $75,000.

Upper-income taxpayers would not escape entirely, but as Figure 1 illustrates, their share of the increased tax burden is much smaller. Cumulatively, individuals in these three categories would bear only 24.5 percent of the increased tax burden. This regressive slant against low- and middle-income taxpayers results largely from the Administration's proposal to boost the federal cigarette tax. Probably the most regressive of all federal taxes, the cigarette tax would be the largest revenue raiser in the President's budget proposal.

THE BUDGET OUTLOOK

Figure 2 illustrates federal receipts and outlays as a percentage of GDP under the Clinton plan, given in historical context.

Federal receipts would grow 4.2 percent from $1,806.3 billion in 1999 to $1,883.0 billion in 2000. That is an uptick from 20.6 percent to 20.7 percent of GDP. By 2004, federal receipts would grow to $2,165.5 billion, or 20.0 percent of GDP. By 2009, federal receipts would rise to $2,707.7 billion, or 20.1 percent of GDP.

Only twice in American history—during the two closing years of World War II—did federal receipts ever exceed 20 percent of GDP. From this perspective, the Clinton proposal is truly historic in that it would fix federal receipts at this extraordinary level.

Federal outlays would rise from $1,727.1 billion in FY 1999 to $1,765.7 billion in FY 2000. They would rise to $1,992.0 billion in 2004. As a percentage of GDP, however, federal outlays would fall steadily from 19.4 percent in FY 2000 to 18.4 percent in 2004, then even further to around 17 percent in FY 2009.

FEDERAL EXPENDITURES

The budget shares of the major categories of federal spending under the Clinton plan are illustrated by the five columns of Figure 3 corresponding with fiscal years 2000–2004. Historical data is provided for context. (See also Tables 1 and 2.)

Federal outlays are divided into two broad categories, discretionary and mandatory/net interest. Discretionary spending is determined by the annual appropriations process, while so-called mandatory outlays are predetermined by statute. To alter mandatory spending levels, the program's authorizing legislation must be amended.

*Illustrations not reproducible in the RECORD.

TABLE 1.—FEDERAL OUTLAYS BY TYPE

[Fiscal Years 1962–99; dollar amounts in billions]

Year	Total Outlays	Discretionary			Mandatory						Memo: GDP
		Total	Defense	Non-Defense	Total	Social Security	Medicare	Medicaid	Other	Net interest	
1962	$106.8	$72.1	$52.6	$19.5	$27.9	$14.0	$0.0	$0.1	$13.8	$6.9	$567.5
1963	111.3	75.3	53.7	21.5	28.3	15.5	0.0	0.2	12.6	7.7	598.3
1964	118.5	79.1	55.0	24.1	31.2	16.2	0.0	0.2	14.8	8.2	640.0
1965	118.2	77.8	51.0	26.8	31.8	17.1	0.0	0.3	14.4	8.6	686.7
1966	134.5	90.1	59.0	31.2	35.0	20.3	0.0	0.8	13.9	9.4	752.8
1967	157.5	106.4	72.0	34.4	40.7	21.3	2.5	1.2	15.7	10.3	811.9
1968	178.1	117.9	82.2	35.8	49.1	23.3	4.4	1.8	19.6	11.1	868.1
1969	183.6	117.3	82.7	34.6	53.7	26.7	5.4	2.3	19.3	12.7	947.9
1970	195.6	120.2	81.9	38.3	61.1	29.6	5.8	2.7	22.9	14.4	1,009.0
1971	210.2	122.5	79.0	43.5	72.9	35.1	6.2	3.4	28.2	14.8	1,077.7
1972	230.7	128.4	79.3	49.1	86.8	39.4	7.0	4.6	35.8	15.5	1,176.9
1973	245.7	130.2	77.1	53.1	98.1	48.2	7.6	4.6	37.7	17.3	1,306.8
1974	269.4	138.1	80.7	57.3	109.8	55.0	9.0	5.8	40.0	21.4	1,438.1

TABLE 1.—FEDERAL OUTLAYS BY TYPE—Continued

[Fiscal Years 1962–99; dollar amounts in billions]

Year	Total Outlays	Discretionary			Mandatory						Memo: GDP
		Total	Defense	Non-Defense	Total	Social Security	Medicare	Medicaid	Other	Net interest	
1975	332.3	157.8	87.6	70.2	151.3	63.6	12.2	6.8	68.6	23.2	1,554.5
1976	371.8	175.3	89.9	85.4	169.8	72.7	15.0	8.6	73.5	26.7	1,730.4
1977	409.2	196.8	97.5	99.3	182.5	83.7	18.6	9.9	70.3	29.9	1,971.4
1978	458.7	218.5	104.6	113.8	204.8	92.4	21.8	10.7	79.9	35.5	2,212.6
1979	504.0	239.7	116.8	122.9	221.7	102.6	25.5	12.4	81.2	42.6	2,495.9
1980	590.9	276.1	134.6	141.5	262.3	117.1	31.0	14.0	100.2	52.5	2,718.9
1981	678.2	307.8	158.0	149.7	301.7	137.9	37.9	16.8	109.0	68.8	3,049.1
1982	745.8	325.8	185.9	139.9	334.9	153.9	45.3	17.4	118.3	85.0	3,211.3
1983	808.4	353.1	209.9	143.3	365.4	168.5	51.2	19.0	126.7	89.8	3,421.9
1984	851.9	379.2	228.0	151.2	361.5	176.1	56.0	20.1	109.3	111.1	3,812.0
1985	946.4	415.7	253.1	162.6	401.3	186.4	64.1	22.7	128.2	129.5	4,102.1
1986	990.5	438.3	273.8	164.5	416.1	196.5	68.4	25.0	126.2	136.0	4,374.3
1987	1,004.1	444.0	282.5	161.4	421.5	205.1	73.4	27.4	115.6	138.7	4,605.1
1988	1,064.5	464.2	290.9	173.2	448.5	216.8	76.9	30.5	124.3	151.8	4,953.5
1989	1,143.7	488.6	304.0	184.5	485.9	230.4	82.7	34.6	138.2	169.3	5,351.8
1990	1,253.2	500.3	300.1	200.2	568.7	246.5	95.8	41.1	185.3	184.2	5,684.5
1991	1,324.4	533.0	319.7	213.3	596.8	266.8	102.0	52.5	175.4	194.5	5,858.8
1992	1,381.7	534.3	302.6	231.7	648.0	285.2	116.2	67.8	178.8	199.4	6,143.2
1993	1,409.4	540.7	292.4	248.3	669.9	302.0	127.9	75.8	164.2	198.8	6,475.1
1994	1,461.7	543.6	282.3	261.3	715.2	316.9	141.8	82.0	174.4	203.0	6,845.7
1995	1,515.7	545.4	273.6	271.8	738.2	333.3	156.9	89.1	158.9	232.2	7,197.7
1996	1,560.5	534.2	266.0	268.2	785.3	347.1	171.3	92.0	174.9	241.1	7,549.2
1997	1,601.2	548.6	271.7	276.9	808.6	362.3	187.4	95.6	163.3	244.0	7,996.5
1998	1,652.6	554.7	270.2	284.4	854.5	376.1	190.2	101.2	186.9	243.4	8,404.5
1999e	1,727.1	581.2	277.5	303.6	918.6	389.2	202.0	108.5	218.8	227.2	8,747.9

Source: Tax Foundation, Office of Management and Budget.

[From the Committee on Ways and Means, Mar. 22, 1999]

NEW STUDY: AVERAGE HOUSEHOLD WILL PAY $5,307 MORE IN TAXES THAN NEEDED—CRS ESTIMATES 10-YEAR TAX OVERPAYMENT FOR U.S. HOUSEHOLDS

WASHINGTON.—With no changes to current law, the average American household will pay $5,307 more in taxes than the government needs to operate over the next ten years, according to a new study by the nonpartisan Congressional Research Service (CRS) released today by Ways and Means Committee Chairman Bill Archer (R–TX). Of particular importance is that CRS calculated the tax overpayment using the non-Social Security budget surplus. *The CRS study follows this release.*

''After we reserve Social Security dollars for Social Security, Americans will still overpay their taxes. There are a lot of politicans in Washington who want to keep this money and spend it on more government programs, but I think Americans should keep it for themselves and their families. Five thousand dollars is a lot of money for hardworking taxpayers who deserve to keep more of what they earn,'' said Chairman Archer.

CRS calculated the annual overpayment per household based on the non-Social Security budget surplus as follows:

Fiscal year:

	Amount
2000	
2001	$42
2002	385
2003	331
2004	432
2005	486
2006	758
2007	867
2008	941
2009	1,065
Total	5,307

[Memorandum from the Congressional Research Service, Library of Congress, Mar. 16, 1999]

To: Committee on Ways and Means, Attention: Trent Duffy.

From: Gregg A. Esenwein, Specialist in Public Finance, Government and Finance.

Subject: Per household tax cut financed by the on-budget surplus.

The following table has been prepared in response to your recent request concerning the effects of a federal tax cut using only the non-social security budget surplus. It is intended to provide only a rough estimate of the per household in federal income taxes that could be funded using only the on-budget surplus.

The first column of the table shows fiscal years, the second column shows the baseline unified total budget surplus, the third column shows the on-budget deficit/surplus (the budget deficit/surplus excluding social security and the Postal Service), the fourth column shows the projected number of households for each year, and the fifth column is the dollar amount of tax cut per filing unit (column three divided by column four).

I hope this information meets your needs in this matter. If you have any questions or need further assistance, please let me know (7–7812).

AVERAGE FEDERAL INCOME TAX CUT PER HOUSEHOLD THAT COULD BE FUNDED USING ONLY THE ON-BUDGET SURPLUS

Fiscal year	Surplus/deficit in billions of dollars[1]		Projected number of households (millions)[2]	Average tax cut per household[3]
	Unified Budget	On-budget (excludes Social Security and the Postal Service)		
1999	$107	−$19		
2000	131	−7		
2001	151	6	142	$42
2002	209	55	143	385
2003	209	48	145	331
2004	234	63	146	432
2005	256	72	148	486
2006	306	113	149	758
2007	333	130	150	867
2008	355	143	152	941
2009	381	164	154	1,065

[1] Source: Congressional Budget Office. The Economic and Budget Outlook: Fiscal Years 2000–2009, January 1999. Page 33.

[2] Source: Joint Committee on Taxation.

[3] Column 3 divided by column 4.

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

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask Senator LAUTENBERG if he would give me 2 minutes of his time.

Mr. LAUTENBERG. I am pleased to do that.

Mr. DOMENICI. He said he will yield me 2 minutes.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me just say that I believe, after talking to Senator LAUTENBERG, the staffs can work together on this and that the sense-of-the-Senate part of this amendment, advocating the kind of tax cuts that were referred to by the Senator in his sense-of-the-Senate paragraph, might be acceptable to Senator LAUTENBERG, and we can then accept it without a vote. But I would just like to make an observation while we wait to see whether that will happen. I hope it doesn't make the Senator from New Jersey change his mind. I don't think it will.

Frankly, I said a while ago it is easier to manage a budget when we are not in surplus. I am almost prepared to say it is easier for the taxpayer to get a tax cut when we do not have a surplus than when we do.

Now, I haven't checked the history of the last six or seven tax cut bills, but obviously we were not in balance because we just got in balance. We gave tax cuts because we thought they were necessary, prudent. To the American people, our businesses, large and small, others—maybe those who have their businesses at home—ought to be able to deduct their health care like everyone else. We come around and say those things ought to be done.

Now we have a surplus, and I will be darned; it is tougher to get concurrence that we ought to give some of it

back to the people than when we borrowed it to give it back to them. So I was thinking as the debate occurred, who has been forgotten by this Government? Who is looked upon as sort of a silent partner in all this but shouldn't be terribly worried about it? It seems to me it is the taxpayer.

Asked on our side, we would say reducing taxes, making sure Social Security is fixed—and we have done that. Everybody is now joining us on 100 percent of the surplus when held for that—Medicare; we have had a bipartisan approach here saying let's get it done—and that leaves the taxpayer. I kind of say, poor taxpayers. We ought to put them right up at the top, and that is sort of what the intention of my friend from Minnesota was. Whatever the language, laudatory or, as Senator NICKLES said the other day, precatory—if you want to look it up in the dictionary, it is pretty much like laudatory. And if you don't know what that means, I don't know what to tell you. But there is a lot of that. In any event, the sense of the Senate at the bottom says we recognize the taxpayers are very important and we ought to look at them just as we look at new programs. I certainly say it is important that we do that.

I yield back whatever of the 2 minutes I did not use.

Mr. LAUTENBERG. Mr. President, I just heard, I think I will call it the chairman's lament, and that is here we have all this money and we can't give tax breaks. But I see the tax breaks as having a funny shape to them. They are big for the guy at the top and they are little for the people who need it most. But I would say this, that the only people who can add a new room to the house, get a child some special assistance with education, prepare retirement, ensure health care is available are those who have some surplus. That is when you do the good things. And the good things to me are not to take care of the guys at the top, who would get another 20 grand, to use the expression, on top of the $800,000 they make. I don't think they need help. But the person who is making $38,000, a family of four, they are struggling. They are struggling. They are trying to find a way to take care of all the needs as the kids grow, and it is a difficult, difficult problem.

So I do not object to appropriate tax breaks. I don't object to tax breaks for long-term health care. I don't object to tax breaks for child care so that mom can go to work and help dad support the family, or vice versa. I don't object to any of those things.

So with that I think we have probably heard each other enough. Can we yield back all the time?

Mr. DOMENICI. I don't think they have any time left.

Mr. LAUTENBERG. No. I have some time on my side, I think.

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. LAUTENBERG. I feel benevolent, and I am going to yield back my time and we will try to resolve our problem so that we can accept the amendment of the Senator from Minnesota.

AMENDMENT NO. 231, AS MODIFIED

Mr. GRAMS. Mr. President, I send a modification of the amendment to the desk. With a few changes, hopefully, it has been accepted on both sides. We submit this amendment and hope to get it approved.

Mr. DOMENICI. We have no objection and we have no time remaining.

Mr. LAUTENBERG. We are all set.

The PRESIDING OFFICER. Is there objection to the proposed modification? Without objection, the amendment is so modified.

The amendment (No. 231), as modified, is as follows:

At the appropriate place, insert:

SEC. ___. SENSE OF SENATE ON PROVIDING TAX RELIEF TO ALL AMERICANS BY RETURNING NON-SOCIAL SECURITY SURPLUS TO TAXPAYERS.

(a) FINDINGS.—The Senate finds the following:

(1) Every cent of Social Security surplus should be reserved to pay Social Security benefits, for Social Security reform, or to pay down the debt held by the public and not be used for other purposes.

(2) Medicare should be fully funded.

(3) Even after safeguarding Social Security and Medicare, a recent Congressional Research Service study found that an average American family will pay $5,307 more in taxes over the next 10 years than the government needs to operate.

(4) The Administration's budget returns none of the excess surplus back to the taxpayers and instead increases net taxes and fees by $96,000,000,000 over 10 years.

(5) The burden of the Administration's tax increases falls disproportionately on low- and middle-income taxpayers. A recent Tax Foundation study found that individuals with incomes of less than $25,000 would bear 38.5 percent of the increased tax burden, while taxpayers with incomes between $25,000 and $50,000 would pay 22.4 percent of the new taxes.

(6) The budget resolution returns most of the non-Social Security surplus to those who worked so hard to produce it by providing $142,000,000,000 in real tax relief over 5 years and almost $800,000,000,000 in tax relief over 10 years.

(7) The budget resolution builds on the following tax relief since 1995:

(B) In 1996, Congress provided, and the President signed, tax relief for small business and health care-related tax relief.

(C) In 1997, Congress once again pushed for tax relief in the context of a balanced budget, and President Clinton signed into law a $500 per child tax credit, expanded individual retirement accounts and the new Roth IRA, a cut in the capital gains tax rate, education tax relief, and estate tax relief.

(D) In 1998, Congress pushed for reform of the Internal Revenue Service, and provided tax relief for America's farmers.

(8) Americans deserve further tax relief because they are still overpaying. They deserve a refund. Federal taxes currently consume nearly 21 percent of national income, the highest percentage since World War II. Families are paying more in Federal, State, and local taxes than for food, clothing, and shelter combined.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the levels in this resolution assume that the Senate not only puts a priority on protecting Social Security and Medicare and reducing the Federal debt, but also on middle-class tax relief by returning some of the non-Social Security surplus to those from whom it was taken; and

(2) such middle-class tax relief could include broad-based tax relief, marriage penalty relief, retirement savings incentives, estate tax relief, savings and investment incentives, health care-related tax relief, education-related tax relief, and tax simplification proposals.

Mr. GRAMS. I thank the Chair. And approved?

Mr. LAUTENBERG. And it is accepted.

They can urge adoption of the amendment.

Mr. DOMENICI. There is no time left on the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment.

The amendment (No. 231), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I believe the regular order is to proceed now to my amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 190

Mr. KERRY. I call up amendment No. 190.

The PRESIDING OFFICER. The amendment is pending.

Mr. KERRY. Mr. President, I ask unanimous consent I add as original cosponsors Senator LAUTENBERG, Senator REED of Rhode Island, Senator JOHNSON, Senator HOLLINGS, Senator KERREY of Nebraska, and Senator CONRAD.

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

Mr. KERRY. Mr. President, this is an amendment, really, of common sense and I think fiscal responsibility. It is a very simple amendment that I believe is a safeguard, an important safeguard, against our returning to an era of deficit spending. This amendment includes no new spending, no new programs, it does not touch the budget authority, it does not touch outlays as proposed in the budget resolution. Neither does it affect in any way whatsoever the Social Security trust funds.

Perhaps most important to many Members on the other side of the aisle, this amendment does not eliminate any of the tax relief that is provided in the budget resolution. Indeed, Congress

can and Congress should consider sensible tax cuts which are targeted towards helping working families to meet their growing needs, whether it is health care or child care or buying a first home or any number of other things—saving to send a child to college—there are a number of tax cuts I think all of us can agree on. Those tax incentives will help Americans to plan and to save for retirement and to build the economy of the country.

My amendment simply directs that the tax cuts we authorize, that we pass today in the budget resolution, will not rely on deficit spending to fund them. That is it. It is a very simple proposition: We should not pass a tax cut that will rely on deficit spending in order to fund it.

In the Budget Committee's report accompanying this resolution, Chairman DOMENICI and his colleagues say the following, and I quote Chairman DOMENICI:

> The whole premise of this resolution is to ensure that the onbudget deficit is eliminated and to prohibit consideration of legislation resulting in an on-budget deficit in the future.

So the chairman and his colleagues who have voted for this budget have brought it to the floor of the Senate with the statement that it is their purpose to prevent a future onbudget deficit by having any legislation that would create that deficit. I applaud the chairman and his colleagues for that effort to maintain the course of fiscal discipline which we began in 1993 with the Deficit Reduction Act, which has put us on this path. To keep on that path is both progrowth and fiscally responsible. I am offering my amendment to ensure this year's tax provisions cannot and will not result in deficit spending.

Under my amendment, if the nonpartisan Congressional Budget Office determines that the tax cut passed in this year's reconciliation bill would result in an onbudget deficit in the future, under the scoring periods we are currently applying for budget purposes, then all I would do is simply delay that tax cut for 1 year. We do not repeal it. We do not end it. We do not take it away. We simply delay it for the purposes of not being confronted with deficit spending in order to fund it.

The amendment itself would not affect the tax cuts once they become effective.

The budget we have before us sets aside the Social Security surplus for debt reduction, but, as every single one of my colleagues knows, the Social Security surplus is only one portion of the projected surplus over the next 10 years. The Congressional Budget Office projects an onbudget, obviously non-Social Security, surplus that will be more than $800 billion over the next 10 years. That is the projection.

If the Finance Committee reports out a tax bill later this year, those tax provisions will become law, and they become law not just for this year but they become law for the next year and the next year and the outyears. They will take effect regardless of what happens to the current projections on the economy. But most of them will not be effective until the year 2005.

All of us in this institution understand that our predictive capacities are not so honed that we are going to guarantee we have the revenues in the year 2005 in order to pay for the new tax breaks while still doing the other things the budget requires. So the last thing I think any of us would want to do is set up an equation where we put into law today $800 billion worth of projected surplus, therefore tax cuts, but, lo and behold, the surplus is not there but the tax cuts are still in law. The question then will be, How do we fund them?

It seems to me there ought to be precautions taken against this kind of fiscal irresponsibility. If the projected onbudget surplus suddenly disappears during the intervening years, we want to avoid the crisis that will occur when those tax provisions are in law. If we were to create an automatic push onto the next year, we would wind up in a situation where we have not promised a tax cut that cannot be delivered, we have not promised a tax cut that is going to force us into deficit spending or into other choices that are similarly unpalatable.

That is the simplicity of this budget amendment. Under this amendment, we can guarantee if the surplus actually materializes, tax cuts passed this year will not be affected, they will go into effect. But if the current economic projections change for the worse and the surplus turns out to be considerably smaller or nonexistent, we will delay the effect of the tax cuts and avoid the crisis of that moment. I think it is common sense. It is a sound way to budget. It is an appropriate way to make a determination instead of promising a tax cut that can either never materialize or that takes you into a position of fiscal irresponsibility.

I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, how much time does Senator KERRY have?

The PRESIDING OFFICER. Seven minutes 49 seconds.

Mr. DOMENICI. And 15?

The PRESIDING OFFICER. Fifteen minutes.

Mr. DOMENICI. I do not want to use very much time.

Mr. President, first of all, as I read the amendment, I wondered, I could not quite figure out what was going wrong. Essentially this amendment is subject to a point of order, because we do not have authority to tell the Finance Committee in a reconciliation instruction to do this. The law says what we can do in a reconciliation bill, and it does not include ordering them to trigger taxes. It says reduce taxes by a given amount over the period of time reflected in the reconciliation agreement. So it is subject to a point of order which I will raise when we come around to voting.

But aside from that, it seems to me if you write a tax law for the Nation, that any tax law you write is an ongoing tax law. Once you put it in, it is ongoing, at least the general tax provisions, unless you want to sunset it or the like. Frankly, I do not believe it would be appropriate to trigger a tax on and off depending upon what the onbudget surplus is.

In addition, I do not want to say too much about this, but our lockbox is a pretty good safeguard that we will not be spending Social Security surpluses in the future, because if you have to borrow any extra money, then you need a 60-vote point of order. So I think the Senator can rest assured if we vote for the lockbox as contemplated wherein the debt limit is going to be affected and you will have to raise it, I think it will be a pretty good indication we cannot go significantly in the red in future years, even with a tax cut that occurs in years prior to that. Something will have to be done.

I compliment the Senator for his concern about fiscal responsibility. I am sure inherent in this is his concurrence we ought to have some tax cuts. I am not sure which of the various amendments he has agreed to heretofore on how much. But I compliment him for being concerned, but I could not accept it and I do not think it would be valid if we did.

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

Mr. KERRY. Mr. President, I yield myself 1 minute and then I will yield to the distinguished ranking member.

Mr. President, let me say to my colleague who really understands budget well and understands fiscal matters well, this is not about Social Security. Indeed, the lockbox will protect Social Security. I am not here in this amendment worried about Social Security. I am talking about the onbudget surplus predicted today. That onbudget surplus could disappear. Indeed, the budget resolution claims to save $133 billion of the onbudget surplus over 10 years, but only $14 billion is saved in the first 5 years.

They are going to write in some $600 billion of tax cuts in the outyears without any capacity to predict that this country will have a surplus or have the capacity to support that.

What happens when that is in the law, the chairman sits down in 5 years, if he is still chairman, and he says, oh, we have these big tax cuts we have to fund, but we don't have the money for it? Where will it come from? That is when we are going to have a battle

over every other program, or the tax cuts are phony.

I am not taking the tax cut away. I am simply saying, if CBO tells us in that year there is no money to fund it, you delay it a year. That seems to be the most fundamental common sense of how most Americans would decide to handle their budgets. If you cannot afford it, you don't do it. That is what we are trying to ask for, fiscal responsibility, not a flimflam show.

Mr. President, I yield 3½ minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank my colleague from Massachusetts.

Mr. President, I support Senator KERRY's amendment to delay new tax cuts if projected surpluses do not materialize. Medicare has a compelling need for revenues in the future that should not be jeopardized by tax cuts, especially knowing that these costs for tax cuts would explode substantially in the outyears.

I want to mention for my colleagues some history. The fiscal year 1982 budget projected surpluses were just around the corner. We all know what happened to those projected surpluses after the massive 1982 tax cut. We have also seen in recent years how wrong both CBO and OMB estimates have been as the economy has consistently outperformed all projections. Projecting long-term budget results is really an art, not a science.

This budget resolution relies heavily on estimates of surpluses going so far out as to adjust them during the summer. If such short-term estimates are being taken into account, we also ought to take into account the long-term realities. If the surpluses do not materialize, the tax cuts they are based on should be delayed until the surpluses are there.

We just heard the distinguished chairman of the Budget Committee talk about tax cuts being permanently in law. We still do not fully understand why the commonly referred to ''revenue surprise'' has occurred, and we don't know honestly how long it is going to last.

My Republican colleagues often say, we are returning excess revenues to the taxpayers. I put it to them, if the tax revenues are not there in the future, should we drain away resources from Medicare to provide tax cuts?

Today we are phasing in tax cuts over long periods to obscure their revenue effects. If we implement tax breaks which create huge outyear revenue losses and the economy fails to perform as well as predicted, we could return to the world of deficits as far as the eye can see, just in time for the baby boomers to begin retiring.

Very simply, Mr. President, I think this is a sound amendment. It says, don't give it away unless you know very well that you are on target.

I think it is a reasonable position. I think it is fiscally sound. I hope that our colleagues will vote for the Kerry amendment.

Mr. KERRY. Mr. President, I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, I will use 1 minute and yield back my time so the Senator can have the rest of the time.

Frankly, many years ago I came to the floor—Senator Nunn helped me; he wasn't even on the Budget Committee—and I did something like this for entitlement programs.

I said, if the projections in the outyears are that it is going up so high that it creates a bigger deficit, then maybe we ought not spend the money, having programs that we spend money on automatic pilot. Maybe when we come around and say we are going to do that to taxes, we are going to do that to entitlements, we are going to do that to everything we spend on, we are going to trigger them all and, if we get a deficit, we cut them all so we are right back down to zero and incurring no debt.

Why should we do this to the taxpayer on the most important thing they can ask of their Government, and that is that they not be taxed too much? That is what they are looking up here asking us for. The big broad base that keeps America going and pays for all these programs, they would like some tax relief. We say, we will trigger you, we will give you some, but in case the deficit goes up, we will take it away from you, or at least it won't continue to grow, even though we passed it and it is in the law.

I think maybe that would be a great idea so we could stay in balance forever. Let's apply that to everything. Just think of that. We are in balance. Nothing could ever grow, if it puts us in the red again. Everything would get stopped that year. No entitlements could grow, nothing could. That would be treating everybody kind of fairly.

We would never do that. We shouldn't do that to the taxpayer.

Mr. President, I yield my time.

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

The PRESIDING OFFICER. Three minutes 23 seconds.

Mr. KERRY. Mr. President, let me just say quickly to my colleague from New Mexico, he has been a real deficit hawk, and I admire the way in which he has fought it over the years he has been here. But he knows as well as I do that we have actually changed significantly our attitude and our approach towards entitlements. We have changed significantly the entire budget structure from those years when he tried to do that with Senator Nunn.

The fact is, we now operate under very strict caps. I think for the last 10 or 12 years of the 15 I have been here, we have been cutting in most places, except a couple of areas where, in order to hold Social Security whole, we made some changes in the revenue stream.

The fact is, we have made significant reductions. All I am asking for here is—in 1993, we had the biggest turnaround of all. I remember my colleagues arguing that you had to have a balanced budget amendment to the Constitution of the United States. If you didn't do that, you couldn't change the economy of this country or our budgeting practice. Well, the fact is, we proved them wrong. In 1993, we changed the entire budgeting process and turned it around so that we now have the balanced budget and the surplus that we are talking about.

The American people would like us to apply the same discipline now going forward that we applied to get to this position. The fact is that Americans do not want us to create a deficit to give them a tax cut. Ask any American: Do you want me to add to the debt of the country so I can give you back some money today? They would say: That is absurd. Why would you add to the debt of the country in order to put a few dollars into my pocket?

Americans overwhelmingly want the surplus applied to debt reduction. That is what they say. All I am doing in this amendment is asking my colleagues to exercise the same responsibility about tax cuts that they have asked everybody to exercise about every other part of the budget.

This is about deficit spending to support a tax cut. The vast majority of Americans would say, don't be so crazy, don't promise me some great big tax cut that actually adds to the debt of the country and maybe even deprives my mother or father of Medicare payments and maybe even deprives my kid of a loan to go to college or a number of other things.

There is no way in that balance that that is the choice Americans would make. I ask my colleagues today to join in making a responsible vote on the issue of this budget. We should not fund a tax cut we can't afford down the road. Nothing in my amendment would deny us the ability to have a tax cut if the surplus is there. If you have a surplus, you will have a tax cut. That is about as decent and fiscally responsible an equation as you could ask for.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, has all time been yielded back on the Kerry amendment?

The PRESIDING OFFICER. The Senator still has 14 seconds.

Mr. KERRY. Mr. President, I yielded back my time.

AMENDMENT NO. 242

Mr. DOMENICI. Mr. President, there was an amendment which was known as Ashcroft-Gorton, No. 242. We understand that it is acceptable on the other

side. We do not think it ought to be held in the package here. No vote is needed.

I ask unanimous consent that it be in order that the amendment be accepted by the Senate without objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The yeas and nays are vitiated.

The question is on agreeing to the amendment.

The amendment (No. 242) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank Senator LAUTENBERG for clearing the amendment.

Now we can proceed to the next amendment, Senator CRAIG's amendment.

Mr. CRAIG. Mr. President, may I inquire, what are the time constraints in relation to the debate on this amendment?

Mr. DOMENICI. I say to Senator CRAIG, I made a mistake. Senator HOLLINGS was next. It is 3 and a half minutes. Would you let him proceed?

Mr. CRAIG. Yes, I will. I yield the floor.

Mr. DOMENICI. He was listed next.

Mr. LAUTENBERG. By unanimous consent, Mr. President, I ask that Senator HOLLINGS be given 5 minutes instead of 3 and a half to present his case.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from South Carolina is recognized for 5 minutes.

AMENDMENT NO. 174

Mr. HOLLINGS. I call up amendment No. 174 offered by myself and the distinguished Senator from Nebraska, Senator KERREY.

The PRESIDING OFFICER. That amendment is pending.

Mr. HOLLINGS. Mr. President, we just heard the word ''surplus.'' We have seen a lot of charts. But the truth of the matter is that we are spending $100 billion more than we are taking in this year. And the Congressional Budget Office projects that we will spend $89.9 billion or $90 billion more next year just under current policy, in the face of that current policy, taking care of inflation.

We hear all kinds of ''visions of sugar plums dancing in their heads'' on this floor. We have turned the Senate Chamber into a recording studio for campaign 2000. And everybody is saying, ''Well, $2 billion more for the veterans and $8 billion more for the farmers, and $15 billion more for the military pay, and so much more for education. And, by the way, we ought to have a tax cut. But remember, we have spending caps, and we have to stay within the caps.'' They know, of course, that we exceeded the caps last year by $12 billion and this year by $21 billion. So already we have exceeded the caps by $33 billion, plus the $18 billion that we voted for the military pay. We ought to be looking for $50 billion to make up for this, but we are adding on all of these fanciful figures.

So what we really ought to do is bring a note of reality, a note of what the situation actually is, to the debate and get a budget that we can vote on.

Here is the lead editorial of USA Today. And I quote it:

> If your member of Congress comes home this weekend bragging about having adopted a responsible federal budget for the coming year, don't you believe it.
>
> The $1.7 trillion spending and tax outlines being muscled through the House and Senate this week are little more than the budgetary equivalent of The Emperor's New Clothes [or the emperor had no clothes]: Behind the self-congratulatory hype there's a lot of nothing—and the real possibility of another political train wreck later in the year.

Mr. President, this amendment is offered in order to avoid that train wreck. And how do we do it? We do it as Alan Greenspan, the head of the Federal Reserve, said: ''Do nothing.''

I thought it was very interesting: in the Banking and Housing Committee we had the ranking member, Senator SARBANES of Maryland, in a discourse with Mr. Greenspan.

Quoting Senator SARBANES near the end of the questioning: ''So it seems to me for this whole host of reasons I agree with what I understand to be your position; that is, of all the alternatives the one you rate first and foremost by a significant margin would be to use the surplus to pay down the debt.''

Greenspan: ''That is correct, Senator.''

SARBANES: ''Yes, I—how do you save that surplus? You know, how do you keep it from getting spent, I guess is the question?''

Greenspan: ''What happens is that you do nothing.''

Namely, you freeze this budget with respect to the current policy. You take this year's budget for next year, you program it out, and you get to a real surplus in the year 2006. Thereupon, Mr. President, that is the real surplus; and thereupon, we will direct that surplus—if it materializes—to paying down the debt, and we will give everybody a real tax cut, because the interest rates will go down. And they will save all the mortgage homeowners—the automobile payments, the refrigerator payments, the washing machine payments. Everybody in credit-card America will get a real tax cut.

The point is that we have been playing the game of paying down the debt that is not understood really by the American people in that we have been using Social Security to pay down the debt for the last 15 years.

What we do is, we just take the Social Security credit card and look over here to what they call public debt or the Wall Street credit card and pay off that debt to the payers with the credit from Social Security; and you just up the debt on Social Security. You still owe the same. It is like taking a Visa card and paying down your MasterCard; and, of course, your Visa card goes up. That gamesmanship, Mr. President, has been going on, to the point that we have fiscal cancer.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. HOLLINGS. Could I get a few more minutes? Would you give me 2 more minutes?

Mr. GORTON. Yes.

The PRESIDING OFFICER. The Senator is recognized for an additional 2½ minutes.

Mr. HOLLINGS. I thank the distinguished Chair.

What has happened really is we have caused the debt in Social Security. This minute, Social Security is in the red $730 billion. Next year it will be in the red $867 billion. And by the year 2009, we will owe $2.6 trillion to Social Security.

Now, if we hold the line—staying the course; the economy is good; inflation is down; unemployment is down—if we stay the course, it is a responsible budget and we can maintain the good economy here in America.

I thank the distinguished Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, the distinguished Senator from South Carolina does have the virtue of consistency. He was one of three members of his party the night before last who voted against authorizing a war in Yugoslavia. And this budget resolution, among other things, does not raise the caps for national defense—a point that most Members feel is necessary after many years of short-changing it. It does not permit any tax relief, it does not permit any change in priorities for education, as does the budget that is before us at the present time.

In fact, it is based on the proposition that the country is unchanged from where it was when we voted on the budget a year ago. I believe the budget that we have here today is preferable to the one we had a year ago, partly because for the last year we have been very, very successful.

But, clearly, we are going to need the flexibility to pay for something that the distinguished Senator from South Carolina and the Presiding Officer and I voted against the other night which is going to have to be paid for at this point. And the only way to do so is to show the flexibility that this budget resolution does.

So I oppose the amendment of the distinguished Senator from South Carolina.

I yield back the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho, Senator CRAIG.

AMENDMENT NO. 146

Mr. CRAIG. Mr. President, may I inquire as to the time limitations on each amendment?

The PRESIDING OFFICER. Seven and one-half minutes equally divided.

Mr. LAUTENBERG. Three and three-quarters.

Mr. CRAIG. I yield myself 1½ minutes.

My amendment would require that new mandatory spending programs be paid for with savings in existing mandatory programs, and it would establish a 60-vote point of order. We have known—since we have had limits on discretionary programs as the chart beside me demonstrates—a progressive reduction in the overall size of the discretionary spending within our budget.

My amendment does not affect any existing mandatory program. My amendment does not impact any current or future beneficiary of existing programs. What I am talking about is new mandatory, new direct spending programs, and it doesn't eliminate them, either. It simply requires that any Senator who brings that kind of program to the floor must experience the support of at least 60 of the Members of the Senate to be able to withstand this point of order.

My amendment will not prevent a tax increase and its use of debt and deficit reduction. That is simply not the case. It simply puts on equal footing new spending in mandatory areas, along with current discretionary spending.

My amendment institutes a milder version of the same spending restrictions that have applied to appropriated spending programs since 1990. I think it is easy to understand. Last year we received 54 votes. It is a bipartisan effort. Senator KERREY will speak to it. Senator ROBB and Senator BYRD have supported me in this effort, and have indicated their continued support in that area. It is that very effort that limits the kind of growth in our budget that we have always tried to do in creating balance.

Senator KERREY has arrived on the floor, and I yield him the remainder of our time.

Mr. KERREY. I am pleased to join the Senator from Idaho. This amendment would apply the same budgetary restrictions to mandatory programs that we have on discretionary programs. Mandatory programs are growing faster than the discretionary programs. We are converting our budget from one that used to be almost entirely discretionary, endowing our future, into a budget that is largely mandated by law.

This simply says if we are going to add a new mandatory program, you do as you would with the discretionary program: You need to have 60 votes to get the job done. It doesn't mean you can't; it just raises the bar as high as it is on discretionary programs.

I hope my colleagues see the wisdom of this and will support it.

Mr. CRAIG. How much time remains?

The PRESIDING OFFICER. The Senator has 33 seconds.

Mr. CRAIG. I reserve that time.

Mr. LAUTENBERG. Mr. President, I oppose this amendment because it will prohibit using revenues to offset new mandatory spending and instead will require that all new mandatory spending be offset with other mandatory cuts. It is a major change in law. If there is a mandatory expenditure, commonly called entitlement, the fact of the matter is that we ought not be changing it by restricting funding. We ought to change the law. Change the law and you have taken care of the problem.

But I don't think this is an appropriate way to do it. Programs like Social Security and Medicare could be affected, and I think it is an inappropriate way to do it.

How much time remains?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. LAUTENBERG. I am willing to yield back the reminder.

Mr. CRAIG. Let me conclude using my 30 seconds to say that it does not impact, as the Senator has just said, current programs. We are talking new creations, new ideas, new entitlement programs—not Social Security, not Medicare, not those kinds of critical programs that this Congress and this Senate attempt to strengthen and protect.

I am talking about the new ideas that come along. It doesn't limit them, either. It simply says that you have to gain the 60-vote majority here in the Senate; you have to find new revenue sources for them or pull revenue from existing mandatory areas.

As the Senator from Nebraska has so clearly spoken, it brings on balance in our budget new mandatory programs with current discretionary programs.

Here is the simple relationship: The red on the chart shows the progressive decline in discretionary spending since we have had pay-go enforcement there. This has been the kind of growth in mandatory when we had none of that budget authority, and, therefore, budget restriction.

That is the issue of this amendment. I encourage my colleagues here in the Senate to support it.

Mr. LAUTENBERG. I don't think this amendment is germane and, therefore, I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. CRAIG. Mr. President, I ask for a waiver of the Budget Act.

Mr. LAUTENBERG. Are we ordering the yeas and nays now?

Mr. CRAIG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LAUTENBERG. We neglected, when Senator HOLLINGS presented his amendment No. 174, to ask for the yeas and nays. We ask for the yeas and nays on amendment No. 174.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I ask unanimous consent that the Senator from North Carolina be given 5 minutes to speak on another subject.

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

Mr. HELMS. Mr. President, I send to the desk for proper referral a bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(The remarks of Mr. HELMS pertaining to the introduction of S. 720 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

AMENDMENT NO. 185

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, it is my understanding, under the unanimous consent agreement, that it is my turn to speak for 3½ minutes in support of my amendment. I don't have the number.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 185, as previously offered.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, this is a procedural change relating to the times when the Senate considers emergency spending. Examples are disaster aid, when an area has been hit by a flood, or the need for more money in the Department of Defense, for example. We may have emergency spending that is necessary because of the Kosovo military operation. I don't believe a single Member would stand in the way of providing all the resources necessary to bring our men and women home safely. Other emergency spending might be something as esoteric as the Y2K crisis—whether we are going to be able to respond quickly enough so the Government computers will be in line and not cause any problem to provide services. Those are examples of emergency spending, and the Senate can decide by a majority vote whether to

change the basic caps or limits on spending because of an emergency.

Now there is a provision in this budget resolution which changes that dramatically and says that any emergency provision is going to require a supermajority vote from now on—60 votes. I oppose that. I don't believe that is good policy. I think that a majority of the Senators should be allowed to decide whether or not this Nation and this Senate face an emergency situation that requires a majority vote only to go forward and spend the necessary funds. Setting up a supermajority allows the minority in this body to become more or less the political brokers in an emergency situation.

I don't want to see that occur. We debated this in the Governmental Affairs Committee and reached a bipartisan agreement—involving Senators THOMPSON and DOMENICI on the Republican side, and involving Senator LIEBERMAN, myself, and others on the Democratic side—that we would stick with the majority vote. Then I was surprised to see that in the budget resolution our bipartisan agreement has been vitiated, and now we are dealing with another requirement for supermajority.

My amendment goes back to the simple majority requirement for emergency spending. It is supported by Senator LIEBERMAN from the Governmental Affairs Committee, the ranking Democrat, as well as Senator ROBERT BYRD, the ranking Democrat on the Senate Appropriations Committee.

At this point, I will retain the remainder of my time. I don't know if the rules require me to use it in all one fell swoop.

Mr. LAUTENBERG. The Senator can spread it around, if he has any time left.

Mr. DURBIN. Mr. President, is there any time left of the 3½ minutes?

The PRESIDING OFFICER. Yes, 1 minute 23 seconds.

Mr. DURBIN. I retain the remainder of my time. Somebody might wish to speak on the other side of this issue.

Mr. GORTON. Mr. President, the provision in this budget resolution that the distinguished Senator from Illinois seeks to strike is there for one quite simple reason, and that is that while we have created a discipline for ourselves through spending caps, and while within those spending caps we are able to determine appropriations on the basis of a simple majority vote, Members have discovered that all they need to do is declare an ''emergency,'' whether one exists or not, and they are free from the budget caps, from the very spending discipline that has been central to our economic success over the course of the last 3 or 4 years.

As a consequence, the requirement that in order to declare an emergency, in order to spend money that is outside of the caps, in order, essentially, in this fiscal year to invade the Social Security surplus will require a modest supermajority.

Now, under those circumstances, Mr. President, that seems to me to be eminently reasonable. If there is a true emergency, won't 60 votes be available? The Senator from Illinois refers to our members of our Armed Forces in Yugoslavia. Now, Mr. President, it beggars belief to feel that 60 votes will not be able to support our Armed Forces when they are engaged in conflict. The same thing is going to be true with respect to any other emergency. But to allow spending limitations that a majority of the Senate has put into effect, spending limitations that are so important to our success, to be frivolously overridden and ignored simply by a 51-vote majority is not responsible budgeting.

This provision is there because of our experience in the last couple of years with the declaration of emergencies for emergency spending purposes. Mr. President, I am sure that, along with the chairman of the Budget Committee, we feel the provision in this budget resolution is extremely sound, highly responsible, and should be retained.

Mr. LAUTENBERG. Mr. President, will the Senator from Illinois yield?

Mr. DURBIN. Mr. President, I will yield all of my remaining time after making one comment. The Senator from Washington suggests that a majority vote is a ''simple thing.'' A majority vote is how we rule in the United States of America. It is the exception which requires a supermajority.

I yield the remainder of my time to the Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I support the amendment by the Senator from Illinois, and I point out that when we are talking about emergencies, we are talking about things like a volcanic eruption in the State of Washington, Mt. Saint Helens, or we are talking about an earthquake in California, or floods down the Mississippi, or storm damage in the Northeast. I don't know why it should take 60 votes to agree with maybe someone who has taken an unpopular political position earlier. I think we ought to let the majority rule. If we need changes in the emergency definition, I would certainly go along with that. Make sure that it is urgent. Make sure it is an emergency. But to suggest that simply because we don't have enough votes that the volcanic damage is worth cleaning up immediately, or some oil spill isn't worth dealing with immediately, frankly, I think is bad law. I think we ought to eliminate it from this budget resolution.

I hope that the vote on the amendment by the Senator from Illinois will prevail.

I yield the time.

I ask the Republican leader, is there another amendment to be discussed?

Mr. DOMENICI. On our side Senator CRAPO was next. He will be here in 3 minutes. We can go to Senator SESSIONS, and then Senator CRAPO will be last.

Is Senator SESSIONS ready? The Senator has 3½ minutes.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 210

Mr. SESSIONS. Mr. President, I would like to rise in support and express my support for an amendment called the ''Class Act,'' a sense of the Senate.

The purpose of that Act is to deal with a growing problem in America. In the 1990s alone—we are not through the 1990s yet—we have accumulated more debt for college and higher education than we have in the prior three decades, in the prior 30 years. We have an accelerating amount of debt to pay for college education. People are graduating with more debt than they have ever graduated with before. And it is a disruption to them and their families as they start to build their careers.

So what is the problem? How has this happened? I don't propose the ''Class Act'' amendment that I have worked to introduce along with Senator BOB GRAHAM of Florida will solve that problem, but at least it is a significant step in the right direction.

What we have been doing as a Government is subsidizing debt and taxing savings for college. That is the bottom line to it. If you save money for college, you pay taxes on it. But the Government will subsidize and give you interest rate breaks and delays if you will borrow money for your higher education.

Forty-two States will soon have prepaid college tuition plans. They are very popular. They are expanding. Middle-income people are the ones that are taking advantage of it. They are putting money in. They are locking in college tuition at the paid cost so inflation doesn't hurt them on the rising tuition, and then they put the money into those accounts. When it is taken out to pay for the tuition, they have to pay income tax on what it has accumulated. That is, to me, a shortsighted view. It encourages debt and discourages savings.

So our public policy is actually to tax, to hinder, and to punish people who wisely save, but to subsidize people who go further into debt.

It is a nice bill. We believe in it strongly. It has bipartisan support. It has the strong support in the House of Representatives. It will require, I believe, $197 million in cost; only that much through the first 5 years of the program; and $600 million or so over the 10 years. But it will as a result of that encourage huge amounts of savings because, frankly, it is not all that clear, according to a lot of money managers, that it is the wisest thing in the world to take advantage of these programs, if you have to pay taxes on the increase.

If we eliminate that tax on the increase funds, put in prepaid college tuition plans, it will be a clear winner. Every financial manager will urge their clients to take advantage of this program.

It will eliminate—which is not considered in the cost analysis of this bill—but, in my opinion, it will in fact reduce the amount of Government loans and maybe Pell grants that will have to be expended by the Government. It will be a good public policy move for our country.

I appreciate the chairman's support. I appreciate Senator BOB GRAHAM from Florida, who is on the Finance Committee, who is a cosponsor to this, and a number of other Senators.

We believe it is good public policy at a reasonable cost, and will help produce a significant amount of money for higher education.

Mr. DOMENICI. Will the Senator yield for a question?

Mr. SESSIONS. I am pleased to.

Mr. DOMENICI. Do I understand this is a sense of the Senate that we add to that list of tax changes that might be used by the Finance Committee when they set about to draw the bill, that this is just an additional one? There is nothing mandatory about it. It is merely suggesting that it is a good one that ought to be there, and they ought to look at it.

Is that it?

Mr. SESSIONS. The Senator is precisely correct. It will be a sense of the Senate that that be done.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I think this is a good amendment. I congratulate the Senator from Alabama for offering it. Therefore, to my colleague in the management of the budget, I think we ought to go ahead.

Mr. DOMENICI. Can I be added as a cosponsor.

Mr. SESSIONS. I would be honored.

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

The amendment (No. 210) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I believe Senator CRAPO is here. He is ready with his amendment.

AMENDMENT NO. 163

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO] proposes an amendment number 163, as previously reported.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAPO. Mr. President, thank you. I appreciate the opportunity to present this important amendment.

As we said yesterday when we discussed this amendment preliminarily, we have had an opportunity for the last 4 or 5 years to debate the concept of a lockbox in one context or another. Originally, in the House of Representatives when we presented this idea, it was to address deficits. We have had deficits for as long as most of us can remember. Yet the budget process did not seem to provide a mechanism by which we could lock aside spending that Congress decided to reduce in order to make sure that it was used to reduce the debt, or to reduce the deficit. Now we are in a surplus environment. We have just done some major work on this budget that was spearheaded by Senator ABRAHAM and Senator DOMENICI to create a lockbox for the Social Security surpluses, and to assure those surpluses are not spent by Congress. They are locked aside to be utilized to either pay down the public debt, or to be used to reform Social Security, both of which will strengthen and save a lot of the Social Security trust fund.

I commend our chairman for that tremendous effort and will support that effort. This amendment which Senator GRAMS from Minnesota and I have worked on would use the lockbox concept for another part of the surplus, that part of the surplus that deals with the potential for an increased surplus beyond that which we now have projected.

In July, we expect that new projections will show an increased surplus outside of the Social Security surplus that will be generated by taxpayer dollars. This part of the surplus will be a surplus that was not contemplated by Congress as we put together this budget. We are putting together this budget based on our current projections. And this budget will take care of the Social Security surplus. It will protect Medicare and education and other needed spending and will find room for tax relief. But, if in July the new projections show an enhanced surplus, this amendment would say that any new surplus must be locked away in a lockbox so that it can be used only for tax relief or retirement of the national debt.

It is critical that we take the tough steps, but the important steps to assure that as we now move into a surplus environment with our budget that we protect the taxpayer and we protect those of particularly our younger generations who face such monumental debt in our Federal Government.

This amendment says any new enhanced surplus that comes from better projections that is in excess of what we are projecting in this budget that we are working on now will not be used for other spending, but will be used to reduce the burden of taxes on Americans, or to reduce the national debt, which has been incurred over the last few decades.

I strongly encourage the adoption of this amendment.

Mr. LAUTENBERG. Mr. President, I reluctantly but strongly oppose the Crapo amendment. It would create a reserve fund, as I understand, to lock in any additional onbudget surplus in the outyears to be used only for tax breaks and debt reduction.

Mr. President, the Democrats welcome the opportunity to lock away a portion of the surplus for debt reduction. We have offered amendments that would do just that. But this amendment would limit the use of future surpluses to debt reduction or tax breaks exclusively—only. So I have to ask my friends on the other side of the aisle the following question. Why is it OK to set aside the surplus to create a new special interest tax loophole but not OK to use the surplus for an increase in military pay? Why is it OK to set aside the surplus to give more tax breaks to the well off but not OK to use the surplus to hire more teachers and reduce class size?

Mr. President, this amendment is not about fiscal responsibility. It is not about saving Social Security or Medicare. But it is about setting aside the surplus to give tax breaks particularly to the wealthiest among us. I urge my colleagues to oppose this amendment.

Mr. DOMENICI. Mr. President, could we have the yeas and nays on the amendment that was just proffered?

The PRESIDING OFFICER. Is there a sufficient second?

Mr. LAUTENBERG. I raise a point of order, Mr. President. The amendment is not germane, and I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act.

MOTION TO WAIVE THE BUDGET ACT

Mr. DOMENICI. I move to waive the Budget Act under the appropriate waiver provisions of the Budget Act, and I ask for the yeas and nays on the waiver.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. I thank the Chair.

I thank Senator LAUTENBERG.

Mr. President, we are getting close to what we have nicknamed around here votorama. The only thing is that sounds like a movie picture with a big screen where everybody can see everything. I am afraid it is going to be sort of the opposite because there is going to be 1 minute after a while on each amendment, and I don't know how many there is going to be yet. But unless and until we change our process, that is what we are going to go through for a while.

UNANIMOUS CONSENT AGREEMENT

Pursuant to the previous consent agreement, I ask unanimous consent

that the first vote in the voting sequence be on the adoption of S. Res. 57 regarding Cuba—that is extraneous to our Budget Act, but we are getting consent to take care of that very soon—with 10 minutes equally divided between Senator MACK and Senator DODD just prior to the vote. I further ask that pursuant to the previous agreement, the succeeding votes in the sequence begin with and continue as follows: Senator SANTORUM, amendment No. 212; Senator REED, amendment No. 162; Senator CRAIG, 146; BOXER, 175; Senator VOINOVICH, 161; KENNEDY, 192; CRAPO, 163; DODD, 160; ASHCROFT-GORTON, 242; DORGAN, 178, as modified; GRAMS-ROTH, 231; LAUTENBERG, 166; SNOWE, 232; KENNEDY 195.

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

Mr. DOMENICI. Now, as we understand here, when we start with SANTORUM 212, this will mean Senator SANTORUM should be on the floor if he desires to speak to his amendment. And he will get 1 minute, and Senator LAUTENBERG or his designee on the other side, if they oppose it, will be given 1 minute, and so on down the line.

Now, we have already indicated previously that the first vote tonight will be a 15-minute vote, and the amendments after that will be 10 minutes each. I do not know what we are going to do about dinner, but perhaps we will reconsider dinner at 6:30 or 7 and see what we do. But in the meantime, we are going to proceed with that format, and I urge Senators to stay in the Chamber if they have amendments because if we want to get out of here at a reasonable time, we can't take 20 minutes on each rollcall. We just agreed it would be 10. That is very hard to do. We have timed it. Some people say, why don't you make it 7½? Remember last year. You cannot even get it done and get the Senators up to vote in 7½. Ten is the best we can do. But we have to work at it. We still don't know whether we can finish tonight, but we are working very hard to do it.

Mr. LAUTENBERG. Mr. President, if I can just add a note here, part of doing amendments is to fill the amendment tree. So I will say that now we want to shake the tree and see if we can drop some of those amendments that perhaps on reconsideration by the offeror, maybe there would be another time to achieve the goal he or she wants to attain. But I want to add this, Mr. President. I think it is an important observation. There could be as many as 50 votes.

Now, if we are exact on the enforcement of the time limit, which I would urge we agree to, that 10 minutes is 10 minutes, it is not 11, 12, 13, that means everybody has to pay attention. If we have a 10-minute vote and a 2-minute debate, that is 12 minutes. And if you have 50 of those, we are looking at 600 minutes.

Mr. DOMENICI. Ten hours.

Mr. LAUTENBERG. Ten hours. Senator DOMENICI and I will be here, perhaps with a glass of wine, at 3 o'clock in the morning or else we will have to go over to the next day.

Mr. DOMENICI. Right.

Mr. LAUTENBERG. So I will forgo the glass of wine, but what I hope is——

Mr. DOMENICI. I never was going to have one.

Mr. LAUTENBERG. No, we weren't going to have it. I was kidding. It is for my friends in California I said that. I hope that our colleagues will be paying attention to this because a delay by one person is a delay for 99 people and we ought not to treat that casually. We are going to be here a long time. This could be expedited substantially. We hope that any Senators who have an amendment review that which has already been discussed and accepted so that we are not being redundant. If it has been heard, I would ask colleagues to perhaps rethink whether or not they are going to offer their amendment. So I guess we can—I don't know what the terminology is for letting the vote roll—let the skaters begin, or something of that nature, or let the pitcher pitch.

Do we have our first?

Mr. DOMENICI. Let's see if we have our first Senator here. We are going to do Cuba and that Senator is here.

Mr. DOMENICI. Mr. President, with reference to the matter that is not part of our budget resolution, S. Res. 57 regarding Cuba, Senator DODD, is supposed to speak; CONNIE MACK on our side, Senator DODD on your side. Mr. President, we are going to wait just a little bit.

Before Senator MACK and Senator DODD begin their 10 minutes equally divided, might I repeat again, the first Senator up is Senator SANTORUM with amendment No. 212, Senator REED with No. 162. I have stated the rest of them. If anybody needs it, we have the list here. We need the Senators to be here and now they are going to have to just as well stay because there are going to be 15 or 16 votes in a row. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, may I inquire, just to be clear, the pending business is the resolution, is that correct?

HUMAN RIGHTS IN CUBA

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 57) expressing the sense of the Senate regarding the human rights situation in Cuba.

The Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. DODD. Mr. President, have the proponents spoken on the resolution, I inquire of my colleague from Florida?

Mr. MACK. Not yet. We have not used our time yet.

Mr. DODD. How much time is there on the resolution?

The PRESIDING OFFICER. Five minutes apiece.

Mr. DODD. Fine. Mr. President, if I may, let me, first of all, say I intend to support and vote for this resolution. But in doing so, I want to express some deep concerns. Many of my colleagues know we have what is now just about a 40-year-old problem that has not been even remotely close to resolution and that is, of course, United States-Cuban relations.

We know why we are going to be asked to consider this resolution this week, and I suspect it will be passed overwhelmingly. The real question is, does it do anything to influence the policies of the Cuban Government or garner the support of our allies? On that issue, I have to answer resoundingly no. It may make us feel good, it will express our views, but in terms of these resolutions having some influence on the very events which provoked the resolution, I think the answer has to be we can probably anticipate the same response as we have had with a collective set of resolutions over the years.

I have criticized the recent crackdowns on dissidents, as many have here, including the sentencing of the ''Group of Four,'' which is terribly wrong and totally counterproductive and, in my view, a violation of human rights of these individuals. It is also very inconsistent with the Cuban Government's efforts in the past to gain the international respectability they have been trying to garner. For the life of me, from their standpoint, I don't see why this benefits them or assists them.

Our passing of these kinds of resolutions on Cuba, year after year, year after year, unfortunately, has not prevented the Cuban authorities from dealing harshly with dissidents. Depending upon the ebb and flow of the Cuban political dynamic, the human rights situation gets a little better or a little worse or a little better or a little worse, but nothing significant or permanent seems to happen or change.

We need to engage, in my view, the Cuban Government on this and other issues, as we have done with other nations with whom we have significant disagreements, if we are going to create any kind of environment for some change. That engagement, which we traditionally call diplomacy, has been totally absent in the conduct of relations between these two nations, the Cuban Government and our own. Perhaps that is why, I suggest, the record is so dismal. It is action-reaction, action-reaction, and a total absence of any diplomacy.

Let's not fool ourselves. This resolution is not going to help the people of Cuba. Is it not time to change our view of what should be the dynamics of United States-Cuban relations—to start a new conversation with Cuba, rather than simply act and react to unfolding events in Havana? I believe it is time to begin such a new conversation in this body and in the United States.

We in this country make the mistake, in my view, of overreacting to these ebbs and flows, rather than keeping to the steady and consistent policy to bring Cuba into the world community of democratic nations. All we do, by passing resolutions of this kind which are not accurate in all respects, is to fuel nationalist sentiments in Havana and elsewhere in this hemisphere and around the globe.

The resolution authoritatively cites human rights organizations as critical of human rights practices of Cuban authorities. However, it does not mention these very same organizations also criticize U.S. policies with respect to Cuba. The 1999 Human Rights Watch World Report states:

> The (U.S.) embargo had not only failed to bring about human rights improvements in Cuba but had become counterproductive.

It goes on to conclude that:

> The embargo continued to restrict the rights of freedom of expression and association and the freedom to travel between the United States and Cuba, thus violating Article 19 of the International Covenant on Civil and Political Rights, a treaty [I might add] ratified by [our Government.]

This resolution further, and our policy generally, allows all of Cuba's problems, and there are many, to be blamed on the United States in too many international circles. While we are not responsible for the state of the Cuban economy, the Cuban people are extremely nationalistic and will rally behind their government against foreign threats. This is true elsewhere in the hemisphere.

What we need to do, in my view, is to move forward to implement Pope John Paul II's call that Cuba open up to the world and the world open up to Cuba. More constructive measures such as the upcoming baseball game and concert are more effective ways of communicating U.S. values to the Cuban people, particularly as a part of a broader effort to pursue increasing contacts between the American and Cuban people.

Love of baseball and music are just two examples of the many things the American and the Cuban people have in common. We have much more in common than that. The best way to communicate that is by lifting restrictions on U.S. citizens' rights to travel to Cuba or anywhere else. Frankly, such restrictions, in my view, are un-American. We can travel to virtually any other nation in the world—North Korea, Iraq, Iran. The only restrictions are what those nations place on us. The only place I know of where we restrict Americans from going is a country 90 miles off our shore. If they want to place restrictions on our travel there, I would object. But we should not restrict Americans' travel.

We need to make other fundamental changes in our policy. Our guiding principle in doing that should be that these changes are in our, the Americans', best interests. With respect to Cuba, an island of 11 million people 90 miles off our shore, America's interest is that there be a peaceful transition to a post-Castro era, whenever that time comes.

Mr. President, I ask just for 1 additional minute, if I can, and I will give 1 additional minute to my colleague from Florida.

The PRESIDING OFFICER (Mr. Smith of Oregon). Without objection, it is so ordered.

Mr. DODD. Mr. President, it is not in America's interest to have an armed insurrection occurring in that country or to see living conditions become so onerous that everyone takes to the boats and finds themselves at sea, seeking safe harbor in this country or elsewhere.

With respect to policy, I suggest the lifting of restrictions on food and medicine. These restrictions border on immoral, in my view. I also recommend lifting restrictions on travel. Under certain circumstances, U.S. companies should also be permitted to invest in Cuba, provided American-style workplace conditions prevail in U.S.-owned investments. I also encourage contacts between United States and Cuban diplomats, including inviting Cuban diplomats to the United States, discussing issues of huge concern including regional terrorism, drug trafficking, and the preservation of the environment.

If we really want to see the peaceful transition to democracy in Cuba, then it is about time, after 40 years, the end of the cold war and the falling of the Berlin Wall, to break out of the policy straitjacket that has prevented meaningful change from taking place in Cuba-United States relationships. Passing resolutions of this kind, year after year, year after year, do nothing to help change what is a situation that demands, in my view, some new thinking, a new conversation.

With that, I thank my colleague for providing the additional minute.

The PRESIDING OFFICER. The Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MACK. Mr. President, I understand I have now 6 minutes.

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. MACK. It is my intention then to use 3 of those minutes and then to yield to my colleague, Senator GRAHAM, for the balance of the 3 minutes.

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

Mr. MACK. Mr. President, let me, first of all, thank Senator DODD for his vote for this resolution. I respect immensely his viewpoint and what he has stated over all these years, but I respectfully disagree with him. Again, I will just point out, all we are suggesting here is that the least America can do is to say we ought to ask the United Nations to condemn Fidel Castro for his human rights violations. That is not an extreme position to take, to ask the world body to condemn Fidel Castro for human rights violations.

The reason we are doing this is because I think it is appropriate to respond to the impression that has been created over these last several months after the Pope visited Cuba. There has been this kind of love affair that Cuba has changed, that the world is now going to open up. The Senator said a moment ago, if Cuba would open up, if we would open up, we could come together.

Clearly, what has happened since the Pope's visit, Fidel Castro has arrested more dissidents than he has released following the Pope's visit. He has instituted new laws which restrict the freedom of speech, even more restrictive than in previous years. He arrested 15 people trying to celebrate the birthday of Martin Luther King this year, and just this month he arrested and sentenced four prominent activists for writing about the basic rights of the Cuban people.

Mr. President, it seems to me that this country, a country that has been willing to stand up in defense of human rights, basic human rights all over the globe, is doing the right thing. I ask my colleagues in the Senate to support this resolution.

I yield back my time and yield the floor to Senator GRAHAM.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I, too, appreciate the vote of the Senator from Connecticut in favor of this, I think, quite moderate but extremely important and timely resolution.

Today in Geneva the United Nations Human Rights Commission commenced its annual meetings. One of the issues that will be before the Commission will be whether a resolution condemning human rights in Cuba and appointing a special rapporteur to review those conditions should pass. Unfortunately, last year a similar resolution for the first time in many years failed to pass.

The question is, How has Cuba reacted to the fact that for 12 months it has not had the international condemnation of its human rights record, which has been the case for many of the years of the Castro regime? What in fact has happened is that we have seen a significant, almost inexplicable increase in the denial of fundamental rights, political rights, human rights,

civil rights, to the people of Cuba and, as my colleague has just indicated, the examples of the loss of fundamental human dignity.

Why are we passing this resolution? We are passing this resolution not only to express our outrage at this condition but also to urge the international community to join us, the international community which has so recently been populated by new democracies, for those new democracies to step forward and express their condemnation for one of the few remaining dictatorial regimes in the world.

This recent crackdown by the Cuban Government has already drawn the condemnation of the international community, including some of Cuba's staunchest friends, such as Canada. A resolution is now being circulated in Geneva by several Eastern European states condemning the Cuban Government for its human rights record and calling for the appointment of a special rapporteur.

Mr. President, I think it is significant that these Eastern European states, which suffered under the tyranny of Nazi Germany and Stalinist Russia, are leading the effort to highlight the repression and terror that accompanies everyday life in Cuba.

This resolution calls on the U.S. Government to take all measures to support this resolution so that the international community, including the international community with the United States of America, can shine the light of freedom on Castro's brutal repressive regime.

I urge my colleagues to strongly support this resolution.

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

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, has all time expired on the Cuba resolution?

The PRESIDING OFFICER. All time has expired.

ORDER OF PROCEDURE

Mr. DOMENICI. May I make a further announcement? A while ago I listed the amendments as we are going to consider them, starting with Senator SANTORUM, Senator REED. We had two Republican amendments listed, Ashcroft-Gorton 242. That is an error. We had already accepted that amendment. So what we would like to do is put, in lieu of Ashcroft-Gorton, which had been accepted, it was already adopted, Fitzgerald 217. Then if we go down on our list, Dorgan is next. Then Grams-Roth, we had also accepted that, and somebody on our staff put it on here. So we are going to substitute Ashcroft 240. So everybody should be on notice, including the proponents of those amendments, when they come up. I will try to announce the list just before the vote as to who is next, maybe two in advance, so everyone will know. I think we are prepared.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LAUTENBERG. Mr. President, if the Senator will yield for a question, please; that is, how many votes do we have bracketed right now that we are certain of?

Mr. DOMENICI. Fifteen.

Mr. LAUTENBERG. So is it fair to say that 15 votes, 10 minutes apiece, 150 minutes, 2 minutes for debate, another 30 minutes, we are looking at a few hours, wouldn't you say?

Mr. DOMENICI. Yes.

Mr. LAUTENBERG. But if we can get the cooperation of the Members, we can finish this tonight. If we can't, we will be here tomorrow. I think I speak for the chairman; we will find out immediately, when I say that I am willing to be here as late as it takes, if we can finish tonight.

Mr. DOMENICI. Senator, we are going to be as cooperative as we can and beyond this in agreeing to accept amendments. We are working with you to do the same, which means we can take many more later and accept them as we work our way through this part.

Mr. MACK. Mr. President, I ask for the yeas and nays on the resolution.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the resolution (S. Res. 57).

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

I also announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—98

Abraham	Dodd	Kerrey
Akaka	Domenici	Kerry
Allard	Dorgan	Kohl
Ashcroft	Durbin	Kyl
Baucus	Edwards	Landrieu
Bayh	Enzi	Lautenberg
Bennett	Feingold	Leahy
Biden	Feinstein	Levin
Bingaman	Fitzgerald	Lieberman
Bond	Frist	Lincoln
Boxer	Gorton	Lott
Breaux	Graham	Mack
Brownback	Gramm	McConnell
Bryan	Grams	Mikulski
Bunning	Grassley	Moynihan
Burns	Gregg	Murkowski
Byrd	Hagel	Murray
Campbell	Harkin	Nickles
Chafee	Hatch	Reed
Cleland	Helms	Reid
Cochran	Hollings	Robb
Collins	Hutchinson	Roberts
Conrad	Hutchison	Rockefeller
Coverdell	Inhofe	Roth
Craig	Inouye	Santorum
Crapo	Jeffords	Sarbanes
Daschle	Johnson	Schumer
DeWine	Kennedy	Sessions
Shelby	Stevens	Voinovich
Smith (NH)	Thomas	Warner
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden
Specter	Torricelli	

NOT VOTING—2

Lugar	McCain

The Resolution was agreed to.

AMENDMENT NO. 245

The PRESIDING OFFICER. Amendment No. 245 to the preamble is agreed to.

The amendment (No. 245) to the preamble was agreed to as follows:

On page 2 strike lines 9 on 10 and insert whereas such abuses violate internationally accepted norms of conduct enshrined by the Universal Declaration of Human Rights.

The preamble, as amended, was agreed to.

The resolution, with is preamble, as amended, reads as follows:

S. RES. 57

Whereas, the annual meeting of the United National Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the United States Department of State and international human rights organizations, the Government of Cuba continues to commit widespread and well documented human rights abuses in Cuba;

Whereas such abuses stem from a complete intolerance of dissent and the totalitarian nature of the regime controlled by Fidel Castro;

Whereas such abuses violate internationally accepted norms of conduct;

Whereas the Government of Cuba routinely restricts worker's rights, including the right to form independent unions, and employs forced labor, including that by children;

Whereas such abuses violate internationally accepted norms of conduct enshrined by the Universal Declaration of Human Rights;

Whereas the Government of Cuba has detained scores of citizens associated with attempts to discuss human rights, advocate for free and fair elections, freedom of the press, and others who petitioned the government to release those arbitrarily arrested;

Whereas the Government of Cuba has recently escalated efforts to extinguish expressions of protest or criticism by passing state measures criminalizing peaceful pro-democratic activities and independent journalism;

Whereas the recent trial of peaceful dissidents Vladimiro Roca, Marta Beatriz Roque, Felix Bonne, and Rene Gomez Manzano, charged with sedition for publishing a proposal for democratic reform, is indicative of the increased efforts by the Government of Cuba to detain citizens and extinguish expressions of support for the accused; and

Whereas these efforts underscore that the Government of Cuba has continued relentlessly its longstanding pattern of human rights abuses and demonstrate that it continues to systemically deny universally recognized human rights: Now, therefore, be it

Resolved, That it is the sense of the Senate that at the 55th Session of the United Nations Human Rights Commission in Geneva, Switzerland, the United States should make all efforts necessary to pass a resolution, including introducing such a resolution, criticizing Cuba for its human rights abuses in

Cuba, and to secure the appointment of a Special Rapporteur for Cuba.

Mr. SANTORUM. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to. [INSERT]

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

Mr. DOMENICI. Mr. President, the leader asked me to indicate the following: I send an adjournment resolution to the desk calling for a conditional adjournment of the Senate until April 12 and ask that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The legislative clerk read as follows:

Concurrent resolution (S. Con. Res. 23) providing for a conditional adjournment or recess of the Senate and the House of Representatives.

Mr. DOMENICI. I thank the Chair, and I thank Senator LAUTENBERG.

The PRESIDING OFFICER. The resolution is agreed to.

The concurrent resolution (S. Con. Res. 23) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, March 25, 1999, Friday, March 26, 1999, Saturday, March 27, 1999, or Sunday, March 28, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 12, 1999, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, March 25, 1999, or Friday, March 26, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Monday, April 12, 1999, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 212

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. SANTORUM), proposes an amendment numbered 212, as previously reported.

The PRESIDING OFFICER. There are 2 minutes equally divided.

The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Thank you, Mr. President.

First, I ask that Senator TORRICELLI be added as cosponsor to the resolution.

Mr. President, this is an amendment that is a sense of the Senate to extend reauthorization for the Farm Preservation Program. Senator BOXER and I were able to put in an amendment for $35 billion for farmland preservation in the Freedom to Farm bill 3 years ago. That authorization of $35 billion was supposed to last 5 years. It lasted 3. There is no more money for this program, and there is a tremendous need. The backlog of applications is immense. Nineteen States have participated in this. We have saved over 123,000 acres of farmland.

We have so much debate about urban sprawl. This is an amendment to do something in a responsible way by preserving farmland and preserving agriculture communities that are under stress from urban sprawl and development.

I hope we will have a resounding favorable vote.

Mr. LAUTENBERG. Mr. President, I commend the Senator from Pennsylvania for offering this amendment.

We are ready to accept it here.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN), was necessarily absent. I further announce that the Senator from Indiana (Mr. LUGAR), was absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—97

Abraham	Ashcroft	Bennett
Akaka	Baucus	Biden
Allard	Bayh	Bingaman
Bond	Graham	Moynihan
Boxer	Gramm	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Nickles
Bryan	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Robb
Byrd	Hatch	Roberts
Campbell	Helms	Rockefeller
Chafee	Hollings	Roth
Cleland	Hutchinson	Santorum
Cochran	Hutchison	Sarbanes
Collins	Inhofe	Schumer
Conrad	Inouye	Sessions
Coverdell	Jeffords	Shelby
Craig	Johnson	Smith (NH)
Crapo	Kennedy	Smith (OR)
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Domenici	Landrieu	Thomas
Dorgan	Lautenberg	Thompson
Durbin	Leahy	Thurmond
Edwards	Levin	Torricelli
Enzi	Lieberman	Voinovich
Feingold	Lincoln	Warner
Feinstein	Lott	Wellstone
Fitzgerald	Mack	Wyden
Frist	McConnell	
Gorton	Mikulski	

NAYS—1

Kyl

NOT VOTING—2

Lugar McCain

The amendment (No. 212) was agreed to.

AMENDMENT NO. 162

The PRESIDING OFFICER. There are now 2 minutes equally divided.

The Senate will be in order.

The Senator from Rhode Island is recognized.

Mr. REED. I thank the Chair.

Mr. LAUTENBERG. Could we have order, Mr. President.

The PRESIDING OFFICER. The Senate is still not in order.

The Senator from Rhode Island.

Mr. REED. I thank the Chair.

Among the first casualties of this proposed budget will be the cities and rural communities of America. This budget would cut upwards to 78 percent of money devoted to community and regional development over the next 10 years.

My amendment is very straightforward. It would restore $88.7 billion over 10 years to bring up funding to the level proposed by the President. It would do so by taking a small portion of the projected tax cuts that are included in this budget. Without my amendment, we will see extreme reductions in community development block grants, the Economic Development Administration, the lead paint abatement program, the brownfields program, those programs that are essential to the cities and rural areas of this country.

We cannot abandon these communities. In fact, we cannot throw them, as this budget would, into financial chaos as they try to make up the difference with the property tax. The irony here is that these tax cuts in the budget will mean tax increases for many communities. It is supported by the U.S. Conference of Mayors and the

National League of Cities. I hope Senators will support this measure and not abandon the cities and rural communities of America.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not think I am going to argue the substance, other than to say this amendment increases taxes by $64 billion. This amendment increases taxes by $64 billion, relative to the committee bill before us. It suggests it be spent for community and regional development.

Frankly, it would not have to be. The appropriators have their own judgment. They can do what they want with it. Essentially, I do not believe we ought to be raising taxes to pay for programs like this.

In addition, this is not germane and is subject to a point of order, which I now make under the Budget Act. It would exceed the caps that we have agreed to and that are written into statutory law.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO WAIVE THE BUDGET ACT

Mr. REED. Mr. President, I move to waive the budget point of order.

The PRESIDING OFFICER. The vote now occurs on the motion to waive the budget point of order.

Mr. REED. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has expired. The question occurs on agreeing to the motion to waive the Budget Act. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that Senator from Arizona (Mr. MCCAIN), is necessarily absent.

The yeas an nays resulted—yeas 49, nays 50, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—49

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Robb
Byrd	Johnson	Rockefeller
Chafee	Kennedy	Sarbanes
Cleland	Kerrey	Schumer
Collins	Kerry	Snowe
Conrad	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

NAYS—50

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Cochran	Hutchinson	Specter
Coverdell	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McConnell	

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 49 and the nays are 50. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 146

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I remind Senators we have 10 minutes on the next vote. We intend to have regular order so we can finish at a reasonable time. Ten minutes is what we are allowed.

The PRESIDING OFFICER. The Senator from Idaho, Mr. CRAIG, is recognized for 1 minute.

Mr. CRAIG. Mr. President, the Senator from Nebraska, Senator KERREY, and I have joined together in our effort to control the overall growth of government. We are asking that the Senate apply a 60-vote requirement to any new entitlement program—not new spending in existing entitlement programs, but new entitlement programs—exactly as we treat any growth in discretionary spending. It would take a 60-vote point of order for us to add new entitlement programs and spend new money.

I think it is a requirement that this Senate should have. Last year, 54 Senators voted for it. It is bipartisan in its character to control the overall growth of government. We think it is appropriate that it be spent that way.

I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I am opposing this amendment. It would prohibit using revenues to offset new mandatory spending and instead require all new spending to be offset with other mandatory cuts. It would give special protection to special interest tax loopholes at the expense of programs like Social Security or Medicare.

I understand the Senator said ''new programs.'' It would prevent us from using the onbudget surplus for prescription drugs, new benefits, or any new mandatory spending. The onbudget surplus could be used only for tax breaks.

Also, the amendment would prevent us from using the user fees, such as gas tax, to pay for new highways. If we are looking for a way to pay for a new benefit, why would we say that cutting Social Security is OK but closing a wasteful tax loophole is not? Why would we say that cutting Medicare is OK but eliminating a corporate tax subsidy is not?

I urge my colleagues to oppose this amendment, Mr. President, and I make the budget point of order. I think this is not germane.

The PRESIDING OFFICER. The point of order has already been made.

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

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRAIG. I ask Senators to vote for the waiving of the budget point of order.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to the Craig amendment No. 146. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona [Mr. MCCAIN] is necessarily absent.

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—52

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Robb
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kerrey	Thompson
Crapo	Kyl	Thurmond
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Enzi	Mack	
Fitzgerald	McConnell	

NAYS—47

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Rockefeller
Byrd	Johnson	Sarbanes
Chafee	Kennedy	Schumer
Cleland	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to, the point of order is sustained, and the amendment falls.

AMENDMENT NO. 175

The PRESIDING OFFICER. Under the previous order, the Senator from California, Mrs. BOXER, is recognized for 1 minute.

Mrs. BOXER. Mr. President, I want to thank the chairman of the committee and my ranking member for agreeing to this. Of course, Senator LAUTENBERG was very supportive in committee, and Senator DOMENICI tonight has said he will go along with this amendment.

It is very simple and clear. It says if there should be a tax cut, we want to see the substantial benefit go to the first 90 percent of wage earners, rather than the top 10 percent.

I think this is good for the people of the country.

I want to thank, again, Senator DOMENICI and Senator LAUTENBERG.

Mr. DOMENICI. Mr. President, there will be no rollcall vote on this amendment. I agree to accept it.

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

The amendment (No. 175) was agreed to.

Mrs. BOXER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the next amendment is offered by the Senator from Ohio, Mr. VOINOVICH.

Mr. DOMENICI. If the Senator would yield for some housekeeping, we are having a degree of success with the list of amendments. If your name is not on this list, then it means you are insisting on a rollcall vote. That means there are still about 15 or 20 of you we are looking for to sit down and talk, so we will not have to have so many rollcall votes. These are all generous Senators on this list. They have decided—and the other side has agreed—to accept them. We will do that right now, en bloc.

So that Members might be thinking about this, maybe we ought to find a new way to take care of sense-of-the-Senate amendments that show up on a budget resolution. I had an idea that maybe we should change the law and have a second budget resolution after we have done the real one, and anybody that has a sense of the Senate can offer them to the second budget bill and ask the leader to set this up in a recess period, and people can file these. When we return from the recess, we will vote on them en bloc.

I think that would be an excellent solution. The leader and I will be talking about it soon.

In the meantime, we thank you for great cooperation.

Mr. REID. Will the Senator yield?

Mr. DOMENICI. Yes.

Mr. REID. It is my understanding, having spoken to you and the Democratic manager and the two leaders, we will try to wrap this thing up tonight; is that true?

Mr. DOMENICI. If we get this kind of cooperation, we can do it; if we don't get cooperation, a few Senators will keep us over until tomorrow.

Mr. LAUTENBERG. Late at night, too.

Mr. REID. I say to the Senators on the list that the Democratic and Republican staff worked on that and it still might require votes. We have had great cooperation and a number of amendments have already dropped off.

AMENDMENT NO. 225, AS MODIFIED

Mr. DOMENICI. Mr. President, I send a modification to the desk of amendment No. 225 from Senator SHELBY. This modification has been approved by the other side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 225), as modified, is as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON TRANSPORTATION FIREWALLS.

(a) FINDINGS.—The Senate finds that—

(1) domestic firewalls greatly limit funding flexibility as Congress manages budget priorities in a fiscally constrained budget:

(2) domestic firewalls inhibit congressional oversight of programs and organizations under such protections:

(3) domestic firewalls mask mandatory spending under the guise of discretionary spending, thereby presenting a distorted picture of overall discretionary spending;

(4) domestic firewalls impede the ability of Congress to react to changing circumstances or to fund other equally important programs;

(5) the Congress implemented ''domestic discretionary budget firewalls'' for approximately 70 percent of function 400 spending in the 105th Congress;

(6) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, firewalled spread would exceed 100 percent of total function 400 spending called for under this resolution; and

(7) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, drug interdiction activities by the Coast Guard, National Highway Traffic Safety Administration activities, rail safety inspections, Federal support of Amtrak, all National Transportation Safety Board activities, Pipeline and Hazardous materials safety programs, and Coast Guard search and rescue activities would be drastically cut or eliminated.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that no additional firewalls should be enacted for function 400 transportation activities.

UNANIMOUS-CONSENT AGREEMENT—AMENDMENTS AGREED TO EN BLOC

Mr. DOMENICI. Mr. President, the following amendments have been cleared on both sides: Shelby, 209; Sessions, 210; Santorum, 211; Roberts, 216; Gorton, 215; Specter, 220; Jeffords, 222; Shelby, 225, as modified; 226, Enzi; Collins, 229; Chafee, 237; Specter, 219; Fitzgerald, 217; and Jeffords, 221.

Mr. LAUTENBERG. Mr. President, our amendments that have been cleared which we can consider en bloc, are as follows: 197, Lieberman; 186, Durbin; 187, Durbin; 188, Dorgan; 189, Dorgan; 199, Bingaman; 191, Torricelli; 244, Moynihan; 169, Feinstein.

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

The amendments (Nos. 209, 210, 211, 216, 215, 220, 222, 225, as modified; 226, 229, 237, 219, 217, 221, 197, 186, 187, 188, 189, 199, 191, 244, 169) were agreed to, en bloc.

AMENDMENT NOS. 234, 239, 235, 241 AND 193 WITHDRAWN

Mr. DOMENICI. The following amendments, and I am very appreciative of this, have been withdrawn: 234, 239, 235, 241 and 193.

The PRESIDING OFFICER. The amendments are withdrawn.

The amendments (Nos. 234, 239, 235, 241 and 193) were withdrawn.

Mr. DOMENICI. We have only 13 amendments remaining on our side. I hope Members or their staffs will please sit down with our staff and see if we can resolve some of these and give us some idea whether we can finish tonight. I very much appreciate it.

Thank you for yielding, Senator. I am sorry for using your time.

AMENDMENT NO. 161

The PRESIDING OFFICER. The clerk will report the amendment of the Senator from Ohio, Mr. VOINOVICH.

The legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH] proposes an amendment numbered 161, as previously offered.

Mr. VOINOVICH. Mr. President, first, I want to commend the distinguished Chairman of the Budget Committee for offering a budget resolution that stays within the spending caps and—for the first time—protects Social Security surpluses.

I also want to thank him for setting aside $131 billion in what I like to call a ''rainy day fund.'' This money can be used for possible contingencies in Medicare or agriculture, emergency spending, or debt reduction.

I respect the view of my colleagues who want to use on-budget surpluses to give the American people a tax cut. But before we give a tax cut, I believe we should pay down our massive national debt first.

My amendment would take out the tax cuts in the budget resolution and use that money to pay down the debt.

If my amendment is adopted, and if the projected surpluses materialize, then we will slash the publicly-held debt from $3.6 trillion today to $960 billion in 2009.

Paying down the debt is the right thing to do—it will reduce our net interest payments, expand the economy, lower interest rates for families, and reduce the need for future tax increases.

Has there been a request for the yeas and nays on this?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DOMENICI. Mr. President, I think the distinguished Senator from Ohio knows of the great respect I have for him. Over the years, I have worked with him when he was Governor. But I just can't agree with this amendment, and I hope the Senate doesn't.

This amendment says that the American taxpayer deserves no tax relief and, yet, we can spend the money that is in surplus, but we can't give the American people any tax relief. This strikes the entire tax relief program that we have planned in this budget resolution. We have heard some say that we should have only half. We have heard others say we should only have two-thirds of it. This one says none. While in the budget we spend money for Medicare, we spend money out of the surplus for other programs. But now it is being said that we cannot spend any of it on tax cuts. I don't believe this is good policy, and I don't think that is where we ought to end up this year. We will spend and spend and spend that surplus, and there won't be any left for the American people in the not-too-distant future.

Mr. LAUTENBERG. Mr. President, is there any time left?

The PRESIDING OFFICER. All time has expired.

Mr. DOMENICI. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table the amendment of the Senator from Ohio.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—67

Abraham	DeWine	Kerry
Allard	Domenici	Kyl
Ashcroft	Edwards	Landrieu
Bayh	Enzi	Lincoln
Bennett	Fitzgerald	Lott
Biden	Frist	Lugar
Bingaman	Gorton	Mack
Bond	Gramm	McConnell
Breaux	Grams	Mikulski
Brownback	Grassley	Murkowski
Bryan	Gregg	Nickles
Bunning	Hagel	Reed
Campbell	Hatch	Roberts
Cleland	Helms	Roth
Cochran	Hutchinson	Santorum
Collins	Hutchison	Schumer
Coverdell	Inhofe	Sessions
Craig	Johnson	Shelby
Crapo	Kerrey	Smith (NH)
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden
Stevens	Torricelli	
Thomas	Warner	

NAYS—32

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Boxer	Graham	Moynihan
Burns	Harkin	Murray
Byrd	Hollings	Reid
Chafee	Inouye	Robb
Conrad	Jeffords	Rockefeller
Daschle	Kennedy	Sarbanes
Dodd	Kohl	Specter
Dorgan	Lautenberg	Voinovich
Durbin	Leahy	

NOT VOTING—1

McCain

The motion to lay on the table the amendment (No. 161) was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts is recognized.

Mr. DOMENICI. Mr. President, will the Senator yield for a second?

Mr. KENNEDY. Yes.

UNANIMOUS-CONSENT AGREEMENT—AMENDMENT NOS. 173 AND 218

Mr. DOMENICI. Senator MURRAY's amendment numbered 173 has disappeared, and No. 218 by Senator HELMS has been withdrawn.

The PRESIDING OFFICER. Does the Senator from New Mexico make a unanimous consent request with respect to those amendments?

Mr. DOMENICI. No. 173 must be agreed to.

The PRESIDING OFFICER. Without objection, it is agreed to.

The other amendment is withdrawn.

The amendment (No. 173) is agreed to.

The amendment (No. 218) was withdrawn.

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 192

Mr. KENNEDY. Mr. President, in the budget there is $778 billion for 10 years for the reduction in taxes. The amendment offered by myself and Senator DODD is very simple. Effectively, it takes $156 billion of that, first, to fully fund IDEA; to fully fund the smaller classrooms; and to take the remaining funds, which is $43 billion that can be used for afterschool programs, for technology, for Pell grants, for Work-Study Programs, and for other education programs.

Effectively, we are saying this is the best opportunity that we have had in a generation to continue a partnership between local, State and the Federal Government in the areas of education. We have a real opportunity to do so. We believe that we can still leave 80 percent of the tax cut. We are taking 20 percent of the tax cut to fully fund IDEA, to meet our commitments, and to also fully fund the smaller classroom.

This is supported by school board associations, the school administrators, parent/teachers, the disability rights, the Consortium of Citizens with Disabilities, and the Federation of Children with Special Needs. It is supported by all of those groups in the best interests of the future of our country. I hope it is accepted.

Mr. DOMENICI. Mr. President, I have 1 minute. I yield 40 seconds to the Senator from New Hampshire, and I will take the other 20 seconds.

The PRESIDING OFFICER. The Senator from New Mexico will suspend.

The Senator from New Mexico has yielded time.

To whom does the Senator yield his time?

Mr. DOMENICI. I yield to Senator JUDD GREGG of New Hampshire 40 seconds.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, essentially, no one in this Senate has worked harder—many have worked as hard, but I think I have worked as hard as anyone else to try to get funding for IDEA programs. What this amendment is essentially is a ''don't worry, be happy'' amendment. It is an amendment which doesn't address the underlying problem, which is that this Congress and, unfortunately, some people on the other side of the aisle in this Congress are not willing to set priorities in the area of education.

We have in the law, on the books a law that says we should fund IDEA. The only people who have been trying to do that have been on this side of the aisle. In the last 3 years, we have increased funding for IDEA by 85 percent from this side of the aisle. In the Domenici budget, we have increased it by another $2.5 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Let's do it the right way. Let's do it the way it is done in this budget.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have been telling you all, Democrat and Republican alike, that what is going to happen with this surplus is we are going to spend it all. I have made a preliminary analysis of this week's Democratic amendments that use the surplus. They have now used $430 billion of the surplus for new programs. This one is in this 430. Some others aren't. I merely ask that we not do this and save some of the money for the American taxpayers.

The PRESIDING OFFICER. All time has expired.

Mr. GREGG. Mr. President, I move to table.

Mr. DOMENICI. I move to table and ask for the yeas and nays.

Mr. KENNEDY. Yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

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

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—54

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner

NAYS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NOT VOTING—1

McCain

The motion to lay on the table the amendment (No. 192) was agreed to.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from New Mexico.

AMENDMENT NO. 219, AS MODIFIED

Mr. DOMENICI. Mr. President, we have heretofore adopted a Specter amendment. We should have sent a modification to the desk to Amendment No. 219. I send the modification to the desk and ask the amendment, which was adopted, be so modified.

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

The amendment (No. 219), previously agreed to, as modified is as follows:

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE REGARDING FUNDING FOR INTENSIVE FIREARMS PROSECUTION PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) gun violence in America, while declining somewhat in recent years, is still unacceptably high;

(2) keeping firearms out of the hands of criminals can dramatically reduce gun violence in America;

(3) States and localities often do not have the investigative or prosecutorial resources to locate and convict individuals who violate their firearm laws. Even when they do win convictions, states and localities often lack the jail space to hold such convicts for their full prison terms;

(4) there are a number of federal laws on the books which are designed to keep firearms out of the hands of criminals. These laws impose mandatory minimum sentences upon individuals who use firearms to commit crimes of violence and convicted felons caught in possession of a firearm;

(5) the federal government does have the resources to investigate and prosecute violations of these federal firearms laws. The federal government also has enough jail space to hold individuals for the length of their mandatory minimum sentences;

(6) an effort to aggressively and consistently apply these federal firearms laws in Richmond, Virginia, has cut violent crime in that city. This program, called Project Exile, has produced 288 indictments during its first two years of operation and has been credited with contributing to a 15% decrease in violent crimes in Richmond during the same period. In the first three-quarters of 1998, homicides with a firearm in Richmond were down 55% compared to 1997;

(7) the Fiscal Year 1999 Commerce-State-Justice Appropriations act provided $1.5 million to hire additional federal prosecutors and investigators to enforce federal firearms laws in Philadelphia. The Philadelphia project—called Operation Cease Fire—started on January 1, 1999. Since it began, the project has resulted in 31 indictments of 52 defendants on firearms violations. The project has benefited from help from the Philadelphia Police Department and the Bureau of Alcohol, Tobacco and Firearms which was not paid for out of the $1.5 million grant;

(8) In 1993, the office of the U.S. Attorney for the Western District of New York teamed up with the Monroe County District Attorney's Office, the Monroe County Sheriff's Department, the Rochester Police Department, and others to form a Violent Crimes Task Force. In 1997, the Task Force created an Illegal Firearms Suppression Unit, whose mission is to use prosecutorial discretion to bring firearms cases in the judicial forum where penalties for gun violations would be the strictest. The Suppression Unit has been involved in three major prosecutions of interstate gun-purchasing activities and currently has 30 to 40 open single-defendant felony gun cases;

(9) Senator Hatch has introduced legislation to authorize Project CUFF, a federal firearms prosecution program;

(10) the Administration has requested $5 million to conduct intensive firearms prosecution projects on a national level;

(11) given that at least $1.5 million is needed to run an effective program in one American city—Philadelphia—$5 million is far from enough funding to conduct such programs nationally.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Function 750 in the budget resolution assumes that $50,000,000 will be provided in fiscal year 2000 to conduct intensive firearms prosecution projects to combat violence in the twenty-five American cities with the highest crime rates.

AMENDMENT NO. 224

Mr. DOMENICI. Mr. President, we have an Ashcroft amendment, amendment No. 224, which is ready to be accepted. The Democratic leader accepts it also.

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

The amendment (No. 224) was agreed to.

AMENDMENT NO. 163

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Idaho.

Mr. CRAPO. Mr. President, this amendment is a very straightforward amendment. It seeks to deal with the excess surplus we expect to be projected this July. We are now working on a budget that will be saving Social Security, for tax relief, and for the necessary investments we must make in our military, education, Medicare, and other needed programs the Federal Government must pay attention to.

After this budget is put together and we have made those adjustments, we expect the July reports will say we have an even larger surplus than is now expected.

This amendment says, if a larger surplus develops, that surplus should be set aside in a lockbox for either tax relief or debt retirement. It is very straightforward, to say after we have met the needs in negotiating this budget, we then apply any future increases in the surplus to debt retirement or tax relief.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I rise in opposition to the Crapo amendment. As the Senator said, it creates a reserve fund to lock in any additional onbudget surplus in the outyears to be used exclusively for tax breaks and debt reduction.

Mr. President, Democrats welcome the opportunity to lock away a portion of the surplus for debt reduction. We have offered amendments that would do just that. But this amendment would limit the use of future surpluses to debt reduction or tax breaks only.

So I have to ask a question here. Why is it all right to set aside the surplus to create a new special interest tax loophole, but not OK to use the surplus for an increase in military pay?

Why is it OK to set aside the surplus to give more tax breaks to the well off but not OK to use the surplus to hire more teachers and reduce class size?

Mrs. BOXER. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. Will the Senators take their conferences off the floor.

Mr. LAUTENBERG. It would be nice to have order.

Mr. President, this amendment is not about fiscal responsibility. It is not about saving Social Security or Medicare. It is about setting aside the surplus to give tax breaks to a select few, including the wealthiest among us. I hope my colleagues will oppose this amendment.

AMENDMENT NO. 165

Mr. KOHL. I would like to take a moment to explain my opposition to the

amendment by the gentleman from Idaho, Senator CRAPO. This amendment would set aside all on-budget surpluses above those estimated in the Republican Budget Resolution. These funds would then be used for either tax cuts or debt reduction. While I agree with his goals of reducing taxes and eliminating the debt, I believe that this is the wrong way to go about it.

I am committed to reserving 77 percent of the total, unified, surplus to increase the solvency of Medicare and Social Security. I do not believe that we should bind ourselves to the estimates of surpluses in this bill. If higher than anticipated surpluses come into the Treasury, then I believe that we should still put 77 percent of those new, unexpected funds into the Social Security and Medicare programs.

The Democratic plan leaves 23 percent of the unified surplus for tax cuts, debt reduction and domestic priorities. This leaves room for a tax cut regardless of future surpluses, and is not dependent on the estimates in this bill. Committing ourselves to reserving 77 percent of the unified surplus for Medicare and Social Security will keep these programs solvent longer than the proposal from the Senator for Idaho, and therefore I cannot support his amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the point of order. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The yeas and nays resulted—yeas 42, nays 57, as follows:

[Rollcall Vote No. 73 Leg.}

YEAS—42

Abraham	Fitzgerald	Mack
Allard	Frist	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Brownback	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith NH
Coverdell	Hutchinson	Thomas
Craig	Hutchison	Thompson
Crapo	Inhofe	Thurmond
DeWine	Kyl	Voinovich
Enzi	Lott	Warner

NAYS—57

Akaka	Durbin	Levin
Baucus	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	Lugar
Bingaman	Gorton	Mikulski
Bond	Graham	Moynihan
Boxer	Harkin	Murray
Breaux	Hollings	Reed
Bryan	Inouye	Reid
Byrd	Jeffords	Robb
Chafee	Johnson	Roberts
Cleland	Kennedy	Rockefeller
Collins	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Smith OR
Dodd	Landrieu	
Domenici	Lautenberg	
Dorgan	Leahy	
Snowe	Stevens	Wellstone
Specter	Torricelli	Wyden

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote the yeas are 42, the nays are 57. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from Connecticut has 1 minute.

AMENDMENT NO. 160, AS MODIFIED

Mr. DODD. Mr. President, I send a modification of my amendment to the desk and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment, as modified, is as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,014,000,000.
Fiscal year 2004: $1,585,969,000,000.
Fiscal year 2005: $1,649,259,000,000.
Fiscal year 2006: $1,682,788,000,000.
Fiscal year 2007: $1,737,451,000,000.
Fiscal year 2008: $1,807,417,000,000.
Fiscal year 2009: $1,870,513,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,716,000,000.
Fiscal year 2002: −$52,284,000,000.
Fiscal year 2003: −$31,305,000,000.
Fiscal year 2004: −$48,180,000,000.
Fiscal year 2005: −$61,637,000,000.
Fiscal year 2006: −$107,925,000,000.
Fiscal year 2007: −$133,949,000,000.
Fiscal year 2008: −$148,792,000,000.
Fiscal year 2009: −$175,197,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,294,000,000.
Fiscal year 2002: $1,488,477,000,000.
Fiscal year 2003: $1,561,513,000,000.
Fiscal year 2004: $1,613,278,000,000.
Fiscal year 2005: $1,666,843,000,000.
Fiscal year 2006: $1,698,902,000,000.
Fiscal year 2007: $1,754,567,000,000.
Fiscal year 2008: $1,815,739,000,000.
Fiscal year 2009: $1,875,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,014,000,000.
Fiscal year 2004: $1,583,070,000,000.
Fiscal year 2005: $1,639,428,000,000.
Fiscal year 2006: $1,667,958,000,000.
Fiscal year 2007: $1,717,688,000,000.
Fiscal year 2008: $1,782,597,000,000.
Fiscal year 2009: $1,842,697,000,000.

On page 28, strike beginning with line 13 through page 31, line 19, and insert the following:

Fiscal year 2000:
(A) New budget authority, $244,390,000,000.
(B) Outlays, $248,088,000,000.
Fiscal year 2001:
(A) New budget authority, $251,873,000,000.
(B) Outlays, $257,750,000,000.
Fiscal year 2002:
(A) New budget authority, $264,620,000,000.
(B) Outlays, $267,411,000,000.
Fiscal year 2003:
(A) New budget authority, $277,386,000,000.
(B) Outlays, $277,175,000,000.
Fiscal year 2004:
(A) New budget authority, $286,576,000,000.
(B) Outlays, $286,388,000,000.
Fiscal year 2005:
(A) New budget authority, $298,942,000,000.
(B) Outlays, $299,128,000,000.
Fiscal year 2006:
(A) New budget authority, $305,655,000,000.
(B) Outlays, $305,943,000,000.
Fiscal year 2007:
(A) New budget authority, $312,047,000,000.
(B) Outlays, $312,753,000,000.
Fiscal year 2008:
(A) New budget authority, $325,315,000,000.
(B) Outlays, $326,666,000,000.
Fiscal year 2009:
(A) New budget authority, $335,562,000,000.
(B) Outlays, $337,102,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $138,485,000,000 for the period of fiscal years 2000 through 2004, and $765,985,000,000 for the period of fiscal years 2000 through 2009; and

Mr. DODD. Mr. President, as I understand it, I have the right to modify my amendment.

The PRESIDING OFFICER. It takes unanimous consent, which has been granted.

Mr. DODD. Mr. President, this modification reduces the amount from $7.5 billion over 5 years to $5 billion on a child care block grant amendment. It is very simple. It is designed to help working families. The amendment increases the mandatory spending by $5 billion over 5 years. The offset comes from a reduction of the $800 billion tax bill by that amount.

This amendment also asserts in nonbinding language that if child care tax credits are expanded in future legislation, that they would be for stay-at-home parents as well as working parents, and that there would be a tax refundability so the poorer families would be able to take advantage of it.

The reason why this amendment on this concurrent resolution is so important is that if we do not provide additionally to the child care needs in the budget resolution, then there is no other opportunity for us to do it in the 106th Congress.

So this modest amount over 5 years, given the huge waiting lists that exist, the difficulty that working families have in meeting these costs, and providing that incentive as well for stay-at-home parents so they can get the benefit of it, I think justifies the adoption of it.

I am delighted to have as my cosponsors, Senator JEFFORDS of Vermont, Senator REED of Rhode Island, and others. I thank some of my Republican colleagues on the other side for their indication of support for this amendment as well.

Mr. President, I urge adoption of the amendment. I think it is a good one. I think it will help working families and their children get good and decent child care.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I know how interested my friend from Connecticut is in this, and that he has lowered the amount. But I really think that we ought to stick with the format that we have been following here, and we ought not start taking money out of the tax cut to put into new programs.

I yield back my time and move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Arizona (Mr. MCCAIN), and the Senator from Alabama (Mr. SESSIONS), are necessarily absent.

The result was announced—yeas 40, nays 57, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—40

Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Shelby
Bunning	Hagel	Smith (NH)
Burns	Helms	Smith (OR)
Cochran	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	
Fitzgerald	McConnell	

NAYS—57

Abraham	Dodd	Kohl
Akaka	Dorgan	Landrieu
Baucus	Durbin	Lautenberg
Bayh	Edwards	Leahy
Biden	Feingold	Levin
Bingaman	Feinstein	Lieberman
Boxer	Frist	Lincoln
Breaux	Graham	Mikulski
Bryan	Harkin	Moynihan
Byrd	Hatch	Murray
Campbell	Hollings	Reed
Chafee	Inouye	Reid
Cleland	Jeffords	Robb
Collins	Johnson	Roberts
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
DeWine	Kerry	Schumer
Snowe	Torricelli	Wellstone
Specter	Warner	Wyden

NOT VOTING—3

Hutchinson	McCain	Sessions

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

The amendment (No. 160), as modified, was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I apologize to my colleagues for that vote being open as long as it was. We can't do that anymore if we are going to have any hope of finishing this.

I would like to ask all Senators to stay in the Chamber. We have reached an hour where I don't think it would be necessary to go back to your office or go to receptions. We still have a number of amendments that are pending. I know the whip is working those amendments on the Democratic side. We are working them over here.

I ask unanimous consent that for the next block of amendments—I think there are five of them in this block—the time for the votes be 6 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. There will need to be the 2 minutes equally divided between the amendments. If the Senators will stay in the Chamber, we can clear a number of amendments. Hopefully, we can move through this quickly. We will see if there is any chance to wrap this up tonight. We will not hold the votes open on this next block of votes.

Mr. REID. Mr. Leader, is there any requirement that the clerk read back every vote? That would save considerable time. Is there any need for that?

Mr. LOTT. Does the Senator mean the results of the vote?

Mr. REID. What happens is, midway through the votes they go over who voted for and against. Is there some requirement for that to be necessary?

Mr. BYRD. Mr. President, that has been done since the beginning of time. (Laughter.)

Mr. LAUTENBERG. That takes care of that.

Mr. LEAHY. I think it is going to continue, Mr. President.

Mr. BYRD. By unanimous consent—may I say with great respect to the Senate—by unanimous consent you can avoid the recapitulation, if you want to do that.

Mr. LOTT. Rather than changing the precedent, Mr. President, let me work with the leadership on both sides to see if we can't in some way expedite this as quickly as possible, maybe without calling the names. We will work on that.

Mr. BYRD. Will the majority leader yield to me?

Mr. LOTT. Yes.

Mr. BYRD. I will tell you how the leader can stop me from keeping everybody else here waiting. He can tell them up there to call the roll, and announce the results. And if he catches me off the floor once, I will take my lumps. I ought to be here, and not keep everybody else waiting. I have a wife who is 81 years old. I am 81 years old. She is there waiting on me. I am here. I think Senators ought to have a little compassion and respect for one another. If the leader will just teach us one time, for those who are not here when that announcement is made, they are going to show up as absent, that will break Senators from imposing on other Senators by being late for votes.

Mr. LOTT. We just did that. Two Senators just missed that last vote.

Stay in the Chamber. We are calling those votes after 6 minutes. Stay on the floor so we can begin the debate and voting.

AMENDMENT NO. 213, AS MODIFIED

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we have had a little bit of success in getting rid of some other amendments.

Amendment No. 213 needs a modification. Then it is ready. This has been approved on the other side.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 213), as modified, is as follows:

At the appropriate place, insert the following:

SEC. XX. SENSE OF THE SENATE REGARDING SUPPORT FOR STATE AND LOCAL LAW ENFORCEMENT.

(a) FINDINGS.—The Senate finds that—

(1) as national crime rates are beginning to fall as a result of State and local efforts, with Federal support, it is important for the Federal Government to continue its support for State and local law enforcement;

(2) Federal support is crucial to the provision of critical crime fighting programs;

(3) Federal support is also essential to the provision of critical crime fighting services and the effective administration of justice in the States, such as State and local crime laboratories and medical examiners' offices;

(4) Current needs exceed the capacity of State and local crime laboratories to process their forensic examinations, resulting in tremendous backlogs that prevent the swift administration of justice and impede fundamental individual rights, such as the right to a speedy trial and to exculpatory evidence;

(5) last year, Congress passed the Crime Identification Technology Act of 1998, which authorizes $250,000,000 each year for 5 years to assist State and local law enforcement agencies in developing and integrating their anticrime technology systems, and in upgrading their forensic laboratories and information and communications infrastructures upon which these crime fighting systems rely; and

(6) the Federal Government must continue efforts to significantly reduce crime by

maintaining Federal funding for State and local law enforcement, and wisely targeting these resources.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) The amounts made available for fiscal year 2000 to assist State and local law enforcement efforts should be comparable to or greater than amounts made available for that purpose for fiscal year 1999;

(2) the amounts made available for fiscal year 2000 for crime technology programs should be used to further the purposes of the program under section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); and

(3) Congress should consider legislation that specifically addresses the backlogs in State and local crime laboratories and medical examiners' offices.

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

The amendment (No. 213), as modified, was agreed to.

AMENDMENT NO. 207, AS MODIFIED

Mr. DOMENICI. Amendment No. 207, which I tendered a while ago, has now been OK'd by the minority. I send it to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 207), as modified, is as follows:

(Purpose: To provide the Sense of the Senate regarding the need to pursue a rational adjustment to merger notification thresholds for small business and to ensure adequate funding for Antitrust Division of the Department of Justice)

At the appropriate place, insert the following new section:

"SEC. . SENSE OF THE SENATE ON MERGER ENFORCEMENT BY DEPARTMENT OF JUSTICE.

''(a) FINDINGS.—Congress finds that—

''(1) The Antitrust Division of the Department of Justice is charged with the civil and criminal enforcement of the antitrust laws, including review of corporate mergers likely to reduce competition in particular markets, with a goal to promote and protect the competitive process;

''(2) the Antitrust Division requests a 16 percent increase in funding for fiscal year 2000;

''(3) justification for such an increase is based, in part, increasingly numerous and complex merger filings pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976;

''(4) the Hart-Scott-Rodino Antitrust Improvements Act of 1976 sets value thresholds which trigger the requirement for filing premerger notification;

''(5) the number of merger filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which the Department, in conjunction with the Federal Trade Commission, is required to review, increased by 38 percent in fiscal year 1998;

''(6) the Department expects the number of merger filings to increase in fiscal years 1999 and 2000;

''(7) the value thresholds, which relate to both the size of the companies involved and the size of the transaction, under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 have not been adjusted since passage of that Act.

''(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the Antitrust Division needs adequate resources and that the levels in this resolution assume the Division will have such adequate resources, including necessary increases in funding, notwithstanding any report language to the contrary, to enable it to meet its statutory requirements, including those related to reviewing and investigating increasingly numerous and complex mergers, but that Congress should pursue consideration of modest, budget neutral, adjustments to the Hart-Scott-Rodino Antitrust Improvements Act of 1976 to account for inflation in the value thresholds of the Act, and in so doing, ensure that the Antitrust Division's resources are focused on matters and transactions most deserving of the Division's attention.

Mr. HATCH. Mr. President, this amendment will put the Senate on record in two important areas.

The first is that, notwithstanding assumptions to the contrary, the Antitrust Division needs and should have adequate resources to enable it to meet its statutory requirements, including those related to reviewing and investigating increasingly numerous and complex mergers.

The second, is that Congress needs to review and pursue adjustments to the Hart-Scott-Rodino Antitrust Improvements Act of 1976. This second point, Mr. President, is an important one and one whose time is long overdue. The threshold values in this Act which trigger the requirement for businesses to file premerger notifications with government antitrust enforcers have not been changed, even for inflation, since 1976—23 years ago.

The overall purpose of the amendment is to ensure that the Antitrust Division's resources are focused on matters and transactions most deserving of the Division's attention, and to remove unnecessary regulatory and financial burdens on small businesses.

Mr. President, few would disagree that it is important to adequately fund the Antitrust Division of the Department of Justice. They are charged with the civil and criminal enforcement of the antitrust laws, including review of corporate mergers, in order to ensure that the consumer benefits from lower prices and better goods that come with vigorous competition in the marketplace. The interests of consumers must prevail over the political interests of some companies.

At our oversight hearing of the Justice Department several weeks ago, I asked Attorney General Reno whether she would work with us to review the value thresholds of the Hart-Scott-Rodino. It is my belief that adjustments to the value thresholds of Hart-Scott-Rodino are needed. They are needed to ensure that the Department's merger reviews take into account inflation and the true economic impact of mergers in today's economy—not in the economy of 1976. The Attorney General, and the Federal Trade Commission have pledged to work with us, and I look forward with working with the Administration to come up with a rational proposal that is a win-win for both the Department and small business.

Mr. President, let me just add that this amendment is not about one company, or one issue. It is about providing rational relief for some small businesses and supporting the enforcement of our laws.

The PRESIDING OFFICER. Without objection, the amendment, as modified, is agreed to.

The amendment (No. 207), as modified, was agreed to.

AMENDMENT NO. 243, AS MODIFIED

Mr. DOMENICI. Mr. President, has Senator LAUTENBERG cleared amendment No. 243 of Senator HUTCHISON and Senator FEINSTEIN?

Mr. LAUTENBERG. Yes. That is fine.

Mr. DOMENICI. Mr. President, I send it to the desk. It is acceptable.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 243), as modified, is as follows:

AMENDMENT NO. 243, AS MODIFIED

(Purpose: Sense of the Senate to create a task force to pursue the creation of a natural disaster reserve fund)

At the appropriate place, insert:

It is the Sense of the Senate that a task force be created for the purpose of studying the possibility of creating a reserve fund for natural disasters. The task force should be composed of three Senators appointed by the majority leader, and two Senators appointed by the minority leader. The task force should also be composed of three members appointed by the speaker of the House, and two members appointed by minority leader in the House. It is the sense of the Senate that the task force make a report to the appropriate committees in Congress within 90 days of being convened. The report should be available for the purposes of consideration during comprehensive overhaul of budget procedures.

The PRESIDING OFFICER. Without objection, the amendment, as modified, is agreed to.

The amendment (No. 243), as modified, was agreed to.

Mr. DOMENICI. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota, Mr. DORGAN, is recognized.

AMENDMENT NO. 178

Mr. DORGAN. Mr. President, the amendment we will consider next is an amendment which provides an opportunity to address the dire emergency that exists on American farms. All of us in this Chamber know that farm prices have collapsed. We also know that we face the prospect of losing tens of thousands, hundreds of thousands perhaps, of family farmers unless something is done to restore some price protection during this time.

The amendment I have offered is the only opportunity to do that. It provides room in this Budget Act for a $6-billion-per-year price protection opportunity.

In 1995, the budget resolution that we considered was the start of the change

of farm programs to the new Freedom to Farm bill. In this budget resolution, we are trying to provide an opportunity to repair the deficiencies in that bill that stripped away much of the needed price protection.

This amendment I hope will be supported by my colleagues and give us the opportunity this year, after a mid-year correction by the Congressional Budget Office, to use needed resources to help family farmers during their dire emergency.

Mr. President, I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have been keeping track on how much of the surplus we have spent. We spent $430 billion. If we adopt the Democratic amendment, this is $30 billion more. So the surplus would have had $460 billion already spent, if this amendment were adopted. We will increase the mandatory expenditures under agriculture from about $39 billion, to $40 billion, to $75 billion. That will be fixed and permanent, because it is an entitlement. And actually there are many who say this agriculture economy will recover in a couple of years. Yet, we have this built in for 5 years.

I don't think we ought to do this tonight. There is ample time to consider.

I remind you that the President didn't ask for one nickel. We put $6 billion new money in, and now this is $30 billion more.

I move to table the amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to lay on the table the amendment of the Senator from North Dakota. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Wyoming (Mr. THOMAS), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—53

Abraham	Craig	Hatch
Allard	Crapo	Helms
Ashcroft	DeWine	Hutchinson
Bennett	Domenici	Hutchison
Bond	Enzi	Inhofe
Brownback	Fitzgerald	Jeffords
Bunning	Frist	Kyl
Burns	Gorton	Lott
Campbell	Gramm	Lugar
Chafee	Grams	Mack
Cochran	Grassley	McConnell
Collins	Gregg	Murkowski
Coverdell	Hagel	Nickles
Roberts	Smith (NH)	Thompson
Roth	Smith (OR)	Thurmond
Santorum	Snowe	Voinovich
Sessions	Specter	Warner
Shelby	Stevens	

NAYS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NOT VOTING—2

McCain	Thomas

The motion to lay on the table the amendment (No. 178) was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, that vote took 10½ minutes, but I know there were some Senators who were not aware we got consent to limit these votes to 6 minutes. Again, I urge all Senators to remain in the Chamber or in the Cloakroom at the furthest distance. The next vote will cut off after 6 minutes.

I yield the floor.

AMENDMENT NO. 240

Mr. DOMENICI. Mr. President, I understand the Ashcroft amendment, No. 240, has been cleared on the other side. It is at the desk. I ask for its immediate consideration.

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

The amendment (No. 240) was agreed to.

Mr. LAUTENBERG. Mr. President, 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. DOMENICI. Mr. President, Senator SNOWE's amendment is next.

Mr. LAUTENBERG addressed the Chair.

Mr. DOMENICI. Senator SNOWE's amendment No. 242 is the one that is up.

The PRESIDING OFFICER. The Chair, on its own motion, observes the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LAUTENBERG addressed the Chair.

AMENDMENT NO. 166 WITHDRAWN

The PRESIDING OFFICER. The next amendment is the Lautenberg amendment, No. 166.

The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I am withdrawing amendment No. 166.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

The amendment (No. 166) was withdrawn.

AMENDMENT NO. 232

The PRESIDING OFFICER. The next amendment is the Snowe amendment, No. 232. The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, in contrast to the President's budget, we do have a means by which to create a provision for a prescription drug benefit program in the budget resolution. We created a reserve fund in the Budget Committee that was supported by an overwhelmingly bipartisan vote, 21 to 1.

Mr. President, the reserve fund that is included in the budget resolution for the purposes of financing a prescription drug benefit program was supported overwhelmingly by the members of the committee on a bipartisan basis, a 21-to-1 vote.

The amendment I am offering, along with Senator WYDEN, as well as cosponsor Senator SMITH of Oregon, is to expand and create a funding mechanism that will ensure and guarantee the funding of a prescription drug benefit program. We think it is important to ensure that we have this benefit program for our Nation's senior citizens. It is contingent upon a reform package being reported out of the Senate Finance Committee to extend the solvency of the Medicare program. The funding mechanism would be an increase in the tobacco taxes.

I think it is an appropriate linkage between Medicare and tobacco taxes. A recent study shows, in fact, that $25 billion was the cost to the Medicare program as a result of tobacco-related illnesses.

Mr. President, the amendment I am offering along with my good friends and colleagues from Oregon, Senators WYDEN and GORDON SMITH, would expand the reserve fund that is found in section 209 of the budget resolution. Specifically, our amendment would allow new tobacco taxes to be used as an offset for the new Medicare prescription drug benefit that this reserve fund would create.

Mr. President, as I stated on the floor yesterday, I believe that one of the most critical items included in this year's Senate budget resolution is the reserve fund for Medicare and prescription drugs.

Put simply, this reserve fund—that was adopted with the support of all 10 Democratic members on the Budget Committee—will provide the Congress with a critically needed opportunity to address an issue that has been highlighted repeatedly of late: the long-term solvency of Medicare and a means to fund a new Medicare prescription drug benefit.

In light of the recent disappointing conclusion of deliberations by the Bipartisan Commission on Medicare—where the final vote for a recommendation failed by a singe vote—I can think of no provision more critical to moving these issues forward in the aftermath of that Commission's work than the reserve fund contained in the Senate budget resolution.

Specifically, the reserve fund already contained in the budget resolution will allow for the creation of a new Medicare prescription drug benefit. This reserve fund will be available for any Medicare legislation reported from the Senate Finance Committee that significantly extends the solvency of the Medicare Trust Fund in a meaningful and legitimate manner beyond its current insolvency date of 2008.

However, to ensure our ability to tap the reserve fund is not unduly restricted or that legislation is not stalled in the Finance Committee due to a particular solvency date not being achieved, the reserve fund intentionally provides no specific target date for extending the program's solvency. Rather, it simply requires that the added solvency be ''significant'' with no gimmicks to simply increase the ''paper balance'' of the trust fund. Specifically, the President's proposal to artificially increase the number of IOUs held by the Medicare Trust Fund would be precluded.

Also of critical importance, the reserve fund explicitly provides for the funding of a new Medicare prescription drug benefit that could be funded with a portion of on-budget surpluses that have been set-aside in the Chairman's budget. The on-budget surplus currently set-aside in the budget totals $132 billion over the coming 10 years, so up to this amount of monies could be utilized for the prescription drug benefit.

Given the fact that prescription drug coverage proved to be one of the most divisive issues during the Bipartisan Commission's deliberations, this reserve fund will ensure that this critically needed addition to the Medicare program is not blocked from consideration when legislation to strengthen Medicare is considered on the floor. Furthermore, it serves as a much needed ''carrot-and-stick'' for getting Congress and the President to develop a comprehensive plan to strengthen Medicare soon—not put it off until the day of reckoning in 2008 is nearly upon us.

Mr. President, there are many issues where members of the Senate may disagree, but there is one stark fact—the fact that the Medicare Part A Trust Fund will be broke within 10 years—which everyone in this room must accept. Therefore, since solutions will likely become draconian the longer we wait to take meaningful steps to strengthen the program, we must not wait any longer to take action to credibly extend the solvency of the Medicare Trust Fund and improve the Medicare program overall.

As my colleagues are aware, we didn't get a proposal out of the Bipartisan Medicare Commission despite the best efforts of several members of this body. But that ''hung jury'' decision does not mean we can simply ignore the fact that the Medicare program—which is the program more then 38 million elderly Americans rely on for their health care—is going broke.

Fortunately, the Senate Finance Committee is already taking action, beginning with a series of hearings that began last week on the Commission's majority-supported proposal, and speculation that a markup of Medicare-related legislation could occur in the not-too-distant future. In addition, the President—who was accused of preventing the Commission from getting the final, crucial vote necessary to report a recommendation—has now said that he will send us his own proposal soon.

Mr. President, the reserve fund already included in the Senate budget resolution will facilitate this process by allowing the Congress to take up the President's forthcoming proposal or any other proposal reported by the Senate Finance Committee that credibly addresses Medicare's needs. That, alone, is a critical step forward since we can no longer leave our seniors worrying that our failure to take action will leave them without access to health care. Because when the Trust Fund runs dry there is no health care—none—for many of our nation's senior citizens.

Even as the reserve fund will help spur action on legislation to credibly extend the solvency of the Medicare program, it will also allow us to take a critical step in improving and updating the Medicare system: the addition of a meaningful Medicare prescription drug benefit. I believe this addition is, unquestionably, the most significant we could make to Medicare as we seek to strengthen the system.

Mr. President, the need for this new benefit could not be more clear. When Medicare was created in 1965 it followed the private health insurance model of the time—inpatient health care. Today, thirty-four years later, it is sadly out of date and it is time to bring Medicare ''back to the future'' by providing our seniors with prescription drug coverage.

The lack of a prescription drug coverage benefit is the biggest hole—a black hole really—in the Medicare system. HCFA will tell you that up to 65 percent of Medicare beneficiaries have drug coverage from other sources. But that number simply doesn't tell the whole story.

Specifically, fourteen percent of Medicare beneficiaries get drug coverage from one of the three Medigap policies that cover drugs. Two of these policies require a $250 deductible and then only cover 50 percent of the cost of the drug with a $1,250 cap. Needless to say, you can run up against that cap pretty fast with today's drug prices.

The third policy provides a cap of $3,000 but the premium ranges anywhere from $1,699 to $3,171 depending on where you live. That is a lot of money for someone living on a fixed income.

An estimated 8 percent get drug coverage from participating in Medicare HMOs and another 16 percent receive coverage from Medicaid. Of course to do that, they must be very low-income to begin with and may have to spend a great deal out of pocket for their drugs—what we commonly refer to as spending down—before they are eligible in a given year for coverage. Finally there are those lucky enough—29 percent—to have employer sponsored drug coverage through their retiree program.

Mr. President, drug coverage should be part and parcel of the Medicare system, not a patchwork system where some get coverage and some don't. Prescription drug coverage shouldn't be a ''fringe benefit'' available only to those wealthy enough or poor enough to obtain coverage—it should be part and parcel of the Medicare system that will see today's seniors, and tomorrow's into the 21st Century.

In light of this glaring need for prescription drug coverage, I will be working with senior citizens groups and health care experts over the coming weeks to develop bipartisan legislation with Senator WYDEN and others that will provide Medicare recipients with a comprehensive Medicare prescription drug coverage benefit that could be included in any forthcoming package to strengthen Medicare.

The focus of my proposal will be to provide senior citizens with actual coverage for prescription drugs. Put simply, even if we attempt to control the prices of drugs that are needed by senior citizens, that does not guarantee many of these individuals will be able to afford those prices. That's why a new benefit is so critical.

Although the details of my prescription drug coverage proposal will be developed over the coming weeks, there are several broad principles that I anticipate will be included in the Snowe-Wyden package:

First, this package will not be part of Medicare Part A, and therefore will have no direct impact on the solvency of the Medicare Trust Fund. Like my colleagues, I am gravely concerned about the solvency of the Medicare Trust Fund and believe that issue must be addressed in a comprehensive, bipartisan manner. Therefore, I believe it would be irresponsible to propose a new benefit in the Trust Fund that would further jeopardize its solvency in future years, and will propose that my

new benefit package be outside the Trust Fund accordingly.

Second, while the details of our legislation will ultimately be crafted during bipartisan negotiations with interested groups and health care experts, the drug benefit package will be comprehensive and ensure that all seniors have prescription drug coverage.

Third, while the cost of this proposal will ultimately be determined by the benefit package that is crafted, our proposal will be fully-offset. While my colleagues are aware that the cost of this coverage varies widely depending on the size and scope of the benefit, I believe it would be irresponsible to create any new benefit without paying for it. Accordingly, the primary offset for our package will be an increase in the tobacco tax.

As my colleagues are aware, President Clinton's FY 2000 budget proposal included a 55-cent per pack increase in the cost of cigarettes and an acceleration of the 15-cent per pack increase contained in the 1997 Balanced Budget Agreement. The Joint Tax Committee estimates that the combined revenues of these two proposals would be $36 billion over 5 years, and $70 billion over 10 years.

Interestingly, instead of applying these new revenues to Medicare or a new prescription drug benefit, the President proposes that these tobacco tax revenues be used to offset increases in discretionary spending. Because tax increases are not allowed to offset discretionary spending under the Budget Act, these improper offsets contribute to the President's budget being in violation of the spending limits agreed to just two years ago by $30 billion in FY 2000.

At the same time, the President's budget also fails to provide a single penny for a prescription drug benefit—or even a mechanism to provide monies for such a benefit—after touting the need for prescription drug coverage in the State of the Union address.

In light of this deficiency in the President's budget, the bipartisan proposal I will be crafting with Senator WYDEN will not only create a fully-funded prescription drug benefit, but it will also utilize the proposed tax increase for tobacco contained in the President's budget. Ultimately, it is my hope that the President will recognize that these monies would be best spent on Medicare, and will support our effort accordingly.

Mr. President, the rationale for linking tobacco taxes and Medicare is clear. As outlined in a study by Columbia University, smoking-related illnesses cost the Medicare program $25.5 billion in 1994 alone—a full 14 percent of Medicare's costs in that year.

In fact, as the chart behind me indicates, of the various forms of substance abuse that affect the Medicare program, tobacco-related illnesses accounted for 80% of the $32 billion in total substance abuse costs in 1994. Therefore, dedicating tobacco revenues to Medicare will allow the program to recapture some of the monies it is losing to tobacco.

In particular, the proposal I will be developing with Senator WYDEN will demonstrate how new tobacco monies could be shifted to Medicare and then targeted to the new prescription drug benefit for seniors.

To accommodate the proposal we will be crafting—and the tobacco offset it will contain in particular—the amendment I am offering today will ensure that tobacco tax revenues are among the funding options provided for in the new reserve fund for prescription drugs.

While I am pleased that remaining on-budget surpluses are already an allowable offset in the reserve fund, I believe it is only appropriate that tobacco taxes also be an allowed offset. Not only because this offset be used in the prescription drug package I will be developing with Senator WYDEN, but because of the direct link between tobacco and the Medicare program.

As mentioned, a study by the National Center on Addiction and Substance Abuse at Columbia University found that the cost of tobacco-related illnesses on the Medicare program totaled $25.5 billion in 1994, or 14% of the total expenditures of the Medicare program.

Assuming this percent holds as true today as it did five years ago—and there is no reason to assume otherwise—the impact of tobacco on Medicare is astounding. With CBO projecting Medicare expenditures of $220 billion in the current fiscal year, tobacco-related health care expenses would total upward of $30.8 billion in 1999 alone using the 14 percent assumption. Over the coming years, these numbers will only escalate:

$32.5 billion in 2000.
$34.7 billion in 2001.
$36 billion in 2002.
And $39.5 billion in 2003.

In fact, if tobacco-related illnesses continue to cost the Medicare program 14 percent of its total expenditures, these expenses will total $62.6 billion in the year 2009. All told, tobacco-related illnesses would cost the Medicare program $486 billion from 1999 to 2009!

Mr. President, in light of the impact of tobacco on the Medicare program, I can think of no reason why new tobacco revenues should not be returned to the Medicare program and used to fund a new prescription drug benefit. Along with our efforts to keep the program solvent well beyond 2008, this new benefit is arguably the most pressing need of our nation's senior citizens in the Medicare program. By linking the two issues in the reserve fund I have created, we can and should do both.

Mr. President, while I know that many of my colleagues may not support a tobacco tax increase, I urge that they seriously consider the impact of tobacco-related illnesses on Medicare. My amendment is not an effort to simply pass a tobacco tax for the sake of doing it. Rather, it's about recouping a limited portion of the monies tobacco costs the Medicare program every year, and devoting these monies to a program within Medicare that benefits senior citizens.

The bottom line is that the reserve fund already included in the budget will help facilitate the consideration of Medicare legislation by laying the groundwork for a new Medicare prescription drug benefit that may not otherwise be available. While it would already allow remaining on-budget surpluses to be used for this new benefit, the amendment I am offering today will ensure that another funding source is also available.

Ultimately, the true benefit of adopting my amendment is that it will ensure a new Medicare prescription drug benefit that utilizes tobacco revenues can be offered with only a simple majority vote being required for its adoption. Without this provision, a point of order would lie against such a proposal, and 60 votes would be required to waive the point of order. While not an impossible hurdle, it nevertheless raises the bar on an offset that I believe is wholly appropriate for the issue at hand.

Again, I do not expect that all of my colleagues will support the prescription drug benefit bill that Senator WYDEN and I will be crafting. But I would hope that my colleagues would see the legitimate link between Medicare and tobacco, and will at least vote today to allow this offset to be considered without a supermajority vote in the future.

The reserve fund already contained in the budget resolution is a critical step in the right direction that may ultimately ensure legislation to genuinely strengthen Medicare will move in the Congress. And the amendment we are offering will simply bring one more legitimate, related offset into the mix of available options as that package is crafted in the Congress.

Mr. President, I believe the cost of Medicare prescription drugs constitutes a crisis for our senior citizens. While the President expressed support for such a benefit in the State of the Union, he failed to deliver anything for it in his budget proposal, just as he seemingly failed to assist the Commission in doing their job: sending this Congress a bipartisan Medicare reform proposal.

Despite the President's lack of courage on these issues—or willingness to put substance behind his State of the Union rhetoric—I believe it is critical that we make it possible to strengthen and improve Medicare in the Congress. The reserve fund already contained in

the budget may be our best hope to repair and improve the Medicare program. It will allow it to be one of our finest accomplishments in the 106th Congress—not a political punching bag that delivers nothing of value to our deliberations or to our nation's elderly. And the amendment we are offering today will only make the reserve fund better.

Therefore, I urge that my colleagues support our amendment, and work to improve the Medicare ''enabling'' reserve fund already contained in the budget.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I raise a point of order against the pending amendment, No. 232, offered by Senator SNOWE. The language is not germane to the budget resolution before us.

Therefore, I raise the point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

MOTION TO WAIVE THE BUDGET ACT

Mr. WYDEN. Mr. President, can we waive it at this time? I move to waive it at this time.

The PRESIDING OFFICER. The Senator from Oregon has moved to waive the budget point of order. The question is on agreeing to the motion to waive the budget point of order.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. This is a 6-minute rollcall vote.

The PRESIDING OFFICER. The Chair will inform the Senate this is a 6-minute rollcall.

The question is on agreeing to the motion to waive the budget point of order in relation to the Snowe amendment No. 232.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—54

Abraham	Collins	Hollings
Akaka	Conrad	Hutchison
Baucus	Daschle	Inouye
Bennett	DeWine	Jeffords
Biden	Dodd	Johnson
Bingaman	Dorgan	Kennedy
Boxer	Durbin	Kerrey
Breaux	Feingold	Kerry
Bryan	Feinstein	Kohl
Byrd	Graham	Landrieu
Chafee	Harkin	Lautenberg
Cleland	Hatch	Leahy
Levin	Reed	Smith (OR)
Lieberman	Reid	Snowe
Lincoln	Rockefeller	Specter
Mikulski	Santorum	Torricelli
Moynihan	Sarbanes	Wellstone
Murray	Schumer	Wyden

NAYS—44

Allard	Fitzgerald	McConnell
Ashcroft	Frist	Murkowski
Bayh	Gorton	Nickles
Bond	Gramm	Robb
Brownback	Grams	Roberts
Bunning	Grassley	Roth
Burns	Gregg	Sessions
Campbell	Hagel	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Stevens
Craig	Inhofe	Thompson
Crapo	Kyl	Thurmond
Domenici	Lott	Voinovich
Edwards	Lugar	Warner
Enzi	Mack	

NOT VOTING—2

McCain	Thomas

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Massachusetts is recognized.

AMENDMENT NO. 195

Mr. KENNEDY. Mr. President, this is a sense of the Senate that we ought to go on record for an increase in the minimum wage. This Nation is having unprecedented prosperity. We have the lowest unemployment that we have had in 30 years, the lowest rates of inflation. Still, we have 11 million minimum-wage workers. And a minimum-wage working family of three is still $3,000 less than the poverty income for a family of three.

This is an issue that affects women. It is an issue that affects children. It is an issue that affects families. No one in the United States of America who works for a living ought to live in poverty.

We hope now to have a sense of the Senate that we will increase the minimum wage 50 cents this year and 50 cents next year. That is what the Daschle amendment does, and this is a sense of the Senate to support it.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this amendment is not germane under the budget. I make a point of order that it is not germane.

MOTION TO WAIVE THE BUDGET ACT

Mr. KENNEDY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that Act for the consideration of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays having been ordered, the vote is on the motion to waive.

Mr. KENNEDY. Could I ask the Parliamentarian, an ''aye'' vote would be to?

The PRESIDING OFFICER. An ''aye'' vote would be to waive the budget point of order.

Mr. KENNEDY. Thank you.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Congressional Budget Act in relation to the Kennedy amendment No. 195. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce the Senator from Arizona Mr. MCCAIN and the Senator from Wyoming Mr. THOMAS are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 53, as follows:

[ROLLCALL VOTE NO. 77 LEG.]

YEAS—45

Akaka	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Breaux	Johnson	Reid
Bryan	Kennedy	Robb
Byrd	Kerrey	Rockefeller
Cleland	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Smith (OR)
Dodd	Lautenberg	Specter
Dorgan	Leahy	Torricelli
Durbin	Levin	Wellstone
Edwards	Lieberman	Wyden

NAYS—53

Abraham	Enzi	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McConnell
Baucus	Gorton	Murkowski
Bennett	Graham	Nickles
Bond	Gramm	Roberts
Brownback	Grams	Roth
Bunning	Grassley	Santorum
Burns	Gregg	Sessions
Campbell	Hagel	Shelby
Chafee	Hatch	Smith (NH)
Cochran	Helms	Snowe
Collins	Hutchinson	Stevens
Coverdell	Hutchison	Thompson
Craig	Inhofe	Thurmond
Crapo	Jeffords	Voinovich
DeWine	Kyl	Warner
Domenici	Lott	

NOT VOTING—2

McCain	Thomas

The PRESIDING OFFICER. On this vote the yeas are 45, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to, the point of order is sustained, and the amendment falls.

AMENDMENT NO. 208, AS MODIFIED

Mr. DOMENICI. Mr. President, I ask unanimous consent that the amendment I now send to the desk for Senator ENZI, numbered 208, be modified.

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

The amendment (No. 208), as modified, is as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE ON ELIMINATING THE MARRIAGE PENALTY AND ACROSS THE BOARD INCOME TAX RATE CUTS.

(a) FINDINGS.—The Senate finds that—

(1) The institution of marriage is the cornerstone of the family and civil society;

(2) Strengthening of the marriage commitment and the family is an indispensable step in the renewal of America's culture;

(3) The Federal income tax punishes marriage by imposing a greater tax burden on married couples than on their single counterparts;

(4) America's tax code should give each married couple the choice to be treated as one economic unit, regardless of which spouse earns the income; and

(5) All American taxpayers are responsible for any budget surplus and deserve broad-based tax relief after the Social Security Trust fund has been protected.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should eliminate the marriage penalty in a manner that treats all married couples equally, regardless of which spouse earns the income; and

AMENDMENT NO. 205, AS MODIFIED

Mr. DOMENICI. I ask unanimous consent that the amendment I send to the desk for Senator LANDRIEU, numbered 205, be modified.

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

The amendment (No. 205) as modified, is as follows:

On page 46, after line 10, add a new subsection (c) that reads as follows:

(c) LIMITATION.—This reserve fund will give priority to the following types of tax relief:

(1) Tax relief to help working families afford child care, including assistance for families with a parent staying out of the workforce in order to care for young children;

(2) Tax relief to help individuals and their families afford the expense of long-term health care;

(3) Tax relief to ease the tax code's marriage penalties on working families;

(4) Any other individual tax relief targeted exclusively for families in the bottom 90 percent of the family income distribution;

(5) The extension of the Research and Experimentation tax credit, the Work Opportunity tax credit, and other expiring tax provisions, a number of which are important to help American businesses compete in the modern international economy and to help bring the benefits of a strong economy to disadvantaged individuals and communities;

(6) Tax incentives to help small businesses; and

(7) Tax relief provided by accelerating the increase in the deductibility of health insurance premiums for the self-employed.

AMENDMENT NOS. 208, AS MODIFIED; 205, AS MODIFIED; 202, AND 171, EN BLOC

Mr. DOMENICI. I want to clear some amendments for immediate consideration: Senator ENZI, 208, as modified; 205, Senator LANDRIEU, as modified; 202, Senator BIDEN; and 171, Senator BOXER. These have been cleared with the other side.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 208, as modified; 205, as modified; 202 and 171) were agreed to.

AMENDMENT NO. 202

Mr. BIDEN. Mr. President, the amendment I offer to the budget resolution would express the Senate's intention to give high priority to embassy security.

As was underscored by the tragic embassy bombings in East Africa last August, our embassies overseas are highly vulnerable to terrorist attack. Following the bombings, the Secretary of State ordered a worldwide review of the current security situation.

According to testimony provided by the Department of State to the Committee on Foreign Relations, over 80 percent of U.S. embassies and consulates have less than the required 100-foot setback from the street, and many missions are in desperate need of greater security improvements.

As required by law, the Secretary also convened ''Accountability Review Boards'' to examine the bombings. The Boards, chaired by retired Admiral William Crowe, concluded that the United States must—

undertake a comprehensive and long-term strategy for protecting American officials overseas, including sustained funding for enhanced security measures, for long-term costs for increased security personnel, and for a capital building program based on an assessment of requirements to meet the new range of global terrorist threats. This must include substantial budgetary appropriations of approximately $1.4 billion per year maintained over a ten-year period. . .Additional funds for security must be obtained without diverting funds from our major foreign affairs programs.

Last fall, Congress provided $1.4 billion in supplemental appropriations to address the security situation.

But as the conclusions of the Crowe panels underscored, this was just a down payment.

In his budget request, the President requested an additional $300 million in security enhancements in Fiscal Year 2000, and advance appropriations totaling $3 billion from Fiscal 2001 to 2005 for an embassy construction program. I believe this amount is insufficient, a concern echoed by many members of the Committee on Foreign Relations during a hearing held on March 11.

We must recognize, as the Crowe panels did, that the kind of money required to enhance embassy security cannot be borne within the current State Department budget.

For example, the $1.4 billion in annual spending recommended by the Crowe panels amounts to more than one-third of the operating budget of the Department requested for Fiscal 2000. We are kidding ourselves to suggest that these resources can be found within the existing State Department budget.

It should be emphasized that funding for embassy security benefits the entire federal government. Embassies are not merely foreign outposts of the Department of State. They are platforms for the representation of American interests.

Everyone should recognize this essential fact: nearly two-thirds of the personnel in our embassies are from departments other than the State Department. They are from all over the government—the Commerce Department, the Agriculture Department, the Department of Defense, even the Federal Aviation Administration. In sum, embassy security is a government-wide imperative, for which the State Department should not bear an undue funding burden.

Mr. President, the bottom line is this: security costs money, and we cannot pinch pennies. We send our people overseas to do a job. They are on the front lines of our national defense, representing our interests.

It is our duty to do that all that we reasonably can to protect them. And if we fail to protect our embassies, the costs will be not just in lives lost. They will be in wars not prevented, in narcotics trafficking unchecked, and in American jobs lost due to trade opportunities unattained.

So I hope my colleagues will recognize the importance of embassy security as a high priority and support my amendment.

AMENDMENT NO. 204 WITHDRAWN

Mr. DOMENICI. Mr. President, we are withdrawing an amendment of Senator BIDEN numbered 204.

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

The amendment (No. 204) was withdrawn.

Mr. DOMENICI. Mr. President, how long did the last vote take?

The PRESIDING OFFICER. The last vote took about 11½ minutes.

Mr. DOMENICI. We will have some additional votes. I ask unanimous consent that the following amendments be the next amendments to be debated and voted on as provided for under the previous agreement: Senator HOLLINGS 174, current services; Senator ROBB 181, strike pay-go; Senator LAUTENBERG 183, school modernization.

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

AMENDMENT NO. 174

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, this continues current policy and uses the surplus moneys to pay down the debt. This amendment by Senator BOB KERREY and myself uses what surplus there is over the budget period to pay down the debt.

Members might say, Was this not the amendment of Senator VOINOVICH which we voted on? Senator VOINOVICH uses Chairman DOMENICI's mark; I use the mark of the Congressional Budget Office.

We call this the Greenspan amendment because Senator SARBANES was questioning the record of the Federal

Reserve. He said, How do you save that surplus? How do you keep it from getting spent? Mr. Greenspan said, ''What happens is, you do nothing.'' In other words, you take this year's budget, we are doing fine. We have growth, low unemployment, low inflation rate, and truly pay down the debt.

All of these others talk about it, but there is so much spending and tax cuts, you will never get any debt paid down. This, when it is paid down, will lower the interest costs which will get everybody a real tax cut.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this amendment wipes out the tax cut in its entirety, wipes out the $6 billion we added for the agricultural community, establishes a freeze, and then after that, it goes up to current services. The first two points are the most important.

I don't believe we ought to adopt this amendment, after all we have gone through in trying to provide some tax cuts for the American people.

I yield back any time I might have.

Mr. HOLLINGS. Mr. President, I yield back my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 24, nays 74, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—24

Akaka	Dorgan	Lautenberg
Biden	Feingold	Leahy
Bingaman	Graham	Lincoln
Boxer	Harkin	Mikulski
Breaux	Hollings	Reid
Bryan	Inouye	Robb
Byrd	Kerrey	Specter
Dodd	Kohl	Voinovich

NAYS—74

Abraham	Conrad	Grams
Allard	Coverdell	Grassley
Ashcroft	Craig	Gregg
Baucus	Crapo	Hagel
Bayh	Daschle	Hatch
Bennett	DeWine	Helms
Bond	Domenici	Hutchinson
Brownback	Durbin	Hutchison
Bunning	Edwards	Inhofe
Burns	Enzi	Jeffords
Campbell	Feinstein	Johnson
Chafee	Fitzgerald	Kennedy
Cleland	Frist	Kerry
Cochran	Gorton	Kyl
Collins	Gramm	Landrieu
Levin	Reed	Smith (OR)
Lieberman	Roberts	Snowe
Lott	Rockefeller	Stevens
Lugar	Roth	Thompson
Mack	Santorum	Thurmond
McConnell	Sarbanes	Torricelli
Moynihan	Schumer	Warner
Murkowski	Sessions	Wellstone
Murray	Shelby	Wyden
Nickles	Smith (NH)	

NOT VOTING—2

McCain	Thomas

The amendment (No. 174) was rejected.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, as the Senate debates the Fiscal Year 2000 Budget Resolution, I believe it is important that we keep in mind the statement by General Shelton, the Chairman of the Joint Chiefs of Staff, at the Senate Armed Services Committee on September 29, 1999.

''It is the quality of the men and women who serve that sets the U.S. military apart from all potential adversaries. These talented people are the ones who won the Cold War and ensured our victory in Operation Desert Storm. These dedicated professionals make it possible for the United States to accomplish the many missions we are called on to perform around the world every single day.''

Although we have the best soldiers, sailors, airmen and Marines, all their professionalism is for naught if they do not have the equipment, weapons and supplies to carry out their mission. Since the end of Operation Desert Storm, which reflected both the professionalism and material quality of our Armed Forces, the defense budget has declined by $80 billion. Yet the pace of the military operations has not declined, in fact the pace of operations exceeds that of the Cold War era. Not only are the men and women of our military stretched to the limits, but also their equipment. The Air Force Chief of Staff testified that ''Next year, the average age of our aircraft will be 20 years old . . .'' General Reimer, the Chief of Staff of the Army, stated: ''Mortgaging our modernization accounts did not come without cost. By FY98, Army procurement had declined 73 percent, reaching its lowest level since 1959.'' Mr. President, each of the other service chiefs had similar quotations. These quotes paint a dismal picture of our Armed Forces' readiness and are the challenge to the Congress to increase funding for the Department of Defense.

The Fiscal Year 2000 Budget resolution proposed by the able Chairman of the Budget Committee, Senator DOMENICI, increases the budget authority for defense by $8.3 billion over the Administration's request. I congratulate the Budget Committee on this decisive demonstration of support for our Armed Forces. However, this show of support is diminished by the fact that the Budget Committee reduced the outlays for Fiscal Year 2000 by $8.7 billion. This reduction coupled with the already existing outlay problem, will result in a reduction to the budget authority levels in the $280.5 billion budget request.

Mr. President, I want to urge Senator DOMENICI, to work with Chairman WARNER and Chairman STEVENS, to resolve this outlay problem before we act on this Resolution. We must not leave the false impression that the increase in the budget authority proposed in this resolution will result in increased security for our Nation. Thank you, Mr. President.

Mr. BYRD. Mr. President, in the report accompanying the budget resolution now before the Senate (Senate Report 106–27), the first paragraph on page seven contains this statement:

> A budget resolution is a fiscal blueprint, a guide, a roadmap, that the Congress develops to direct the course of federal tax and spending legislation. It is a set of aggregate spending and revenue numbers covering the twenty broad functional areas of the government, over a long-term fiscal horizon. It is less than substantive law, but is much more than a sense of the Congress resolution.

Unfortunately, this budget resolution, this guide, this blueprint, is a roadmap which, if followed for the next ten years, will wreak untold devastation. Having just achieved the first year with a unified budget surplus ($70 billion) in thirty years, last September 30—the end of Fiscal Year 1998—and having been unable to pass a congressional budget resolution for this fiscal year, Fiscal Year 1999, at all, we now have before the Senate not the usual five-year budget resolution, but a much more ambitious ten-year budget to carry us for the period fiscal years 2000–2009. Over that period, we are told by the Congressional Budget Office that unified budget surpluses will total just over $2.5 trillion. Of that amount, Social Security surpluses make up some $1.8 trillion, or 72 percent. Non-Social Security surpluses, according to CBO, will total $787 billion over that period. For fiscal year 2000, there is, in fact, a non-social security deficit of some $7 billion. That is, there would be no surplus at all in Fiscal Year 2000 except in the Social Security Trust Fund.

What does the blueprint now before the Senate, the Republican budget resolution, propose that we do with these multi-trillion-dollar surpluses? Keep in mind that these are only projections; they are not real, and we will not know until after the fact as to whether any of the surpluses projected for any of these 10 years will come to pass. No human being can ever project accurately what Federal revenues or Federal spending will be. No one can know what interest rates will be, or unemployment, or GDP growth. We have had

tremendous variances historically with CBO projections, even within one year. To count on their projections for not one, not five, but for 10 years is extremely unwise.

But, let us look at the budget resolution now before the Senate. This budget resolution proposes a Federal tax cut which, according to the committee's report, will approximate $142 billion over the next five years, and $778 billion over the next 10 years. The resolution includes a reconciliation instruction to the tax writing committees instructing them to report out these huge tax cuts in a reconciliation bill. Pursuant to that reconciliation instruction, a tax bill of the magnitude contained in the resolution, some $800 billion, will be before the Senate later this year. If enacted and signed by the President, those tax cuts will go into effect regardless of whether any of the projected surpluses take place.

This is the height of irresponsibility. Just when we have succeeded in turning the corner on the multi-hundred-billion-dollar annual deficits of the 1980's, here comes the Republican budget resolution saying let us take the as-yet, unachieved future budget surpluses and cut Federal revenues now, whether or not those surpluses ever occur.

On that basis alone, if for no other reason, I urge Senators to oppose this budget resolution.

But, that is not the only problem we find in this blueprint. There is the question of the levels of discretionary spending that will be made available over the next 10 years if we follow this budget resolution.

It is well known that the 1997 Balanced Budget Act placed severe constraints on discretionary spending for the period 1998–2002. Those caps were considered necessary in order to help rid ourselves of the annual Federal budget deficits and achieve surpluses. Nevertheless, it is my view that the discretionary caps for 2000, as well as for the following two years—2001 and 2002—are too tight and will require massive cuts which should not be undertaken at the same time we are providing the huge tax cuts which I have just described.

This resolution calls for funding non-defense discretionary programs in Fiscal Year 2000 at a level of $246 billion, a cut of more than $20 billion, or 7.5 percent, below the present year. To make matters worse, the pending budget resolution would provide increases for a handful of favored programs, such as health, education, and other popular priorities. These plus-ups would mean that other vital, yet unprotected programs, would face cuts of more than 11 percent in Fiscal Year 2000. Cuts of that magnitude, according to the Office of Management and Budget, would affect vital programs such as the following: food safety would be undermined with the lay-off of an estimated 1,000 meat and poultry inspectors; Head Start funding would be cut in excess of $1 billion—cutting services to as many as 100,000 children; the FBI would be cut $337 million, which could result in a reduction of 2,700 FBI agents and support personnel; more than 2,200 air traffic controller positions would be cut; IRS Customer Service would suffer a reduction of 5,000 employees; the number of students in the Work Study Program would decrease by 112,000; and the list goes on and on throughout the entire Federal Government.

While making these cuts in vital human and physical infrastructure programs across the nation, this budget resolution would increase defense by $18 billion above a freeze in Fiscal Year 2000. Yet, even with this large increase in budget authority, the resolution comes nowhere near covering the outlays that would be necessary to fund the recently-passed pay increase for the military.

Mr. President, we are on a collision course, once again, when it comes to passing the thirteen annual appropriation bills. If you liked the omnibus appropriations monstrosity that was necessary to complete action on Fiscal Year 1999 appropriation bills, wait until you see the super-monstrosity that I believe will be necessary for Fiscal Year 2000, if we fail to provide relief from the massive cuts that I have just described.

You ain't seen nothin' yet!

And, as if Fiscal Year 2000 were not enough, the problems only worsen in the subsequent years. By 2004, OMB projects that this budget resolution would require cuts in non-defense discretionary programs of as much as 27 percent below a freeze. Furthermore, the current statutory discretionary spending caps expire in 2002 but, under this budget resolution, the cuts to non-defense discretionary programs would deepen to 29 percent by 2009, as non-defense discretionary spending would remain substantially below inflation each year through 2009.

In conclusion, while I appreciate the difficulties faced by the Budget Committee chairman, Mr. DOMENICI, for whom I have great respect, in crafting this budget resolution, I nevertheless have concluded that it is a roadmap leading us back to the 1980's—a period when we saw trillions of dollars of tax cuts enacted by the Reagan administration, based on faulty projections of budget surpluses which never came to pass, as well as spending cuts which were too extreme and likwise never occurred. Consequently, once those tax cuts were enacted, we entered a period of unprecedented budget deficits with their accompanying tripling of the national debt and the interest on that debt rose to where it is today—a level of almost $1 billion per day. We have turned the corner after many years of hard work and a number of deficit reduction packages. We appear to be headed to a time of budget surpluses which should be used for reducing the debt and providing necessary increases in our national physical and human infrastructure that are so vital to the 21st Century.

I urge my colleagues to join me in rejecting this ill-conceived journey along the road back to a repeat of the budgetary disasters of the 1980's. Surely we can do better than this.

Mr. NICKLES. Mr. President, since taking control of Congress in the 1994 elections, the Republican majority has delivered on their promise to balance the federal budget. The Congressional Budget Office says that this year the unified federal budget will have a surplus of $111 billion. Over the next 5 years, these surpluses will total nearly $912 billion. Of the total surplus, $768 billion is attributable to Social Security, and $144 billion in attributable to the rest of the government.

The Republican majority has also delivered the tax relief we promised. In 1997, we passed the largest tax cut in 16 years, which is bringing significant relief to taxpayers this year, including a $400 per child tax credit (rising to $500 next year), a 20% capital gains rate, expanded IRAs, and tax credits and savings incentives for education. We also enacted a landmark IRS reform bill, eliminated President's Clinton's 18-month holding period on capital gains, and passed an expansion of Education Savings Accounts.

The fiscal year 2000 budget we are now considering will build upon these successes. Our budget is based on three principles:

1. Devote the entire Social Security surplus ($768 billion over 5 years) to debt reduction, thus saving it for Social Security reform,

2. Maintain the fiscal discipline of the 1997 Bipartisan Balanced Budget Agreement by sticking to the discretionary spending caps, and

3. Return the ''rest of government'' surplus ($144 billion over 5 years) to working Americans in tax cuts.

Mr. President, our budget is radically different from the one proposed last month by President Clinton.

In his 1998 State of the Union address, the President said, ''Tonight I propose that we reserve 100 percent of the surplus, that is every penny of any surplus, until we have taken all the necessary measures to strengthen the Social Security system for the 21st century.''

However, according to CBO, the President's budget spends $58 billion of the Social Security surplus this year, and $253 billion over the next five years. Even if you ''credit'' the President's proposal to purchase equities for the Social Security trust fund, he still spends $40 billion of the Social Security surplus this year, and $158 billion over the next five years.

President Clinton's proposal to save Social Security by ''devoting'' 62 percent of the budget surplus to it is a scam. The President would deposit $446 billion in IOU's into the Social Security trust fund, on top of the $768 billion that would be deposited there anyway. White House officials admit the President's plan does not extend by one day the year (2013) when Social Security benefits will begin to exceed payroll taxes.

Additionally, the President's budget includes a Medicare scam based on the same faulty logic as the Social Security scam. The President would transfer $123 billion of the surplus to the Medicare trust fund over the next five years. Again, the practical effect of this transfer is nothing more than more IOU's in the trust fund. And the Medicare prescription drug benefit, a huge applause line in the State of the Union, is nowhere to be found in the budget.

Other new programs touted in the President's State of the Union address, such as the promise for Universal Savings Accounts, are also nowhere to be found in his budget. The Secretary of the Treasury has said that the USA accounts are a tax cut, but it is becoming clear that the program will involve a progressive, refundable income tax credit totaling $96 billion over 5 years, $272 billion over 10 years. This massive welfare expansion will nearly double what we will already spend on the EIC program, $139 billion over 5 years, and $293 billion over 10 years. Secretary Rubin has also hinted that USA accounts will likely be limited to persons without employer-provided pension programs, and that anyone making over $100,000 will not be able to participate.

Further, despite claims of ''enormous debt reduction'', CBO says the debt held by the public will be $432 billion higher under the Clinton plan after five years than under current law. Gross public debt will be $973 billion higher.

The President's budget also breaks the discretionary spending caps by $33 billion in fiscal year 2000, and $434 billion over five years.

Finally, despite an estimated $20 trillion in tax revenues over the next 10 years, the President's budget contains no tax cut. In fact, the President's budget includes a gross tax increase of $165 billion over ten years, and a net tax increase of $89 billion.

I would like to include for the RECORD a couple of tables and a chart which compares the Republican budget with President Clinton's budget.

Mr. President, I congratulate the Chairman of the Senate Budget Committee, Senator DOMENICI, and his staff for their fine work in developing this budget. I think it sets us on the right path to reduce the debt, cut taxes, and reform Social Security and Medicare.

COMPARING BUDGETS—GOP 'vs' CLINTON

Issue	GOP	Clinton	Bottom line
Social Security	The GOP budget dedicates the entire $1.8 trillion Social Security surplus to debt reduction, saving it for our nation's elderly.	The Clinton budget spends $58 billion of the Social Security surplus this year, and $253 billion over the next five years. Even if the Social Security trust fund is ''credited'' for proposed equity purchases, the Clinton budget still spends $40 billion of the Social Security surplus this year, and $158 billion over the next five years.	Neither the GOP budget, nor the Clinton budget, change the fact that Social Security benefits exceed taxes in the year 2013. However, the GOP budget saves more of the Social Security surplus so it will be available for real reform.
Medicare	The GOP budget assumes no reductions in Medicare spending. The GOP budget establishes a procedure for considering a prescription drug benefit for seniors if it is part of a REAL Medicare reform package.	The Clinton budget includes $20.2 billion in provider cuts over ten years. The Clinton budget does not provide for a prescription drug benefit.	Neither the GOP budget, nor the Clinton budget, change the fact that Medicare is currently running a cash deficit which will bankrupt the program by 2008. However, the GOP budget would allow real, bipartisan Medicare reform to be considered.
Taxes	The GOP budget cuts taxes by $142 billion over five years, $778 billion over ten years.	The Clinton budget increases taxes by $49 billion over five years, $89 billion over ten years.	Despite $20 trillion in tax revenues and $2.6 trillion in budget surpluses over the next ten years, the Clinton budget RAISES taxes.
Public Debt	The GOP budget reduces the debt held by the public by $1.767 trillion over ten years.	The Clinton budget reduces debt held by the public by $1.305 trillion over ten years.	The GOP budget reduces debt held by the public $463 billion more than the Clinton budget.
Education	The GOP budget increases Elementary & Secondary Education by $7.3 billion over last year. The GOP budget provides this increased funding under the assumption that ESEA reauthorization will provide greater flexibility to state & local governments.	The Clinton budget increases Elementary & Secondary Education by $4 billion over last year, $3.3 billion less than the GOP budget. The Clinton budget requires increased funding to be spent on federally-mandated priorities like 100,000 federal teachers.	Over the next five years, the GOP budget provides $27.5 billion more for education than Clinton and gives local schools the flexibility to determine where they want to spend the money.
Defense	The GOP budget increases defense by $18.1 billion over last year, excluding FY99 emergencies. Compared to FY 99 funding levels including emergencies, the GOP budget provides a $9.9 billion increase.	The Clinton budget increases defense by $9.8 billion over last year, excluding FY99 emergencies. Compared to FY99 funding levels including emergencies, the Clinton budget provides a $1.6 billion increase.	The GOP budget provides $8.3 billion more for defense than the Clinton budget.
Spending Caps	The GOP budget complies with the discretionary spending caps for FY 2000, 2001, and 2002.	The Clinton budget exceeds the discretionary spending caps by $22 billion in budget authority and $30 billion in outlays in FY 2000.	In 1997, every Senator except for Wellstone & Bumpers voted for the discretionary spending caps. If the President's appropriations proposals were enacted, they would result in an 8% sequester of all appropriations accounts.
Total Spending	The GOP budget spends $9.165 trillion over the next five years, $19.918 trillion over the next ten years, with an average growth rate of 3%.	The Clinton budget spends $9.533 trillion over the next five years, $20.99 trillion over the next ten years, with an average growth rate of 3.8%	The Clinton budget uses the Social Security surplus and a tax hike to grow government.

HOW PRESIDENT CLINTON SPENDS THE SOCIAL SECURITY SURPLUS CBO ESTIMATES

[In billions of dollars]

	2000	2001	2002	2003	2004	2000–2004
Unified budget surplus	133	156	212	213	239	952
Social Security surplus	137	145	153	162	171	767
Rest of Government surplus	(5)	11	59	51	68	184
CBO re-estimate of President's tax/spending proposals	(20)	(7)	(14)	(17)	(15)	(73)
Additional discretionary spending	0	(26)	(41)	(36)	(34)	(137)
Purchase of stock by Social Security	(18)	(15)	(19)	(19)	(23)	(93)
USA accounts	(14)	(16)	(22)	(21)	(24)	(96)
Net interest	(1)	(3)	(6)	(11)	(15)	(36)
Clinton spending proposals	(53)	(67)	(102)	(104)	(111)	(436)
Social Security surplus spent	(58)	(56)	(43)	(53)	(43)	(253)
Social Security surplus spent if you credit Social Security equity purchases	(40)	(41)	(24)	(34)	(20)	(158)
General fund transfer to Social Secrurity	85	70	92	90	109	445
General fund transfer to Medicare	18	20	28	27	30	123
Transfers which don't change the surplus	103	90	120	117	139	568

CLINTON TAX PROPOSALS

[In billions of dollars]

	2000	2000–2004	2000–2009
Long term care tax credit	(59)	(5,971)	(14,939)
Dependent child care tax credit	(244)	(5,414)	(12,447)
School construction tax-exempt bonds	(85)	(3,094)	(8,431)
Puerto Rico tax credit	(99)	(664)	(6,371)
Low income housing tax credit	(16)	(1,091)	5,583)
Electric vehicle tax credit	0	(756)	(5,453)
Better America tax-exempt bonds	(6)	(487)	(2,160)
R&D tax credit	(967)	(2,060)	(2,080)
Simplified small business pension plans	(18)	(688)	(1,901)
AMT relief through 2000	(979)	(1,721)	(1,721)
New Markets tax credit	0	(465)	(1,593)
Disabled workers tax credit	(18)	(611)	(1,544)

CLINTON TAX PROPOSALS—Continued

[In billions of dollars]

	2000	2000–2004	2000–2009
Other targeted tax cuts	(1,324)	(6,911)	(10,772)
Total targeted tax cuts	(3,815)	(29,935)	(74,995)
Tobacco tax increase	8,352	36,448	69,888
Sales source rule	908	8,771	21,433
Superfund taxes	1,641	6,828	14,002
DAC tax on insurance products	294	3,730	9,480
Airport and airway user taxes	1,122	5,314	8,009
Non-business valuation discounts	246	2,365	5,901
COLI modifications	230	1,803	4,365
Corporate tax shelters	150	1,350	2,850
Oil spill liability trust fund	247	1,258	2,572

CLINTON TAX PROPOSALS—Continued

[In billions of dollars]

	2000	2000–2004	2000–2009
Start up & organizational expenditures	(71)	534	2,414
Foreign oil & gas extraction income	188	1,001	2,172
Installment method accounting repeal	562	1,989	2,172
Other tax increases	1,039	8,531	19,749
Total tax increases	14,908	79,921	165,003
Net tax increase	11,093	49,369	89,393

HOW PRESIDENT CLINTON INCREASES THE DEBT

[In billions of dollars]

Debt held by the public	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Change, 1999–2009
Clinton Budget	3,630	3,565	3,491	3,396	3,302	3,189	3,055	2,891	2,710	2,522	2,324	(1,306)
Senate Budget Resolution	3,628	3,510	3,378	3,237	3,088	2,926	2,743	2,544	2,329	2,100	1,861	(1,767)
Higher debt due to Clinton policies	2	55	113	159	214	263	312	347	381	422	463	.....

Debt subject to limit	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Change 1999–2000
Clinton Budget	5,546	5,779	6,000	6,243	6,498	6,765	7,043	7,338	7,661	8,019	8,406	2,860
Senate Budget Resolution	5,545	5,651	5,739	5,792	5,832	5,833	5,804	5,713	5,579	5,406	5,185	(360)
Higher debt due to Clinton policies	1	128	261	451	666	932	1,239	1,625	2,082	2,613	3,221	.....

AMENDMENT NO. 145

Mr. DASCHLE. Mr. President, some people have mischaracterized the vote yesterday in favor of an amendment by the distinguished Senator from Missouri (Mr. ASHCROFT) as a vote against the President's plan for investing a portion of the Social Security surplus in private equities. Such investments have been proposed by the President and many others as a way to boost the return on investment of the Social Security trust fund's reserves. Clearly, the amendment did not reflect the President's plan.

Democrats and Republicans alike are opposed to direct investment by the federal government in private financial markets. That is why the President and other proponents of diversifying the investment of the trust fund have suggested that firewalls be constructed to insulate such investments from direct government control, or any interference by the federal government.

As the Administration has made clear, such investments would be made by private-sector professional fund managers, overseen by a board with the independence of the Federal Reserve Board. The members of the board would not be able to pick and choose which stocks or industries to invest in, nor exercise the voting rights associated with those shares. Instead, investments would be limited by law to stock index funds broadly representative of the entire market.

Many Senators, including me, drew a very significant distinction between the government investment and investment by non-governmental entity on behalf of the Social Security Administration. There's a big difference. Democrats and Republicans agreed that we cannot support direct government investment. But many of us believe we should have professional managers oversee a certain portion of the portfolio, which is something altogether different. This senator supports that idea, and many senators wanted to leave that option open so we could revisit it later on.

The vote on the Ashcroft amendment was not a vote on the President's plan. I look forward to full consideration and debate of responsible proposals for investing a portion of the surplus in equities in order to increase the earnings on the reserves of the Social Security trust fund.

Mr. GRASSLEY. Mr. President, the budget resolution before us today provides the first major increase in defense spending since 1985.

And I voted for it. I support the increase for National defense. In the past, I have opposed increases in the defense budget. Now, I don't. My colleagues must be wondering why. My colleagues may be thinking that the Senator from Iowa has flip-flopped on defense.

I would like to explain my position.

I support this year's defense increase for one reason and one reason only.

The Budget Committee is calling for financial management reforms at the Department of Defense (DOD). The committee is telling DOD to bring its accounting practices up to accepted standards, so it can produce ''auditable'' financial statements within two years.

In a nutshell, the Committee is telling DOD to do what DOD is already required to do under the law.

If those words were not in the Committee report, I would be standing here with an amendment in my hand to cut the DOD budget.

Fortunately, that's not necessary.

I would like to thank my friend from New Mexico, Senator DOMENICI—the Committee Chairman—for placing those important words in the report.

Mr. President, I ask unanimous consent to have the language entitled ''The Need for DOD Financial Reforms'' printed in the RECORD. It appears on pages 25 to 29 of the report.

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

A. SPENDING BY FUNCTION

Function 050: National Defense

FUNCTION SUMMARY

• Approve modifications to existing DoD financial management programs and policies to redress the failure of the Defense Department, as noted by GAO,[1] to meet the goals of the Chief Financial Officers Act and, thereby, to produce auditable financial statements for each military service and major DoD component by the year 2000. The Committee's concerns regarding this important issue are stated at greater length at the end of the description of this budget function.

The need for DoD financial reforms

The Committee is concerned about the longstanding breakdown of discipline in financial management at the Department of Defense. Reports by the DoD Inspector General and General Accounting Office consistently show that DoD's financial accounts and inventories are vulnerable to theft and abuse. These vulnerabilities persist for two reasons: (1) internal controls are weak or nonexistent; and (2) financial transactions are not accurately recorded in the books of account—as they occur. While some progress has been made to improve the financial accounting systems within DoD, it remains a fact that DoD does not observe the age-old

[1] See High Risk Series: An Update, U.S. General Accounting Office, GAO/HR–99–1, January 1999, pp. 82–94, and Major Management Challenges and Program Risks: Department of Defense, U.S. General Accounting Office, GAO/OGC–99–5, January, 1999.

principles of separation of duties and double-entry bookkeeping, and attempts to make critical bookkeeping entries weeks, months, and even years after the fact. These unprofessional practices have produced billions of dollars of unreconciled financial mismatches, leaving the department's books of account inaccurate and unreliable.

The Committee believes that these deficiencies must be corrected.

Under the Government Management Reform Act (GMRA) of 1994, which expanded the Chief Financial Officers (CFO) Act of 1990, the DoD Inspector General is required to audit DoD's financial statements, and the General Accounting Office is required to audit the government's consolidated financial statements. This is done annually. Unfortunately, each year the DoD audit agencies issue a disclaimer of opinion. In layman's terms, this means they could not audit the books. And there is nothing on the drawing board to suggest that a ''clean'' audit opinion is feasible in the foreseeable future. DoD has lost control of the money at the transaction level. With no control at the transaction level, it is physically impossible to roll up all the numbers into a top-line financial statement that can stand up to audit scrutiny. The numbers do not add up. DoD resorts to ''unsupported adjustments'' and multi-billion dollar ''plug'' figures to force the books into balance. The IG and GAO reject these practices as unacceptable.

Even though DoD's efforts to prepare an auditable financial statement have been unsuccessful so far, the Committee believes that the annual CFO audits constitute a very authoritative and independent assessment of the department's financial management procedures. They function like a critical indicator or barometer. They help to pinpoint the underlying weaknesses in DoD's bookkeeping procedures. The Committee believes that DoD must move in a decisive way to correct these problems. So long as DoD continues to ignore them, the vast audit effort dedicated to the financial statements will continue to result in disclaimers of opinion—an overall indictment of DoD's financial management operations.

For these reasons, a plan that is designed to bring the Defense Department into compliance with the CFO and GMRA Acts would be supported by the Committee. These reforms would position DoD to prepare auditable financial statements within two years. The main ingredients of such a plan follow:

(1) *Double-entry Bookkeeping:* The preparation of reliable financial statements is literally impossible without double-entry bookkeeping. A standard accounting procedure in the western world for centuries, double-entry bookkeeping records both the debits and credits appropriate to each transaction. A cash purchase of an asset would add the value of that asset to the inventory balanced by the reduction in cash. If DoD did this for each transaction, the books would ''balance,'' that is, debits would equal credits, the books would accurately reflect the cost of operations, and the taxpayers would be assured that something of value was actually received for the money spent. Under current law, the military services are supposed to have ''asset management systems'' in place today that would provide an accurate and complete accounting for the quantity, cost and location of all inventory items. No such system is in existence, however. DoD must adopt a double-entry bookkeeping system in order to generate reliable financial statements.

(2) *Recording Transactions Promptly:* Financial transactions must be accurately recorded in the books of account—as they occur. Under current DoD policies, billions of dollars of transactions are not posted until long after the fact, if ever. In many cases, it takes DoD weeks, months, and even years to make necessary accounting entries. In other documented cases, DoD policies authorize the posting of transactions to the wrong accounts with the idea of avoiding negative liquidated obligations or correcting errors at ''contract close-out'' years later. Attempting to reconcile contracts with payment records years after-the-fact usually proves to be a futile and very costly task. As long as the department's books of account fail to accurately reflect obligations and expenditures, Congress can not be sure that DoD is spending the money as specified in law or that costs reflected in DoD's financial statements are accurate. DoD must record all transactions in the books of account immediately—as they occur.

(3) *Transaction-driven General Ledger:* To help ensure reliable financial management information, Congress passed the Federal Financial Management Improvement Act of 1996 (FFMIA). This law required all federal agencies to activate a Standard General Ledger at the transaction level that complied with accepted accounting standards. According to GAO, DoD's financial systems are non-compliant with the FFMIA requirements.[2]

Had DoD implemented the required Standard General Ledger chart of accounts, as other agencies have, practiced double-entry bookkeeping, and recorded transactions promptly and accurately, all transactions should naturally roll up through subsidiary accounts into general ledger accounts.

Moreover, if DoD accounting systems were up to accepted standards, auditors could verify the accuracy of the general ledger accounts by tracing the accumulation of costs back down to the original entries for each transaction. This, in turn, should provide a management accounting system that has integrity—one the taxpayers deserve and one that is necessary for completion of reliable financial statements. A transaction-driven general ledger would be a powerful management tool for evaluating DoD's financial performance. While DoD has general ledger accounts, they lack integrity because of massive gaps and the use of ''plug'' figures. Transactions are simply not recorded in the books of account in a timely and accurate manner. Given these continuing shortcomings, it is impossible to follow the audit trail back down to each original transaction. Until this problem is remedied, and DoD develops reliable controls and integrated financial management systems, DoD financial information will be unreliable and its financial statements will be unauditable.

(4) *Separation of Duties:* Organizational and functional independence must be achieved at each major step in the cycle of transactions. This key internal control helps to detect and prevent theft, inhibits collusive fraud and offers greater efficiencies in organizations that are large enough to accommodate specialized operations. For instance, if truly independent entities perform the separate functions of store-keeping or warehousing and accounting for stores transactions, fraud in either function could be discovered by comparing what the store keepers show as on hand to what accounting records show was purchased, used, and should be on hand. With adequate separation of duties, successful fraud would require collusion by not only the store-keepers and accountants but also by organizationally independent managers of those separate functional areas. IG and GAO reports repeatedly show that DoD does not consistently adhere to the age-old principle of real separation of duties—both organizationally and functionally.

Last year, the GAO uncovered a prime example of how DoD does not observe the separation of duties doctrine. The Defense Finance and Accounting Service (DFAS), which performs disbursing and accounting functions for the entire department, is authorized to routinely alter remit addresses on checks. A remit address is the address to which a check is sent. Allowing DFAS to alter remit addresses is a violation of the separation of duties principle that leaves the door open to fraud. The office that processes bills for payment should never be allowed to change a remit address on a check. Such changes should be made through an independent verification process. Remit addresses should be tightly controlled in a central registry and only altered at request of the vendor—in writing.

(5) *Accountability:* The DoD CFO and the Financial Managers (FM's) for each of the three military services have been granted the full spectrum of authority under the law. However, these four officials appear to have delegated much of their authority for payment and accounting to DFAS, which disburses over $22 billion a month and employs about 20,000 persons.

Despite the authority that has been passed down the chain of command to DFAS, this organization does not exist—at least in law. There is no specific provision in the U.S. Code granting such authority to DFAS. The Committee fears that the military services could use DFAS as a bureaucratic mechanism to deflect responsibility for ongoing financial mismanagement. DFAS can be blamed, but there is no accountability. In fact, there is nothing in law that requires personal financial accountability anywhere in DoD—from the top CFO down to the lowest technician at DFAS. Even DoD disbursing officials have been exempted from the law that makes all other government disbursing officials ''pecuniarily liable'' for erroneous or fraudulent payments.

If no one at DoD is held accountable for the continuing pattern of financial mismanagement and ''unclean'' CFO audit opinions, then the department may never succeed in producing reliable financial statements.

The CFO and service FM's may delegate authority to DFAS but not personal responsibility. The service FM's must police those to whom they have delegated authority, but the final responsibility resides in their offices with them. They alone should be held accountable for the completion of reliable financial statements.

These goals should be achieved with the financial statement for 2000. The 1998 statements are under review at the present time. If the IG and GAO identify deficiencies that preclude the completion of a satisfactory financial statement for 1998 and 1999, then the FM's should be responsible for making the necessary adjustments and corrections.

The Committee fully supports actions in Congress to achieve these five financial management initiatives because they are specifically designed to bring the department into compliance with the CFO and FFMIA Acts and to lead to the preparation of reliable financial statements. In the months ahead, it

[2] See GAO–AIMD–98–268, Financial Management: Federal Financial Management Improvement Act Results for Fiscal Year 1997, US General Accounting Office, September 1998, Washington, D.C.

is expected that these initiatives will be converted into a legislative reform package and introduced before consideration of the 2000 defense authorization bill or other appropriate legislation. The Committee intends to work closely with the Armed Services Committee and other appropriate committees of Congress to enact legislation that addresses in a meaningful manner the goals articulated here.

Mr. GRASSLEY. Mr. President, I would like to take moment to tell my colleagues why the language on DOD Financial Reforms is so important.

I want to help them understand why I am so concerned about the breakdown of discipline and control in financial management at the Pentagon.

I have been investigating the problem for six years, now.

I have come here to the floor of the Senate and spoken about it many times.

I have offered amendments.

I raised these same concerns during hearings before the Budget Committee earlier this year—on February 24 and again on March 2nd.

My Judiciary Subcommittee on Administrative Oversight held a hearing last September on the lack of effective internal financial controls at DOD.

I am planning another hearing later this year.

The General Accounting Office (GAO) and the Inspector General (IG) have issued report after report after report exposing these problems.

Every single shred of evidence points to the breakdown of financial controls at the Pentagon.

IG and GAO reports consistently demonstrate that DOD accounts and assets are vulnerable to theft and abuse.

They show that internal controls are weak or nonexistent.

They show that financial transactions are not recorded in the books of accounts—as they occur—promptly and accurately.

They show that payments are deliberately posted to the wrong accounts. Sometimes transactions are not recorded in the books for months or even years—and sometimes maybe never.

DOD has no effective capability for tracking the quantity, value and locations of assets and inventory.

DOD has lost control of the money at the transaction level.

With no control at the transaction level, it is physically impossible to roll up all the numbers into a top-line financial statement that can stand up to scrutiny and audit.

Sloppy accounting procedures generate billions of dollars of unreconciled transactions—mismatches between official accounting records and inventory and disbursing records.

Billions and billions of dollars of unreconciled mismatches make it impossible to audit DOD's books.

As a result, DOD gets a failing grade on its annual financial statements that are required by law. Each year, the IG has to issue a disclaimer of opinion.

Unfortunately, there is nothing on the drawing board to suggest that a ''clean'' audit opinion is feasible in the foreseeable future. DOD just doesn't have the accounting tools to get the job done.

There will be no improvement in this dismal picture without reform—and some pressure from the Budget Committee and other committees.

Without reform, the vast effort dedicated to auditing the annual financial statements will be wasted effort.

The report language lays out a general framework for reform.

These reforms are not new or dramatic.

The Committee report language just tells DOD to get on the stick and do what it is already supposed to be doing—under the law. And it calls for some accountability to help get the job done.

This report language should help to move DOD toward a ''clean'' audit opinion within two years.

And there is another important reason why this language is needed today.

As I stated a moment ago, we are looking at the first big increase in defense spending since 1985.

I think the Committee needs to be on the record, telling the Pentagon to get its financial house in order.

If the Pentagon wants all this extra money, then the Pentagon needs to fulfill its Constitutional responsibility to the taxpayers of this country.

First, it needs to regain control of the taxpayers' money it's spending right now.

And second, it needs to provide a full and accurate accounting of how all the money gets spent.

DOD must be able to present an accurate and complete accounting of all financial transactions—including all receipts and expenditures. It needs to be able to do this once a year.

The GAO and IG auditors should be able to examine the Department's books and its financial statements and render a ''clean'' audit opinion.

That's the goal.

Mr. President, I would like to extend a special word of thanks to the Committee Chairman, my friend from New Mexico, Senator DOMENICI, for including this important language in the report.

I would like to thank him for understanding and accepting the urgent need for financial management reform at the Pentagon.

I would like to thank him for working with me in urging the Pentagon to move in the direction of sound financial management.

Mr. President, in my mind, DOD financial management reform is mandatory as we move to larger DOD budgets.

I understand that the language is not binding.

It's simply the first step in the effort to bring about financial reform and accountability at DOD through legislation later this year.

In the months ahead, I look forward to working with the Armed Services and Appropriations Committees to make it happen.

The Chairman of the Committee has agreed to help me do it.

He made a commitment to ''work closely'' with the Armed Services Committee to develop a legislative reform package that addresses the issues raised in the report.

I hope the Armed Services Committee will cooperate and find a way to address the need for financial reforms in tandem with more defense money.

Higher defense budgets need to be hooked up to financial reforms—just like a horse and buggy—one behind the other. They need to move together.

And I hope other members of the Budget Committee will join me in that effort.

I yield the floor.

Mr. DODD. Mr. President, in 1997, we reached an historic agreement on the budget. Building upon the budgets of 1990 and 1993, we brought the budget into balance for the first time in 30 years. Today, the budget before us is equally significant, as it is the first budget of the 21st century. It is one that should reflect what we, as the last Senators of the 20th century, believe should be the priorities of our country as we move into the next millenium.

As we prepare to enter the next century, we need a budget that will protect our senior citizens—the people who have given a lifetime of work to their families, communities and country. They need to know that they will be secure in their golden years with good health care and a decent income. Unfortunately, this budget fails to provide this measure of security, as it fails to provide for the continued strength and solvency of Social Security and Medicare.

Although this budget saves projected Social Security surpluses and uses those surpluses to retire public debt, it contains no provisions to reform the Social Security program and provides no new assets to the Social Security trust fund. In this regard, this budget fails to extend the solvency of the trust fund. In contrast, the Administration's budget proposes specific policies, including transferring publicly held debt to the trust fund, which would extend the life of the Social Security trust fund until the year 2055.

In addition, this budget simply ignores Medicare, Part A of which is due to be bankrupt by the year 2008. It takes funds needed for Medicare and uses them to pay for a tax cut that largely benefits the more well-to-do in our society. Not a single extra dollar is guaranteed for this critical priority and therefore this budget has the potential to negatively impact the millions of Americans who will depend on

Medicare for their health care in the future. The Administration, however, has proposed allocating 15 percent of the projected unified budget surpluses for Medicare—nearly $700 billion over the next 15 years—which would extend the solvency of this program for another 12 years, to the year 2020.

Mr. President, we also need a budget that will provide for the education needs of our people. Nothing is more critically important than to provide every child with a good education so that they can grow up to lead productive lives, contributing to the prosperity of their families and country. Unfortunately this budget fails to meet this priority, as well. Although I applaud the efforts of Chairman DOMENICI to increase funding for elementary and secondary education, this budget does so at the expense of equally important education initiatives, like Head Start. In fact, under the Republican plan nearly 100,000 children would lose Head Start services.

This budget shortchanges our commitment to many other domestic priorities, as well. Under this budget, paying for an $800 billion tax cut that would benefit the wealthy would require cuts in non-defense discretionary spending of $20 billion in the next year alone, affecting our efforts to police our streets, to clean up our air and water, and to wage aggressive diplomacy so that we do not have to wage war. More specifically, Mr. President, under the Republican plan, more than 1 million low-income women, infants and children would lose nutrition assistance each month and 73,000 summer job opportunities for low-income youths would be eliminated.

These cuts are draconian and untenable. Newspapers report that even Republican appropriations leaders consider these cuts to be unrealistic. They predict that when appropriations bills come to the Floor, it is unlikely that they will contain the cuts proposed by this budget.

Finally, we need a budget in the 21st century that is fiscally responsible—a budget that sends a message to our trading partners, the markets, and future generations that the era of runaway deficits is over, and that we will not saddle future generations with a national debt that robs them of their ability to make productive investments and hurts our nation's ability to grow and prosper. Sadly, this legislation is fiscally risky and fails to meet these goals.

Although this budget calls for a small tax cut in the first couple of years, the cost explodes in the future. In fact, by the year 2009, these cuts will drain the Treasury by more than $170 billion in that year alone. Let me be clear, I am not opposed to tax cuts, but I support carefully targeted tax cuts that would provide relief to those who most need our help. Regrettably, this budget provides a sweeping tax cut for those in our society who need it least, and does so largely at the expense of funding for both Medicare and other domestic priorities relied on by millions of working Americans.

In conclusion, I regret for a number of reasons that I am unable to support this budget—not least of which is the high regard and esteem with which I hold Chairman DOMENICI. I think all of us in this body recognize that the country has been fortunate to have someone of his intellect and experience dealing with these extraordinarily complex issues. Moreover, while I am grateful that a majority of my colleagues accepted the amendment sponsored by my distinguished colleague from Vermont, Senator JEFFORDS, and myself to increase funding for child care by $5 billion, the modest improvement that this makes to the bill does not change its fundamentally flawed nature.

Mr. President, we have an opportunity and an obligation to enact a budget that meets the test of time. Unfortunately, I believe that the resolution before the Senate has failed to meet that objective. I think we can do better and I believe we must do better as we move forward in the effort to define priorities.

Mr. WARNER. Mr. President, the Service Chiefs testified before the Senate Armed Services Committee on September 29, 1998, and again on January 5, 1999, that they require an additional $20.0 billion in fiscal year 2000 for defense—over and above the amounts contained in the Balanced Budget Agreement—to reverse the serious problems they are witnessing in military readiness. During the Posture Hearings held by the Armed Services Committee in February and March, the Service Secretaries and Service Chiefs confirmed that significant funding shortfalls remain—despite the increases contained in the budget request. Each service submitted a significant list of remaining ''unfunded requirements.''

While I appreciate the efforts of the Budget Committee to address these funding shortfalls with an increase of $14.6 billion in budget authority for defense, I am concerned with the serious shortfall in outlays. The outlay funding level of $274.6 billion contained in the Budget Resolution is insufficient to fund the projected levels of budget authority in either the defense budget request or the budget resolution. At least $287.3 billion in outlays is needed to fund the budget authority levels contained in the Budget Resolution. This is an increase of $12.7 billion over the caps listed in the Resolution.

Mr. STEVENS. Mr. President, I would like to add to my colleague's comments. The budget gimmicks in the defense budget as submitted by the Administration create a shortfall of at least $8.3 billion in budget authority. Under Senate rules, we cannot pass a defense appropriations bill which buys the programs advertised by the Department of Defense as being budgeted. We would require at least $10 billion in outlays to even fund the Administration's defense request. While the budget resolution adds $8.3 billion in budget authority, it cuts outlays by $8.7 billion relative to the CBO scoring of the defense budget request. Even under OMB scoring, the budget resolution provides only $500 million in outlays to spend with the $8.3 billion in budget authority. This mix of money will not work, and clearly does not even let us erase all of the administration's budget gimmicks.

The Defense Appropriations Subcommittee has also held hearings to review the readiness requirements of our military forces. If the current outlay problem is not resolved satisfactorily, Congress will be responsible for failure to provide adequate resources for our military's needs as readiness problems become more apparent. With military operations currently being conducted in Kosovo, this would be the wrong signal to be sending at this time.

Mr. DOMENICI. Mr. President, I agree with both of my distinguished colleagues, the Chairmen of the Appropriations and Armed Services Committees, that the Administration's defense budget request is inadequate to meet our national security requirements. My intent is that this Budget Resolution would fully fund the $17.5 billion requested by the Joint Chiefs of Staff for the next five years. This additional spending would be devoted to restoring military readiness to acceptable levels. it is also my intention that the funding in this resolution would also provide money, at least in part, to begin the modernization of the currently aging inventory of U.S. weapons, and to fund priority quality of life initiatives for the servicemen and women in our Armed Forces.

Mr. WARNER. Mr. President, I would ask the distinguished Chairman of the Budget Committee to provide some type of funding relief in the form of increased outlay funding.

Mr. STEVENS. Mr. President, I would join my colleague in seeking clarification on what steps the distinguished Chairman of the Senate Budget Committee is prepared to take to make it possible to pass a defense spending bill that preserves our military's readiness and limit the erosion of modernization.

Mr. DOMENICI. Mr. President, I say to my two good friends, I agree that there is an outlay mismatch in this resolution for the National Defense function and I will work to resolve this problem. Sufficient outlays are necessary to execute the level of budget authority for National Defense in the

Budget Resolution to address the serious readiness, recruitment, and retention problems in our military services. I intend to review scorekeeping differences between the OMB and CBO on outlays prior, outlay rates, and policy to resolve this issue. I will consult with the two distinguished Chairmen and keep them informed during this process. I assure the Chairmen of the Appropriations and Armed Services Committees that this problem will receive my full attention until it is resolved to our satisfaction.

In addition, I know both Chairmen share my concerns about atomic energy defense capabilities in an increasingly unstable world.

Mr. SHELBY. Mr. President, in my capacity as Chairman of the Transportation Appropriations Subcommittee, I want to raise an issue of critical importance with my friend, the Chairman of the Budget Committee, Senator DOMENICI. Mr. Chairman, it has come to my attention that there is a substantial difference between the Office of Management and Budget (OMB) and the Congressional Budget Office (CBO) in terms of the estimated outlay costs of the highway and transit firewalls, as contained in the Transportation Equity Act for the 21st Century (TEA–21).

As the Chairman is aware, TEA–21 effectively established the aggregate obligation limitations pertaining to our major federal highway and transit programs for the six years covered by TEA–21. Despite the fact that the CBO and OMB are required to strive each year to minimize differences in their outlay estimates for each program in the federal government, we find that there is a dramatic difference between the outlay estimates that CBO and OMB attribute to the cost of fully funding the firewalls for highways and transit in FY 2000. Specifically, the Congressional Budget Office's estimate of the outlays associated with the highway firewall is a full $772 million higher than the amount estimated by OMB. Similarly, the CBO estimates that the outlays associated with the transit firewall is a full $569 million higher than the level assumed by OMB. Taken together, there is more than a $1.3 billion difference between the two agencies' estimates.

It is my understanding that, for purposes of developing this budget resolution, the Chairman assumed the lower of these outlay figures for the highway and transit firewalls. I want to inquire whether the Chairman of the Budget Committee intends to score the Transportation Appropriations Bill for FY 2000 in an identical fashion when the bill is reported by the Appropriations Committee later this year. If the Transportation Appropriations bill is scored with the much higher outlay estimates associated with the CBO estimate, it is possible that the Transportation Appropriations Subcommittee's entire outlay allocation could be needed solely to honor the highway and transit firewalls leaving little or no other resources for the needs for the Federal Aviation Administration, the Coast Guard, and the National Railroad Passenger Corporation.

This illustrates the danger of firewalls within budget functions. They create a perverse incentive for the Administration to underestimate the outlay impacts in order to shift budgetary resources to other priorities—but when the request comes to Congress it must be scored by CBO. Accordingly, the budget resolution and the appropriations bill run the risk of substantially higher outlay scoring on firewall accounts than the Administration assumed and accordingly must cut the firewalled functions or other discretionary programs to accommodate the increased outlays.

Mr. DOMENICI. The Chairman of the Transportation Appropriations subcommittee is quite correct in his observations and I appreciate his raising this issue at this time. Indeed, there are dramatic differences in the outlay estimates associated with the highway and transit firewalls, as scored by CBO and OMB.

The Budget Act provides that the budget resolution cannot set outlay levels in excess of the amounts set forth in TEA–21 as adjusted by OMB. The difference between OMB and CBO outlay estimates presents a problem for meeting the highway and transit outlay limits under CBO's estimates.

I thank the Senator for raising this issue. We need to find some way to address this issue prior to the Senate taking up the Transportation Appropriations bill.

Mr. LEVIN. Mr. President, I cannot support the budget resolution which the majority has presented to the Senate. In my judgement, this budget represents the wrong priorities. It places too great an emphasis on tax breaks which largely benefit the wealthiest among us and too little on the protection of Medicare.

Just six years ago, the nation was faced with annual deficits of more than $300 billion as far as the eye could see. In 1993, President Clinton presented and Congress approved by one vote in each House a deficit reduction plan that continues to pay dividends. Instead of billions of dollars of federal deficits, surpluses are forecast for the next fifteen years. This is a remarkable accomplishment. It presents us with the opportunity to make critical investments in the nation's future and to reduce the national debt. However, we must act wisely.

We have seen many federal budget estimates, and we know well that as quickly as these surpluses appeared, they could disappear. The estimates of both the Congressional Budget Office and the Office of Management and Budget have frequently been far off the mark in recent years. That is not their fault. We have some of the brightest economists in the country working at CBO and at OMB and they do a very good job, but they have a difficult task to do. Forecasting the performance of the economy, particularly over the course of several years is more art than science. For instance, last August CBO estimated that the unified budget surplus for fiscal year 2000 was $79 billion. Just four months later in a January 1999 CBO document, the surplus for fiscal year 2000 is estimated at $130 billion. This is a change of over 60% in just four months and early indications are that in August the surplus amounts will rise even higher. I believe that if most Americans were confronted with such uncertainty over their own budget situation, they would recommend a cautious course. I agree.

The President has established the framework for this new budget debate by his determination to strengthen Social Security. There is no more important or effective program. Two-thirds of those who collect Social Security rely on it for more than 50% of their income. The President's plan to save Social Security through debt retirement is largely intact in this resolution. This is a significant victory for the President and the American people, and it has broad support in the Senate. I look forward to supporting the legislation to implement this policy of debt reduction .

Unfortunately, the majority party has not included the President's policy of debt reduction to shore up Medicare in this resolution. The President set aside fifteen percent of the surplus for Medicare, but this resolution does not. This omission is crucial when one considers that although Social Security is already solvent through 2033, Medicare is solvent only until 2008. We all know how important the Medicare program is. Today the Medicare program provides health care to 39 million Americans. By 2032, the number of Medicare beneficiaries will double to 78 million as the baby boomers retire. Considering these demographics, it is unwise not to use part of our current budget surplus to help shore up the Medicare program, which will also need structural reforms. Unfortunately, the budget resolution before us does not shore up existing commitments to Medicare and our seniors. Instead this resolution takes us back to the bad old days of backloaded tax breaks whose real costs explode several years after enactment. For example, the GOP tax plan uses $177 billion of the surplus in the first five years after enactment and actually has no cost in the first year. But, in the second five years, the cost of the tax cut more than triples to $664 billion. This budgetary time bomb is set go off at the same time as the Medicare trust fund is expected to be bankrupt.

Senator KENNEDY's amendment, which I supported, would have set aside part of the surplus for the Medicare trust fund and avoided this outcome. The Kennedy amendment was defeated. The Republican majority, unfortunately, seems headed yet again this year for a showdown with the President and Democrats in the Congress over the budget.

AMENDMENT NO. 145

Mr. SMITH of New Hampshire. Mr. President, yesterday, I joined Senator ASHCROFT and others in offering an amendment to the budget resolution for Fiscal Year 2000. Our amendment addresses a troubling aspect of the President's Social Security proposal, about which I would like to say a few words.

President Clinton's plan calls for government-controlled investment of a sizeable portion of the Social Security trust funds. Our amendment expresses the sense of the Senate that the Federal government should not be directly investing the Social Security trust funds in private financial markets.

Enabling the Federal government to own millions of dollars worth of private shares in corporations is a recipe for disaster. No matter how much care is taken to avoid bias in government-controlled investment decisions, the potential for abuse would always be present. Even if an independent board is charged with making the investment decisions on behalf of the government, there is always the risk that the board would be overwhelmed by political pressure from lobbyists, lawmakers and others.

Inevitably, special interest groups or politicians would seek to influence the investment decisions. Questions such as whether or not a particular investment would benefit a corporation that hires union workers or is located in a certain state might become important considerations. The result would be that the rate of return on an investment would become secondary to numerous political or other concerns.

Also, under the President's plan, the government would eventually own private stocks worth $600 billion or more. That could have perverse effects on the free market.

Government-controlled investment of the Social Security trust funds would make possible what some have called ''crony capitalism.'' In a recent paper on this subject, Daniel Mitchell of the Heritage Foundation warned that government-controlled investment would give lawmakers power to control the economy indirectly by attempting to pick winners and losers.

The Federal Reserve Chairman, Alan Greenspan, is one of the more noteworthy critics of President Clinton's idea for government-controlled investment. Chairman Greenspan has said that it ''would arguably put at risk the efficiency of our capital markets and thus, our economy.'' Mr. President, the Senate should heed his words and reject any plan to have the government directly involved in the investment of Social Security trust funds.

Mr. MOYNIHAN. Mr. President, Senator SCHUMER and I have offered this amendment to strike Sec. 314 of S. Con. Res. 20, the Fiscal Year 2000 budget resolution. Sec. 314 expresses the Sense of the Senate that Governors Island will be sold during Fiscal Year 2000. The underlying assumption is that it will be sold for $500 million. Another assumption—not stated in Sec. 314—is that the $500 million will be used as an off-set to help pay for Federal crop insurance reform.

At the outset, I must say that I support crop insurance reform. Our farmers are the most productive in the world. I wonder, from time to time, if we appreciate just how affordable—and plentiful—food is in this country. If crop insurance reform will help our farmers to weather natural disasters and low commodity prices, I'm for it. But I have a serious problem with using the sale of Governors Island to pay for it for two reasons. The first is based on principle; the second, on practicality.

There is a question of fairness here. Governors Island was part of New York before the United States existed. In 1800, New York State rather magnanimously gave jurisdiction—but not title—over Governors Island to the Federal government. Then, New York spent its own monies to construct Fort Jay and other harbor fortifications and batteries, such as Castle Clinton and Castle William. These fortifications successfully deterred the British from attempting to enter New York Harbor during the War of 1812. Governors Island has served our Nation well. It is the site, after all, where Operation Overlord was planned fifty-five years ago.

On June 18, 1958, a Federal district court determined that the Federal government needed to take title to the Island and awarded New York one dollar as ''just compensation''. Since then, the Army moved out, and the Island's most recent tenant, the Coast Guard, left in 1997. Now, the 173-acre island sits vacant in New York Harbor.

On October 22, 1995, President Clinton invited me to join him at the 50th anniversary of the United Nations' General Assembly. On the helicopter flight from Kennedy Airport we flew over the Lower Harbor; I pointed out Castle William, Fort Jay, and some other fortifications and buildings, starting with Cornbury's Queen Anne mansion built in 1708. I noted that the Coast Guard was about to leave and that, presumedly, all would agree that the Island should revert to New York. President Clinton said that was fine with him, providing it would be used for public purposes. I demurred somewhat—that would involve a whole lot of public purpose—but accepted the offer. We left it there with sufficient accord.

Governors Island belonged to New York. New York lent it to the Federal government. Now that the Federal government is no longer using it, New York should get it back, for no more than a nominal sum.

Unfortunately, and rather to my surprise, when President Clinton submitted his Fiscal Year 1998 budget request, he proposed selling Governors Island in Fiscal Year 2002 for $500 million. Congress seized on the idea—so much so, in fact, that we have ''sold'' Governors Island a couple of times already!

Now Members propose that we sell Governors Island, in Fiscal Year 2000, to pay for crop insurance reform. Even if we put principle and fairness aside, there are real practical problems with this proposal. I guess the first is that there are no buyers. None. Certainly not at the asking price. We don't know how the Island will be zoned. There is no regular ferry service. It costs about $12 million to $15 million each year just to maintain the buildings, many of which are historic.

Back in 1997, the Congressional Budget Office (CBO) estimated fair market value to be between $250 million and $1.0 billion. That's a pretty big range. There was no appraisal. Any appraisal would be highly speculative since the impact of zoning decisions and ultimate disposal of the Island remain unknown. Moreover, I do not believe that any CBO officials ever contacted anyone at the General Services Administration (GSA) who would be, perhaps, more knowledgeable about what sort of price the Island might fetch. I can tell you this: New York State, or New York City, won't pay a dime more than a dollar. So, in this instance, the CBO estimate is highly suspect. The site is magnificent, but it will be a considerable achievement to combine some public and private uses that preserve the historic portion of the Island. The combination eludes us still. In the meantime, we could lose it all if it should go unused for a few more New York winters.

So I repeat what I said at the outset: I am for crop insurance reform. But Governors Island won't pay for it, because the Island will not be sold for $500 million next year. It won't be sold for any price because there are no buyers. We haven't figured out what to do with it yet.

Governors Island belonged to New York, and New York ought to have it back. It is, at the same time, a national treasure for the historic value of its fortifications, buildings, and what has taken place there. I hope that Congress, and the Administration, will stop this tiresome tendency of ''selling'' it whenever some other program

or initiative—laudable, I'm sure—needs an off-set. I thank the Senator from New Mexico (Senator DOMENICI) and the Senator from New Jersey (Senator LAUTENBERG) for their willingness to accept the amendment Senator SCHUMER and I have offered to strike Sec. 314 from S. Con. Res. 20.

GOVERNORS ISLAND AND THE FEDERAL BUDGET

Mr. SCHUMER. Mr. President, I am proud to join with Senator MOYNIHAN to offer an amendment to strike Section 314 of S. Con. Res. 20, the Fiscal Year 2000 Budget Resolution. Section 314 expresses the Sense of the Senate that Governors Island will be sold during Fiscal Year 2000.

While the intention of the sale, to provide an offset for crop insurance reform, is a worthy one, it is an illusory offset and will seriously undermine New York's efforts to turn this historic gem into an economically viable site. It is also a matter of fundamental fairness—President Clinton made the offer to Senator MOYNIHAN to give the Island back to New York for one dollar—the very sum the Federal Government paid to the State for the Island back in 1958. Now that the Island's last tenant, the U.S. Coast Guard has gone, Governors Island should be returned to New York, not sold to provide offsets for other programs across the country, however well-intentioned those programs might be.

I thank Senator DOMENICI and Senator LAUTENBERG for their willingness to accept the amendment Senator MOYNIHAN and I have offered. We will continue to strongly resist all attempts to thwart New York's efforts to develop Governors Island for use by our own citizens, who are understandably anxious to reclaim this unique treasure.

MEDICARE

Mr. GRAMS. Mr. President, as we begin debating the budget which takes us into the twenty-first century, I am disappointed that my colleagues on the other side of the aisle continue to practice the Medicare politics of the past.

Over the course of the last week, I've heard member after member come to the Senate floor to decry the Republican budget for allegedly throwing our nation's seniors into destitution by sacrificing Medicare in order to pay for tax cuts.

Mr. President, as we listen to this discussion about the budget and the Medicare provisions contained within it, I keep coming back to one simple question. If the President's budget plan was so good for the country and saved Medicare, why did every member of his party on the Budget Committee vote against it? There is only one answer: President Clinton's so-called Medicare set-aside of 15 percent of the budget would do absolutely nothing to address the very real problems facing Medicare and we all know that.

Indeed, the General Accounting Office (GAO), which we depend upon to provide impartial testimony, investigations and research, has concluded President Clinton's Medicare plan is meaningless in terms of either the budget or the Medicare program. This corroborates the conclusions reached by the Congressional Budget Office.

Mr. President, Medicare has always used the 2.9 percent payroll tax on a worker's wages to pay for current benefits. It has been so since the program was enacted in 1965 and its crafters intended it to stay that way.

The president, by promising to use projected surpluses and general funds to shore up the Medicare program, is in fact promising to use ''IOU's'' to shore up ''IOU's'' and altering the premise under which Medicare was enacted.

I was and is supposed to be a self-sustaining program paid for by payroll taxes. It is not funded by general revenues, therefore Democrat charges that our tax relief out of the non-Social Security surplus comes at the expense of Medicare is just not true. Our tax relief returns overpaid income taxes. It does not cut the Social Security or Medicare payroll tax that funds Social Security or Medicare. The use of general funds to prop-up the program reverts it to a general welfare-type program which was soundly rejected in the early 1960's.

So adding more IOU's, as the President would like us to do, does nothing but add more meaningless pieces of paper which don't represent any new cash within the program to pay for health care services. In short, it is a hoax played upon the American people by its government which doesn't save Medicare.

The budget resolution before us today provides for $10 billion more for the Medicare program than the President requested. It locks away Social Security surpluses to protect them from being spent on non-Social Security programs. It also prepares us for the real task at hand—reforming Social Security and Medicare to ensure they will be self-sustaining for future beneficiaries.

Under our plan, all of the projected Social Security surpluses are saved solely for Social Security. Of the non-Social Security surplus, over $100 billion is set-aside in the event it is needed during the important process of reforming the Medicare program we will soon address. The $100 billion set-aside is real money, not paper promises. It represents real assets which can put us on the road to modernizing a crucially important health care program that has been struck in the 1960's.

The practice of medicine has changed dramatically since the Medicare program was enacted. It's time we reformed Medicare to more accurately reflect our health care system, which still provide the most efficient and sought-after care in the world.

Mr. President, I look forward to working with Senator BREAUX, who ably co-chaired the Bipartisan Commission on the Future of Medicare, to address the long term solvency crisis in Medicare. I whole-heartedly agree with my colleague from Louisiana when he said that ''Medicare cannot, should not, and must not be a 'wedge' issue. That is old politics and the old way of looking at this problem. Looking at it in that fashion has led us to never solve it with any serious reform since it was passed in 1965. The issue for the 1990's and the 21st century cannot be a tax cut versus saving Medicare. That is an improper statement of the problem facing this Congress. . . . It is not an either/or situation and should not be made to be so.''

Clearly, Senator BREAUX and my colleagues have the best interest of the Medicare program in mind as we consider this budget. He understands tax relief does not conflict with our goal to reform Medicare. By setting aside over $100 billion for the express purpose of funding the reformation of the Medicare program, we do more to ensure the viability of the health care program for our nation's seniors than the President's budget full of empty promises.

Mr. President, I am pleased to support this responsible, truthful and meaningful budget resolution. It protects Social Security and Medicare, provides major tax relief and debt reduction and it continues important spending priorities. It represents a tremendous step in the right direction for the United States and its people.

Mr. LIEBERMAN. Mr. President, I rise to express my dissapointment with S. Con. Res. 20, the FY 2000 Budget Resolution. After our economy has enjoyed seven years of strong growth, I had hoped that this year's Budget Resolution, the first in the new millenium, would set policy priorities that would strengthen our economy. After seven years of phenomenal economic growth, it is a shame that we cannot convert our gains into ensuring a more secure economic future.

This Budget Resolution fails to take positive steps by trying to do too much. The Resolution calls for using surplus funds for tax cuts, while maintaining the statutory spending caps.

The Budget Resolution fails to protect Medicare or Social Security, fails to increase national savings, and cuts important spending priorities. It is neither financially prudent nor economically sound.

It could endanger our sound economy and squander an historic opportunity to raise the living standards of all Americans and to ensure a dignified retirement for our seniors.

S. Con. Res. 20 favors massive tax cuts over paying down the massive national debt, over protecting Medicare and Social Security, and over key important domestic initiatives. By keeping the statutory caps and using the

surplus for tax cuts, the Budget Resolution makes deep cuts in science technology, in research and development, in important environmental protection initiatives, while failing to protect Medicare and the retirement security of our workers and families.

THE BUDGET RESOLUTION UNDERMINES CURRENT AND FUTURE ECONOMIC GROWTH.

The fiscal policies outlined in the Budget Resolution threaten the health of our growing economy. The Budget Resolution calls for using all surplus funds for tax cuts and nothing for reducing our federal debt. For the past several years, a declining federal debt has contributed to a decline in interest rates. Less government debt has translated into lower interest rates and lower interest rates have promoted greater investment and growth in our economy. It is no coincidence that of the G–7 countries, we are the only country with a balanced federal budget and strong economic growth. Using surplus funds for debt reduction sustains the virtuous cycle of lower interests rates, higher investment in our economy, and job creation. By choosing tax cuts over any debt reduction, this Budget Resolution has put us back to the era of the same trickle down economics that led to inflation and stagnation.

Achieving a budget surplus has required some very strong measures and has come at some cost. It was not long ago that Congress adopted the Budget Enforcement Act to curb our appetite for spending. Since then we have better managed our spending and tax cutting through a number of important rules and statutes. Unfortunately, this Budget Resolution repeals the pay-as-you-go rule, the very rule that has been most responsible for bringing fiscal discipline to this body.

THE BUDGET RESOLUTION FAILS TO PROTECT MEDICARE AND SOCIAL SECURITY

The budget proposal for FY2000 does nothing to restore the Social Security and Medicare trust funds back to solvency. It is unfortunate that at this time of robust economic growth and projected surpluses, the Republican budget does nothing to solve the looming Medicare and Social Security problems. The Budget Resolution calls for saving the Social Security surplus for Social Security. This is far from an adequate solution to the Social Security problem.

The resolution also fails to address the more immediate problem of Medicare. Projected to go into deficit in 2008, the Medicare trust fund is in desperate need of funds. While the President has dedicated $350 billion dollars for Medicare, the Budget proposal dedicates nothing. Here again, I cannot understand why we do not take advantage of budget surpluses to help extend the solvency of Medicare.

THE BUDGET RESOLUTION FORCES DEEP CUTS IN NON-DEFENSE DISCRETIONARY SPENDING

I would support a decision to adhere to the overall levels of discretionary spending established in the Budget Enforcement Act.

The Budget maintains the current statutory spending caps and then chooses tax cuts over spending increases in several key areas. The Budget makes a major cut—7.5%—in all non-defense spending. Combined with using surplus funds for tax cuts, this means that many important domestic priorities such as environment and technology research have to be cut.

REDUCTION IN RESEARCH AND DEVELOPMENT FUNDING

In the proposed budget before us, the small and declining accounts in R&D are a direct prescription for long term economic decline. There have been at least a dozen major economic studies, including those of Nobel Prize winner Robert Solow, which conclude that technological progress accounts for 50 percent or more of total growth and has twice the impact on economic growth as labor or capital. Ironically, we have spent far more time in Congress debating the economic impact of labor and capital, in the form of jobs and tax bills, than we have ever devoted to R&D. This Budget follows in that trend. Mr. President, by cutting R&D funding this budget provides us with another chance to fall behind. It does a disservice to both our well-being as a society, and our well-being as an economy. I hope my colleagues will reconsider the measure.

ENVIRONMENT

I am also concerned that funding for natural resources and environmental protection is being cut too steeply to make way for tax cuts. The proposed budget resolution reduces funding for priority domestic environmental programs to roughly 11% below current levels. This cut hurts programs that are critical for building clean, livable communities and protecting natural resources and wildlife. Ongoing efforts to enforce existing public health protections in drinking water would be curtailed. Energy efficiency and clean energy technology initiatives that save consumers money, reduce dependence on foreign oil and curb air pollution would be slashed. Funds for states to preserve open space, coast land, and urban parks would be cut. And the list goes on and on. The direction of these cuts runs directly counter to the needs of our neighborhoods and our nation, and ignores the reality that a clean environment is integral to building a sustainable and strong economy. We should not allow important public health and environmental protections to be sacrificed. Future generations and the public trust will ultimately pay the price.

DEFENSE SPENDING

The President recently took action to add money to the defense budget, halting a 14-year slide. That slide seriously stressed the ability of our armed forces—which are almost 40 percent smaller now than they were during the cold war—to meet present day commitments. The President's increase is enough to stop the decline in the readiness of our forces, but it is not enough to modernize the aging military equipment that is so important to ensuring that our forces are ready in the future. The additional money this budget adds to the defense budget is an essential investment for the future.

CONCLUSION

This budget. While there are some bright spots in, ultimately there are just too many weaknesses for me to support it.

Mr. ASHCROFT. Senator DOMENICI, first let me reiterate my admiration for the remarkable budget you have produced. You have produced a budget that, in the first decade of the new millennium, balances the entire federal budget, protects Social Security, increases funding for education by 40%, seeks to protect the Social Security surplus from paying for other government operations, reduces federal debt, provides funds requested by the Joint Chiefs of Staff to strengthen our national defense, and provides an $800 billion tax cut. This is a strong budget that I will support.

As you know, I intended to offer an amendment that would eliminate a $2.9 billion deficit currently projected for FY 2000. It appears likely, however, that when the final budget resolution is written and we have the latest budget and economic forecasts, that this deficit will be eliminated and, in fact, the budget will be in surplus. As I understand, the budget resolution, as reported by the committee, provides that any FY 2000 surplus should be devoted to tax cuts.

Mr. DOMENICI. I appreciate your support for this budget. Given current estimates the budget resolution will show a $2.9 billion deficit. That $2.9 billion represents only 1.7% of the entire $1.7 trillion budget, and even that small deficit will probably be eliminated when we get CBO's updated estimates this summer. With the numbers available at the time of the production of this resolution, specifically CBO's February baseline, it was impossible to declare that the budget we produced would be fully in balance according to those numbers.

I want to salute the Senator from Missouri's efforts to make absolutely certain that we balance the budget excluding the Social Security surplus and I look forward to working with him to bring about that result.

Mr. ROCKEFELLER. Mr. President, as the Ranking Member of the Committee on Veterans' Affairs, I would like to comment on S. Con. Res. 20, the Concurrent Resolution on the FY 2000 Budget. Specifically, I will address the

funding allowances for Function 700—Veterans Benefits and Services.

At the outset, let me note that this budget resolution is a departure from past budget resolutions which have cut veterans' spending. The resolution emanating from the Senate Budget Committee includes total spending for an additional $0.9 billion in new budget authority and $1.1 billion in outlays for FY 2000. I am grateful for this increase. It is a valid attempt to infuse the VA with badly needed resources. However, the spending needs of the Veterans Health Administration exceed this recommended level. I believe we can and should do better.

The VA health care system is being squeezed by lack of funding. It's high time that we realized that if this track continues, we will see the closure of VA hospitals. Many VA hospitals are already on the brink; another year of no-growth budgets will close hospitals. Small rural hospitals in New York State and Arizona will be closed. Large urban hospitals, like the ones in Illinois and California, will not be immune and will be shut down.

Various estimates exist about what amount VA would need to simply maintain the level of current services. Conservatively, we are talking about an increase of $850 million to cover payroll inflation, increases in the costs of goods, and other increases beyond the control of VA. So despite VA's efforts to mitigate the increasing cost of pharmaceuticals, for example—efforts which have been lauded by others as the model for Medicare to follow—VA must budget for $850 million just to maintain current services. The concurrent budget resolution before us today fully addresses these uncontrollable costs. It does not, however, make allowances for increased growth of any kind.

In our Committee Views and Estimates, Chairman SPECTER and I outlined the costs associated with unanticipated VA spending requirements, as well as those costs linked to unmet needs. I refer my colleagues to Committee on Veterans' Affairs Views and Estimates for a more complete listing of these substantial costs. However, I do want to highlight some of these areas.

Caring for veterans with the Hepatitis C virus is certainly one of those unanticipated spending requirements. VA studies now indicate that at least 20 percent of hospitalized veteran-patients test positive for the virus. This is twice the rate reported in the general population. VA anticipates that to fully screen and treat these patients, $625 million will be necessary in FY 2000.

A second priority is to provide veterans with access to the same health care services as other Americans. VA cannot now provide emergency care services to all veterans. Many veterans have gone to community emergency rooms believing that VA would reimburse them. Of course, in most cases, VA would not and they were left with substantial medical bills. Providing emergency care and the subsequent hospital admission to veterans would cost the VA $548 million in FY 2000.

Third, a funding need which should not be overlooked is long-term care. We know that the percent of veterans over the age of 65 years will grow from 35 percent of the total veteran population to approximately 42 percent of the total population over the next ten years. Does VA have the necessary resources to care for this influx of aging veterans? Under the current financial construct, the answer is a resounding ''no.'' A funding increase of at least $1 billion is required to meet this unmet need.

It should come as no surprise to my colleagues that the financial constraints that have been placed upon the VA are also having a negative effect on the health care provided to our veterans.

Through our oversight efforts on the Committee on Veterans' Affairs, we have documented serious problems with quality which are the result of staffing shortages. The increase of dangerous pressure ulcer sores in VA nursing homes is only one example of deteriorating inpatient care. A recent report issued by the VA Medical Inspector's office clearly states that at the DC Medical Center, ''bedside patient care, such as turning patients at frequent intervals to prevent pressure ulcers, was affected by the shortage of staff.'' These staffing shortages exist at medical centers all across the country.

With regard to outpatient treatment, the trend points to a disturbing lack of access. VA is rightly moving more patients into ambulatory care settings; however, the system as it is currently funded cannot handle the increased workload.

In some cases, waiting times for routine clinic appointments—like cardiology and gastroenterology—reach 100 days or longer. Mental health services are simply unavailable at 60 percent of VA's outpatient clinics. Finally, while other health care providers and payers are seeing increased per patient costs, the VA must live within forecasts which assume a drop in per patient expenditures. This cannot continue without drastically impacting quality.

I think many of my colleagues would also be disturbed to learn that VA's specialized health care services—blind rehabilitation, traumatic brain injury care, post traumatic stress disorder services, spinal cord injury care, and mental health services—have buckled under the strain. We have spent a tremendous amount of time visiting hospitals and looking deeply into these mandated programs. We have seen budgets for VA PTSD services in Ohio and New York cut at the expense of services. We have found VA substance abuse programs in Delaware, Alabama, New Jersey, and Ohio virtually decimated.

In my home State of West Virginia, we have four small, rural VA medical centers. And I can tell you that simply covering the cost of current services won't help much. In fact, the continued financial stress of the VA budget will have devastating effects on services and veterans at each of these VA hospitals in my State.

In one hospital alone we could be faced with the elimination of audiology and speech pathology, the reduction of dental services, the complete closures of the inpatient surgery, outpatient surgery, and the outpatient mental health programs.

I believe that West Virginia veterans, and veterans across the country, deserve quality health care—and I, for one, will not allow these reductions and program closures.

And I can assure you, my friends, that if these situations exist in the small VA hospitals in my state of West Virginia, then they exist in other VA hospitals—whether they are small rural VA hospitals or large urban VA hospitals.

Mr. President, I would like to take this opportunity to comment on another aspect of the VA budget. On the benefits side, I was very pleased to see the President request and the Budget Committee accept the increase of $49 million in the General Operating Expenses account to provide for an increase of 164 FTE in FY 2000. These new 164 FTE will join FTE shifted over from other duties to provide an additional 440 adjudication FTE.

The Veterans Benefits Administration (VBA) has experienced an increase in pending compensation and pension workload of close to 50,000 cases per year, over the last two years. This is a reversal of the downward trend from FY 92–96. The age of those cases is also growing, with an average in FY 98 of 168 days to process original compensation claims, resulting in 33 percent of cases pending over six months, up from 26 percent in FY 97. This increase in the backlog is in spite of a small decrease in the number of claims being filed. VBA also has real problems with the quality of their decision making. Their own review (STAR) revealed an error rate of 36 percent.

VBA is taking measures to address its quality and workload problems, but they need more resources to deal with some of their biggest challenges, such as: the loss of their most experienced decision makers as they become retirement eligible; the lack of training and the lack of uniformity of that training; the struggle to improve customer service through case management and the reduction of blocked call rates.

It is critical that VBA not only improve their quality and timeliness, but

also ensure the integrity of the measures of those factors. They must require accountability in the effort or failure to achieve those goals. These are things that VBA has not been particularly motivated or driven to do in the past. I look to VBA to strive for data integrity and accountability and hope that additional staffing resources will aid in these efforts.

In conclusion, Mr. President, we must do more to restore quality and access to health care for America's veterans today and those service members who will be veterans tomorrow.

FEDERAL R&D INVESTMENT

Mr. FRIST. Mr. President, I would like to focus for a few minutes on an important, yet often ignored aspect of the federal budget—our investment in R&D. While I strongly support the Chairman's contention that we must strive to stay within the budget caps, I also firmly believe that funding for research and development should be allowed to grow in fiscal year 2000 and beyond. Many economists argue that such an investment, through its impact on economic growth, will not drain our resources, but will actually improve our country's fiscal standing.

A dozen economic studies, including those of Nobel Prize winner Robert Solow, have demonstrated that technological progress has historically been the single most important factor in economic growth, having more than twice the impact of labor and capital. In today's booming economy, this fact is particularly evident. Our high tech companies provide one third of our economic output and generate one half of our economic growth. More amazing is the realization that communications and technology stocks now comprise 80% of the value of the stock market.

But it is crucial for everyone to understand that our prosperous high tech companies and revolutionary applications of today were created by scientific advances that occurred in the 1960's, when the U.S. government was prioritizing its resources on R&D. In 1965, the federal government spent 2.2% on civilian and defense R&D, as a fraction of GDP. Now in 1999, we spend approximately 0.8 percent—almost one third of its value. If Congress were to follow the President's current budget, the number would dramatically decrease in the next five years.

We simply cannot afford not to invest in R&D. Our future prosperity depends on maintaining an innovative environment—with a solid research base and robust talent pool. If we allow our investment in our innovative capacity to continue to slip, current policy commitments and rates of reinvestment may not be high enough to sustain future improvements in our standard of living.

I urge each of you to join me in cosponsoring this Sense of the Senate that outlines budgetary goals for increasing the federal investment in R&D in a fiscally responsible manner over time.

Thank you.

IDEA AMENDMENT TO BUDGET RESOLUTION

Mr. HARKIN. Mr. President, in the early seventies, two landmark federal district court cases—PARC versus Commonwealth of Pennsylvania and Mills versus Board of Education of the District Court of Columbia—established that children with disabilities have a constitutional right to a free appropriate public education.

In 1975, in response to these cases, the Congress enacted PL 94–142, the precursor to IDEA, to help states meet their constitutional obligations.

When we enacted PL 94–142, the Congress authorized the maximum state award as the number of children served under the special education law times 40% of the national average per pupil expenditure.

Congress has fallen far short of this goal. Indeed, in fiscal year 1999, Congress appropriated only 11.7 percent of the national average per pupil expenditure for Part B of IDEA.

Congress needs to do much more to help school districts meet their constitutional obligations. Indeed, whenever I go home to Iowa, I am besieged by requests for additional federal funding for special education.

These requests increased in intensity following the Supreme Court decision in Cedar Rapids Community School District versus Garrett F. That decision reaffirmed the court's long-standing interpretation that schools must provide those health-related services necessary to allow a child with a disability to remain in school.

This is a terribly important decision, which reaffirms that all children with disabilities have the right to a meaningful education. As Justice Stevens wrote, ''Under the statute, [Supreme Court] precedent, and the purpose of the IDEA, the District must fund such 'related services' in order to help guarantee that students like Garret are integrated into the public schools.''

The child in this case, Garret Frey, happens to come from Iowa. He is a friendly, bright, articulate young man, who is also quadriplegic and ventilator-dependent. Twenty years ago, he probably would have been shunted off to an institution, at a terrible cost to taxpayers. Instead, he is thriving as a high school student, and will most likely go off to college and become a hard-working, tax paying citizen.

An editorial in USA Today summed up the situation well.

We've learned a lot about the costs of special education over the past 24 years. In addition to the savings realized when children can live at home with their families, we also know there are astronomical costs associated with not educating students with disabilities. Research shows that individuals who did not benefit from IDEA are almost twice as likely to not complete high school, not attend college and not get a job. The bottom line: Providing appropriate special education and related services to children saves government hundreds of thousands of dollars in dependency costs.

The Garrett Frey decision, however, also underscores the need for Congress to help school districts with the financial costs of educating children with disabilities. While the excess costs of educating some children with disabilities is minimal, the excess of educating other children with disabilities, like Garrett, is great.

The pending amendment, of which I am pleased to be a cosponsor, would take two important steps. First, it would fully fund IDEA at the 40 percent goal. Secondly, the amendment would provide a mandatory stream of funding for this important program. Finally, the amendment is paid for by taking a portion of the funds set-aside for tax breaks and instead invest those funds in IDEA.

Mr. President, my amendment would provide real money to help school districts meet their constitutional obligations. Local school districts should not have to bear the full costs of educating children with disabilities.

Again, the USA Today editorial said it well.

Let's be clear: The job of educating all children is no small feat. But kids in special education and kids in ''gifted and talented'' programs are not to blame for tight resources. We, as a nation, must increase our commitment to a system of public education that has the capacity to meet the needs of all children, including children with disabilities.

Of course, in providing increased funding for IDEA, we must make sure we do not do so at the expense of other equally important education programs. We need to fully fund Head Start so that all children start school ready to learn. We need to fully fund Title I so that all children get the extra help they need in reading and math. We need to fully fund Pell Grants so that all students have a chance to go to college. There are many other important education initiatives, such as reducing class size, improving teacher training, and modernizing our crumbling schools, that will also help children with disabilities.

Finally, I'd like to point out that when we reauthorized IDEA in 1977, we made clear that the cost of serving students with disabilities should fall not just on school districts, but should be shared by all responsible states agencies, including state Medicaid agencies and state health departments. While Garrett does not qualify for any state programs, many children in his situation do, and the school districts can and should avail themselves of that money.

Mr. President, this amendment is about setting rational national priorities. We must make education our nation's top priority since the real threat to our national security is an inability to compete in the global marketplace. We must have the best-educated, most-skilled, healthiest workers in the world to secure our nation's future. Investments in education are essential if we are to reach that goal.

The amendment targets one important area—special education—and fully funds this important program. As an editorial in the March 15 edition of the New York Times explained, ''Educating disabled youngsters is a national responsibility. The expense should be borne on the nation as a whole, not imposed haphazardly on states or financially strapped districts that happen to serve a large number of disabled students.''

By providing these additional resources for special education, we would free up funds both here and in local school districts for other important education priorities. I urge my colleagues to support this important amendment to fully fund IDEA by reducing the tax breaks in the budget.

ELIMINATION OF MARRIAGE TAX PENALTY AND UNIFORM ACROSS THE BOARD TAX CUTS

Mr. LEWIS. Mr. President, this amendment states that it is the sense of the Senate that the marriage penalty should be eliminated and that Congress should provide equal, across the board reductions in the individual income tax rates as soon as we have a non-Social Security surplus.

Mr. President, this amendment will put the Senate on record as favoring or opposing the elimination of the marriage penalty. Every year, married couples pay a total of $29 billion per-year in extra taxes for getting married with an average penalty of $1,400 per couple for those married couples affected. Any tax system that discourages the time-honored institution of marriage is unjust and counterproductive. After all, the society of tomorrow is only as good as the families of today.

This amendment calls on Congress to eliminate the marriage penalty in a manner that respects all married couples: couples with two-wage earners and those in which only one spouse works outside the home.

The second part of this sense of the Senate calls for an across the board and equal reduction in each income tax rates as soon as we get a real budget surplus. This proposal is fair, feasible, and responsible. First, it compliments the lock box proposal which saves all of the social security surplus for future social security beneficiaries.

Second, it is fair since it calls for a uniform tax rate reduction for all taxpayers. This proposal would actually provide a greater percentage cut for lower income taxpayers. For example, if we cut each of the income tax rates by 1 percentage point, taxpayers in the highest bracket would receive a 2.6 percent reduction in their marginal tax rate, while those taxpayers in the lowest bracket would receive a 6.5 percent reduction in their tax rate. Over 5 years, the 15 percent rate would become 10 percent the 39.6 percent rate would become 34.6—each rate dropping by 5 percentage points, but the 15 percentage rate getting a 33 percent reduction—really a full ⅓ reduction.

If each of the rates was cut 1 percent per year over a five year period, the final result would be a 33.3 percent reduction in the income tax burden of those in the lowest rate and a 12.7 percent reduction in the top tax rate. But each bracket, each rate, gets the same reduction. Such a plan provides substantial tax relief for all taxpayers and would keep congress on track for fiscal discipline and responsible budgeting.

I want to emphasize the wording that says, as soon as we have a non-social security surplus. I ask my colleagues to join me in supporting this sense of the senate that honors marriage and families and calls for uniform tax rate cuts for all Americans.

I thank the chair and yield the floor.

AMENDMENT NO. 168

Mrs. FEINSTEIN. Mr. President, I have introduced in the Senate a sense of the Senate amendment to the budget resolution to provide funds for a grant program to build new schools.

The goal of this amendment is to first, reduce the size of schools; and second, reduce the size of classes. The amendment would give the Senate's support for grant funding to enable states to build new schools.

THE PROBLEM

Why do we need this amendment?

First, many of our schools are too big. In particular, schools in urban areas are huge. The ''shopping mall'' high school is all too common. ''It's not unusual to find high schools of 2,000, 3,000, or even 4,000 students and junior high schools of 1,500 or more, especially in urban school systems,'' writes Thomas Toch in the Washington Post. In these monstrous schools, the principal is just a disembodied voice over the public address system.

Second, another serious problem is that our classes are too big for effective learning and as public school enrollment soars, the problem will only worsen. Even though we have begun to reduce class sizes in my state, California still has highest pupil-teacher ratios in the nation, says the National Center for Education Statistics.

THE SOLUTION

This amendment supports legislation providing flexibility in grant funding so that school districts can build new schools and reduce both school size and class size.

The U.S. Department of Education estimates that we need to build 6,000 new schools just to meet enrollment growth projections. This estimate does not take into account the need to cut class and school sizes. The needs are no doubt huge.

CALIFORNIA'S SCHOOLS ARE TOO BIG

My state that has some of the largest schools in the country. Here are some examples: Roosevelt High School, Fresno, 3,692 students; Clark Intermediate School, Clovis, 2,744 students; Berkeley High School, Berkeley, 3,025 students; Rosa Parks Elementary School, San Diego, 1,423 students; Zamorano Elementary School, San Diego, 1,424 students.

California also has some of the largest classes sizes in the nation. In 1996–1997, California had the second highest teacher-pupil ratio in the nation, at 22.8 students per teacher. Fortunately since 1996, the state has significantly cut class sizes in grades K–3, but 15 percent or 300,000 of our K–3 students have not benefitted from this reform. And students have grade 3 have not been touched.

EXAMPLES OF LARGE CLASSES

Here are some of the classes in my state: Fourth grade, statewide, 29 students; sixth grade, statewide, 29.5 students. National City Middle School San Diego, English and math, 34 to 36 students. Berryessa School District in San Jose—fourth grade, 32 students; eighth grade, 31 students. Long Beach and El Cajon School Districts, tenth grade English, 35 students. Santa Rosa School District—fourth grade, 32 students. San Diego City Schools, tenth grade biology, 38 students. Hoover Elementary and Knox Elementary in E. San Diego Elementary, grades 5 and 6, 31, to 33 students. Hoover High School 10th grade Algebra, 39 students.

To add to the problem, California will have a school enrollment rate between 1997 and 2007 of 15.7 percent, triple the national rate of 4.1 percent. We will have the largest enrollment increase of all states during the next ten years. By 2007, our enrollment will have increased by 3.3. percent. To put it another way, California needs to build seven new classrooms a day at 25 students per class just to keep up with the surge in student enrollment. The California Department of Education says that we need to add about 327 schools over the next three years, just to keep pace with the projected growth.

SMALLER SCHOOLS, SMALLER CLASSES, BETTER LEARNING

Studies show that student achievement improves when school and class sizes are reduced.

The American Education Research Association says that the ideal high school size is between 600 and 900 students. Study after study shows that small schools have more learning, fewer discipline problems, lower dropout rates, higher levels of student participating, higher graduation rates

(The School Administrator, October 1997). The nation's school administrators are calling for more personalized schools.

California's education reforms relied on a Tennessee study called Project STAR in which 6,500 kindergartners were put in 330 classes of different sizes. The students stayed in small classes for years and then returned to larger ones in the fourth grade. The test scores and behavior of students in the small classes were better than those of children in the larger classes. A similar 1997 study by Rand found that smaller classes benefit students from low-income families the most.

Take the example of Sandy Sutton, a teacher in Los Angeles's Hancock Park Elementary School. She used to have 32 students in her second grade class. In the fall of 1997, she had 20. She says she can spend more time on individualized reading instruction with each student. She can now more readily draw out shy children and more easily identify slow readers early in the school year.

The November 25, 1997, Sacramento Bee reported that when teachers in the San Juan Unified School Districts started spending more time with students, test scores rose and discipline problems and suspensions dropped. A San Juan teacher, Ralphene Lee, said, ''This is the most wonderful thing that has happened in education in my lifetime.''

A San Diego initiative to bring down class sizes found that smaller classes mean better classroom management; more individual instruction; more contact with parents; more time for team teaching; more diverse instructional methods; and a higher morale.

Teachers say that students in smaller classes pay better attention, ask more questions and have fewer discipline problems. Smaller schools and smaller classes make a difference, it is clear.

MANY OLD SCHOOLS

Other amendments and other bills that I am supporting provide mechanisms to modernize old schools and we have many old schools. One third of the nation's 110,000 schools were built before World War II and only about one of 10 schools was built since 1980. More than one-third of the nation's existing schools are currently over 50 or more years old and need to be repaired or replaced. The General Accounting Office has said that nationally we need over $112 billion for construction and repairs to bring schools up to date.

CALIFORNIA'S SCHOOL BUILDING NEEDS CRITICAL

My state needs $26 billion from 1998 to 2008 to modernize and repair existing schools and $8 billion to build schools to meet enrollment growth. In November 1998, California voters approved state bonds providing $6.5 billion for school construction.

In addition to the need to reduce school and class sizes, there are several key factors driving our need for school construction:

1. High Enrollment: California today has a K–12 public school enrollment at 5.6 million students which represents more students than 36 states have in total population, all ages. We have a lot of students.

Between 1998 and 2008, when the national enrollment will grow by 4 percent, in California, it will escalate by 15 percent, the largest increase in the nation. California's high school enrollment is projected to increase by 35.3 percent by 2007. Each year between 160,000 and 190,000 new students enter California classrooms. Approximately 920,000 students are expected to be admitted to schools in the state during that period, boosting total enrollment from 5.6 million to 6.8 million.

California needs to build 7 new classrooms a day at 25 students per class between now and 2001 just to keep up with the growth in student population. By 2007, California will need 22,000 new classrooms. California needs to add about 327 schools over the next three years just to keep pace with the projected growth.

2. Crowding: Our students are crammed into every available space and in temporary buildings. Today, 20 percent of our students are in portable classrooms. There are 63,000 relocatable classrooms in use in 1998.

3. Old Schools: Sixty percent of California's schools are over 40 years old. 87 percent of the public schools need to upgrade and repair buildings, according to the General Accounting Office. Ron Ottinger, president of the San Diego Board of Education has said; ''Roofs are leaking, pipes are bursting and many classrooms cannot accommodate today's computer technology.''

4. High Costs: The cost of building a high school in California is almost twice the national cost. The U.S. average is $15 million; in California, it is $27 million. In California, our costs are higher than other states in part because our schools must be built to withstand earthquakes, floods, El Nino and a myriad of other natural disasters. California's state earthquake building standards add 3 to 4 percent to construction costs. Here's what it costs to build a schools in California: an elementary school (K–6), $5.2 million; a middle school (7–8), $12.0 million; a high school (9–12), $27.0 million.

5. Class Size Reduction: Our state, commendably, is reducing class sizes in grades K through 3, but this means we need more classrooms.

And so to exacerbate the need to build smaller schools and to reduce class sizes, our school districts are saddled with overwhelming construction demands.

CONCLUSION

Big schools and big classes place a heavy burden on teachers and students. They create an impersonal learning environment.

The American public supports increased federal funding for school construction. The Rebuild American Coalition this month announced that 82 percent of Americans favor federal spending for school construction, up from 74 percent in a 1998 National Education Association poll.

Every parent knows the importance of a small class where the teacher can give individualized attention to a student. Every parent knows the importance of the sense of a school community that can come with school.

I hope my colleagues will join me today in supporting this important education reform.

FEDERAL ANTI-DRUG STRATEGIES

Mr. GRAMS. Mr. President, I rise today in support of sending a strong anti-drug message during consideration of the Fiscal Year 2000 Budget Resolution.

As we approach the new millennium, one of the most difficult challenges facing our country is the sale, manufacture and distribution of illegal drugs. Drug abuse is a daily threat to the lives of young people and the health and safety of our families. We must strengthen our resolve to developing and innovative and effective drug strategy.

The National Institute on Drug Abuse recently reported that 54 percent of high school seniors reported illegal use of a drug at least once in their lives, 42 percent reported use of an illegal drug in the past year and 26 percent reported use of an illegal drug in the past month. Clearly the American people need Congress to recommit this nation to ridding our schools and streets of drugs.

I believe that our nation can reverse these troubling trends in drug abuse and decrease the number of Americans who use drugs. First and foremost, we must enforce our existing drug laws. Second, we must make a commitment to public education and community-based prevention programs, as well as effective treatment for those drug abusers who are motivated enough to accept treatment. We must ensure that local communities and law enforcement agencies have the tools to develop effective drug prevention and education programs. In my view, adequate funding for programs such as the Byrne grant program, the federal ''Weed and Seed'' initiative and the ''Drug Free Communities Act'' program is critical to providing resources and guidance to local communities in my home state of Minnesota to help develop solutions to this problem and expand their anti-drug education and prevention programs.

And finally, we must actively support the eradication and interdiction of drugs before they reach our borders. Illegal drugs are easy to find and cheap

to buy. And there is no doubt that contributes to the high rate of drug use among our nation's children. We've got to invest this nation's resources in making sure more of these drugs never reach our shores. If we can reduce the supply of drugs, the price will go up. If we can reduce the supply of drugs, they'll be harder to find, and fewer American children will fall into drug use. That is why the Western Hemisphere Drug Elimination Act and the Drug Free Century Act is so important. A counter-drug strategy which does not give sufficient weight to international interdiction and eradication efforts cannot succeed.

The federal government must continue to work closely with local officials to combat the threat of illegal drug use, trafficking, and manufacturing to our children's future. A united commitment by Congress, parents, schools, city councils, faith-based organizations and medical institutions will help to create a drug-free America. Failure to act will only increase the likelihood that we will lose control of our neighborhoods to drug-related crime and violence.

SENSE OF THE SENATE ON FEDERAL RESEARCH AND DEVELOPMENT

Mr. LIEBERMAN. Mr. President, I rise to support the Sense of the Senate regarding Federal Research and Development, Section 310 of the Concurrent Budget Resolution.

The past few years of economic growth have led us to a remarkable stage in this country's history. For the first time, we have both low inflation and low unemployment, a stock market which seems boundless and, more germane to the discussion at hand, a historic budget surplus. However, the budget we have prepared for the turn of the new millenium is not one which promotes growth. Specifically, the small and declining accounts in research and development (R&D) are a direct prescription for long term economic decline. Let me explain.

There have been at least a dozen major economic studies in recent years, including those of Nobel Prize winner Robert Solow, which conclude that technological progress is the primary ingredient in economic growth, accounting for 50% or more of total growth. These studies further show that technological progress has twice the impact on economic growth of labor or capital. Ironically, we have spent far more time in Congress debating the economic impact of labor and capital, in the form of jobs and tax bills, than we have ever devoted to R&D, which is the true workhorse of economic growth. Today, the relationship between technological progress and economic growth is apparent even to the lay person. The Internet, cancer drugs, cellular phones, and computer-related services are ubiquitous. Communications and technology stocks now account for 80% of the value of today's booming $1.4 trillion stock market. Furthermore, the productivity improvements generated by leap-ahead advances in communications and computers have translated into an economic strength that makes us the envy of the world.

Because it takes 20–30 years for fundamental discoveries to evolve into market products, we happen to be benefitting handsomely from the government's large investment in R&D in the mid-1960's. However, we have historically been poor guardians of that investment. This year is no exception. The Budget Committee's proposed cuts in research in R&D, totaling as much as 40% in some areas, sit atop a long historical decline which has already more than halved our total R&D investment (as a percent of GDP) over the past 34 years. In 1965, we spent an amount equivalent to 2.2% of our GDP on R&D; in 1998, that amount was 0.8%. Commenting on our nation's 34 year decline in R&D investments, the investment guru Peter Lynch has said, ''If I saw a business with an R&D trend like this, I wouldn't buy the stock.''

Almost every other country understands the rationale for R&D, and is especially conscious of the government's unique role in supporting basic research. As a result, thirteen countries now spend more on basic R&D as a percent of GDP than do we. What is the result of that investment? One result is that these countries maintain their base of excellence in science. If one looks at the set of nations with ''significantly higher'' high school science achievement scores than the US, eight of the top eleven nations which comprise that list are the same eight nations which are in the top ten of basic science funding as a fraction of GDP. Exactly why there is such a strong correlation between research investment and high school science scores is not clear, but the correlation there, it is strong, and it bears investigation.

Last year, the Senate began to recognize the value of R&D to the economy and to our innovation base. We passed, without opposition, S. 2217, which sought to double R&D spending over the next decade. The bill was bipartisan, had 36 cosponsors, and passed without dissent. A Sense of the Senate amendment was also unanimously passed during this year's budget committee mark-up, calling for greater R&D investment. In contrast to these mandates for more R&D spending, the budget we see here today cuts R&D substantially.

Although much of the discussion regarding R&D investment has focused on civilian R&D, I would like to point out the special and troubling case of military R&D. Historically, DoD has funded the lion's share of research in mathematics, engineering, and the physical sciences, both in our military laboratories and in our university system. The output of this innovation enterprise is unmatched. If one looks at the U.S. cadre of Nobel Prize winners, 58% of the physics laureates and 43% of the chemistry laureates were funded by DoD prior to winning their Nobel prizes. What I find disturbing is the fact that we are dismantling this engine of innovation through dramatic cuts in DoD R&D, even as we are in the process of transforming from the Cold War Era to the much more technologically demanding era of—if I may use the term—''techno-warfare.'' Every scenario of future military dominance by the U.S. assumes that we will inevitably have superior technology. However, if we are dramatically cutting military R&D, and we are simultaneously not supporting civilian R&D, exactly where is that technological superiority going to come from? Each of our services currently spends 60–80% of its funds on readiness issues (i.e., operations and maintenance) and 20–40% of their funds on modernization tasks for incremental improvements (i.e., procurement, testing and evaluation). The obligation authority for science and technology—the military of the future—is currently less than 2% of the military budget. Even this minute fraction is destined to decline further under the budget we see before us today. Though we face daunting readiness problems in the present, we are far less ready for the future.

The president's budget for military R&D proposed significant cuts, on the order of 6%, that the budget committee's budget will probably worsen. The budget committee's 19 billion increase for DoD is unlikely to accommodate all of DoD's readiness, modernization, retention, recruitment, and ballistic missile defense needs. The Armed Services' Committee's probable response will be to squeeze the already small R&D budget enormously. DoD itself has requested extensive cuts in S&T (science and technology) which contrast sharply with its request for $112 billion in increases for readiness and modernization over the next 5–6 years. The DoD budget requests, in conjunction with the budget committee's actions, make it clear that the problems the military is experiencing at present—though undoubtedly pressing—are actively preventing adequate long-term strategic planning.

A recent Council on Competitiveness report shows that, as a nation, we are currently unmatched in our potential to innovate, due to our past investments in R&D through our military, industry, and university systems, and due to our vibrant venture capital sector. Let us not make the mistake of starving the system that gives us our greatest strength, just as we embark on the ''Innovation Economy'' of the new millenium.

The budget resolution before us dramatically fails in its commitment to

nourish R&D, which is the key to our future economy, our future security, and our future well being. The major cuts it makes in both civilian and military R&D—in our innovation system—are not supportable.

Ms. SNOWE. Mr. President, today marks a dramatic turning point for the Senate. Because, although Senators THURMOND, HOLLINGS, BYRD, and a handful of others were members of this body the last time the Federal Government ran a unified budget surplus in 1969, no member of the Senate has even been involved in the crafting of a budget resolution under these all too unique fiscal circumstances.

Furthermore, the consideration of this budget resolution is not only a significant moment for the Senate, but for more than a generation of Americans who never lived in a time without federal budget deficits.

Mr. President, in light of the unified surpluses we are now enjoying—and the on-budget surpluses we are projected to soon enjoy—I would like to thank the Chairman of the Senate Budget Committee, PETE DOMENICI, for his unwavering commitment to a balanced budget and fiscally responsible decision-making over the years. Thanks, in part, to his leadership and efforts, the turbulent waves of annual deficits and mounting debts have been temporarily calmed. And, if we are willing to adhere to these principles in this year's budget resolution and others yet to come, we may be able to maintain the current budgetary calm for many years in the future.

Mr. President, the budget resolution reported by the Senate Budget Committee—and that we are now considering on the floor—not only maintains fiscal discipline, but it also ensures that critical priorities are protected and addressed in fiscal year 2000 and beyond.

Specifically, the Senate budget resolution contains the following key provisions:

First, it protects every penny of the Social Security surplus in upcoming years by devoting it solely to reducing publicly-held debt.

Second, through an amendment I offered in the Budget Committee markup, it provides monies from the on-budget surplus for a new Medicare prescription drug benefit—something that President Clinton failed to include in his own budget proposal after touting the need for this benefit in his State of the Union address.

Third, it adheres to the spending levels established just two years ago in the Balanced Budget Act of 1997, while increasing funding for critically needed priroties including education and defense.

Fourth, it provides tax relief for Americans at a time when the typical family's tax burden exceeds the cost of food, clothing, and shelter combined. And as a result of another amendment I offered during markup, it places marriage penalty relief as a top priority in any tax cut package that is ultimately crafted. When considering that 42 percent of all married couples incurred a marriage tax penalty averaging $1,400 in 1996, I think of no tax cut that would be more appropriate in any upcoming tax package.

Collectively, I believe these principles and priorities reflect those of most Americans—especially the protection of Social Security's monies. Accordingly, I believe this resolution deserves broad bipartisan support in the Senate and, ultimately, by the entire Congress.

Mr. President, to truly appreciate what is contained in this budget resolution, I believe it is appropriate to compare it with the only other major proposal on the table: the budget proposal put forth by President Clinton on February 1.

As mentioned, the first priority that is protected in the Senate budget resolution is Social Security and the annual surpluses it is currently accruing.

As my colleagues are aware, the Social Security surplus was responsible for the unified budget surplus of $70 billion we accrued in FY98. In fact, without the Social Security surplus, the federal government actually ran an on-budget deficit of $29 billion last year.

By the same token, Social Security's surpluses will account for the bulk of our unified budget surpluses in coming years as well. Specifically, over the coming 5 years, Social Security surpluses will total $769 billion and account for 82 percent of CBO's projected unified surpluses—and over 10 years, they will total $1.7 trillion and account for 69 percent of unified surpluses.

To protect Social Security's surpluses, the Senate budget resolution sets the stage for ''lock-box'' legislation that will accomplish what many of us have desired for years: a bonafide means of taking Social Security off-budget. Put simply, this resolution ensures that Social Security surpluses will no longer be raided and used to fund other government programs in any upcoming year. Instead, every dollar of Social Security's current and projected surpluses will be set aside and used to bury-down publicly held debt.

In contrast, President Clinton's budget offers no protection for the Social Security surplus and, in fact, would spend it on other federal programs in upcoming years.

Specifically, as the chart behind me indicates over the coming five years, the President proposes we take a $158 billion ''bite'' out of Social Security surpluses and spend these monies on other federal programs. That means that, under the President's budget, fully 21 percent of Social Security's upcoming surpluses would be spent on other programs over the next five years.

Although the President has proposed that we spend a portion of the Social Security surplus on other programs, I was pleased that an overwhelming majority of my Democratic colleagues on the Senate Budget Committee voted for an amendment I offered during markup that rejected the President's proposed use of Social Security's surpluses.

Specifically, my amendment outlined that fact that the President's budget would spend $40 billion of the Social Security surplus in FY2000; $41 billion in FY01; $24 billion in FY02; $34 billion in FY03; and $20 billion in FY04. Furthermore, the amendment called on Congress to reject any budget proposal that spent Social Security surplus monies on other federal programs. Appropriately, after my amendment was adopted by a vote of 21 to 1, the President's budget proposal—which spends Social Security's surplus monies—was unanimously rejected by the Committee when offered as an amendment later in the markup.

Mr. President, not only does the President's budget propose that we spend Social Security's money at the same time as he expresses a desire to save the program, but he also fails to achieve the goals he laid out in the State of the Union address regarding the utilization of the unified surplus.

First, it's worth nothing that—based on that goals he laid out in the State of the Union address—the President apparently double-counts the surplus and proposes that we spend 151 percent of the surplus over the coming 15 years! That's 51 percent than you or I could spend, Mr. President, and 51 percent more than would ever exist.

The next chart—taken from the February 1 article in Newsweek—shows how this ''double counting'' would occur. As you can see, the President proposed that we spend $500 billion for the new Universal Savings Accounts, $500 billion for other federal spending, $700 billion for Medicare, and $2.8 trillion for Social Security. In total, these five items would run $4.5 trillion—the total projected surplus over the 15 year period.

However, what the President forgot to mention is that $2.3 trillion of this amount is already Social Security's money because it is the total of the annual Social Security surpluses that will accrue over the coming 15 years. As a result, the true total of the Clinton proposals would be $6.8 trillion—which is $2.3 trillion more than the surpluses we would accrue over the same period of time!

Setting aside the questionable math of the President's proposals, it's also worth noting that there is a significant difference between how the President portrays his proposals, and what they actually accomplish.

Specifically, as my next chart indicates, there is a gap between the ''rhetoric'' and the ''reality'' of the President's plan. In fact, in light of this gap, I believe the President's budget should have earned an Oscar for ''Best Actor'' during Sunday's Academy Award presentation!

As we can see on this chart, the President claimed that his budget would give 62 percent of the unified surplus to Social Security, 15 percent to Medicare, 12 percent to new Universal Savings Accounts (USAs), and 11 percent to new spending.

However, in reviewing CBO's analysis of the President's budget—and by removing the rhetoric from the various proposals and identifying them for what they truly are—it's clear that the ''reality'' of the President's budget is far different from how it has been presented.

Specifically, instead of devoting a combined 77 percent of the unified surplus to Medicare and Social Security—65 percent to Social Security and 12 percent to Medicare respectively—the truth of the matter is that the President is simply proposing that we artificially increase the number of IOUs held by the Social Security and Medicare Trust Funds.

Furthermore, we find that the President's goal to set-aside 77 percent of the unified surplus will not even be met. Specifically, over the coming five years, only 65 percent of the unified surplus would be set aside—and that is only achieved if we assume that the President's proposal to have Social Security monies invested in the stock market is ultimately used for the same purpose.

Also, the new Universal Savings Accounts (USAs) proposed by the President are just another name for a tax cut—and would utilize 11 percent of the surplus accordingly. As I mentioned earlier, I believe reducing the marriage penalty should be the top priority of any tax cut package, and already had an amendment included in the budget resolution accordingly.

Finally, over the coming five years, the President would actually spend 24 percent of the surplus on other federal programs—far above the 11 percent target that he laid out to the American people.

Mr. President, as mentioned, for all the talk about devoting 62 percent of the surplus to Social Security and 15 percent to Medicare, the President really is proposing that we simply increase the number of IOUs held by the Social Security and Medicare Trust Funds to make them more solvent on paper.

Not only does this accounting scheme give the false impression that saving these critically needed programs can occur without lifting a ''fiscal finger,'' but it could also lead to a false sense of complacency that will lead to true reforms being put off until it's too late. If that happens, the changes that will need to be made to these programs will need to be draconian—and all because we chose to give the public the false belief that nothing needed to be done to legitimately strengthen these programs today.

Of note, the President's own budget highlights the futility of simply increasing trust fund balances without true reforms, and discredits his accounting scheme accordingly. On page 337 of the President's ''Analytical Perspectives'' book for the FY 2000 budget, we read

> (Trust Fund) balances are available to finance future benefit payments and other trust fund expenditures—but only in a bookkeeping sense . . . They do not consist of real economic assets that can be drawn down in the future to fund benefits. Instead, they are claims on the Treasury that, when redeemed, will have to be financed by raising taxes, borrowing from the public, or reducing benefits or other expenditures. The existence of large trust fund balances, therefore, does not, by itself, have any impact on the Government's ability to pay benefits.

So, what does this mean? In a nutshell, the President isn't putting a penny of real money into these programs—he's simply increasing the number of IOUs held by the Trust Funds and hoping that someone figures out how to pay them back with real money in the future. There's absolutely no commitment of a single dollar from the surplus to these programs today.

As I said during the Budget Committee markup this past week, the President should win a Pulitzer prize for fiction by claiming that this plan somehow ''saves'' Medicare!

In contrast, the Senate budget resolution contains a mechanism and money to truly strengthen and improve Medicare. Specifically, an amendment I offered during the Committee markup—that was subsequently adopted by a bipartisan vote of 21 to 1—would allow a portion of remaining on-budget surpluses to be used for the creation of a new Medicare prescription drug benefit. As my colleagues are aware, the need for such a benefit was one of the key sticking points in the discussions of the Bipartisan Medicare Commission—so my provision ensures that this critically needed benefit can be funded.

Yet even as it allows for the creation of a new prescription drug benefit, it also will encourage the development of a comprehensive plan to truly save Medicare without accounting gimmicks. Specifically, to access the on-budget surplus to pay for this new benefit, my provision requires that the Senate consider legislation that will ''significantly increase the solvency'' of the Medicare Trust Fund without artificially extending it in the manner prescribed by the President. While this provision in no way endorses one type of reform over another, it provides tantalizing ''carrot'' for Congress and the President if they are willing to sit down and legitimately work to strengthen Medicare.

Mr. President, now that we've separated the rhetoric from the reality of the President's budget, it's possible to do an honest comparison of the President's budget proposal and the Senate budget resolution we are now considering.

As my next chart indicates, the Senate budget resolution handily beats the President's budget at reducing publicly-held debt over the coming five years. In fact, by walling-off the Social Security surplus, the Republican plan would ensure that 82 percent of the unified surplus is used for debt reduction, versus 65 percent in the President's plan.

Why is the President's debt reduction so much lower? In a nutshell, because of the magnitude of his new spending proposals. While the Senate budget resolution exercises fiscal austerity by only using 18 percent of the surplus over the next five years for purposes other than debt reduction, the President uses 35 percent of the surplus for other purposes—the vast majority of which is increased spending.

Mr. President, the bottom line is that whether you compare these budgets based on reality or on rhetoric, the Senate budget resolution is superior to the Clinton plan, especially in terms of protecting Social Security's money.

As a result, I hope that the partisan attacks against the Senate budget resolution will end.

Mr. President, by maintaining fiscal discipline, protecting Social Security surpluses, buying down debt, providing funds for a Medicare prescription drug benefit, and enhancing funding for shared priorities such as education, I believe the Senate budget resolution deserves strong support by the full Senate.

Ultimately, while members from either side of the aisle may disagree with specific provisions in the resolution that has been crafted, the simple fact is that this is a budget framework—or ''blueprint''—that establishes parameters and priorities, but is not the final word on these individual decisions. Rather, specific spending and tax decisions will initially be made in the Appropriations and Finance Committees, and ultimately by members on the floor.

Therefore, I am hopeful that amendments offered to this framework do not harm the broad and reasoned parameters that have been set, and that keep in mind that—unlike the President's proposal—the budget resolution should not be about rhetoric, but about fiscal reality.

AMENDMENT NO. 169

Mrs. FEINSTEIN. Mr. President, this is a sense of the Senate amendment to make room in the FY 2000 budget for

remedial education funds for schools to end social promotion.

My amendment would assume enactment of legislation or competitive grants to school districts to help provide remedial education, after school and summer school courses for needy and low-performing students who are not making passing grades.

The purpose is to provide federal incentives and federal help to school districts that abolish and do not allow social promotion and provide interventions to help students meet state achievement standards in the core curriculum.

This amendment seeks the endorsement of the Senate for providing remedial education that help students meet achievement standards and help school systems end social promotion.

THE PROBLEM

Why do we need this amendment? In short, our students are failing.

I truly believe that the linchpin to education reform is the elimination of the path of least resistance whereby students who are failing are simply promoted to the next grade in hopes that somehow they will learn, by virtue of sitting in the classroom.

To promote youngsters when they are failing to learn has produced a generation of young people who cannot read or write, count change in their pockets or fill out an employment application. It has been called ''educational malpractice.'' It is inexcusable for our education system to hand out a high school diploma to a youngster who does not have the skills to get a job.

It is that bad. And California is just about the worst.

On March 5, we received the bad news that California ranked second to last among 39 states in fourth-grade reading skills.

This report by the National Assessment of Educational Progress, also showed that in California:

Eighty percent of fourth-graders are ''not proficient readers,'' meaning they do not have a solid command of challenging reading materials.

Fifty-two percent of the fourth-graders scored below the basic level, meaning they had failed to even partially master basic skills.

The news was not much better for California eighth-graders who ranked 33rd out of 36 states and only 22 percent were proficient readers.

In a December 1998 study by the Education Trust, California ranked: last in the percent of young adults with a high school diploma; 37th in SAT scores; and 31st (of 41 states) in 8th grade math.

And nearly half of all students entering the California State University system require remedial classes in math or English or both.

U.S. STUDENTS LAGGING AS WELL

The news is grim throughout the United States, where students are falling behind their international peers:

The lowest 25 percent of Japanese and South Korean 8th graders outperform the average American student (source: Organization for Economic Cooperation and Development study, November 1998).

In math and science, U.S. 12th grade students fell far behind their counterparts, which is especially troubling when we consider the skills that will be required to stay ahead in the 21st Century. (Source: Third International Mathematics and Science Study, 1998).

Specifically, U.S. 12th graders:

Were significantly outperformed by 14 countries and only performed better than students in Cyprus and South Africa.

Scored last in physics and next to last in math.

WHAT IS SOCIAL PROMOTION?

Social promotion is the practice of schools' advancing a student from one grade to the next regardless of the student's academic achievement.

It is time to end social promotion, a practice which misleads our students, their parents and the public.

And apparently, the American Federation of Teachers agrees. Let me quote from their September 1997 study:

> Social promotion is an insidious practice that hides school failure and creates problems for everybody—for kids, who are deluded into thinking they have learned the skills to be successful or get the message that achievement doesn't count; for teachers who must face students who know that teachers wield no credible authority to demand hard work; for the business community and colleges that must spend millions of dollars on remediation, and for society that must deal with a growing proportion of uneducated citizens, unprepared to contribute productively to the economic and civic life of the nation.

That is well said, from those faced with the problem everyday.

REMEDIAL EDUCATION NEEDED FOR STUDENT ACHIEVEMENT

Merely ending social promotion and holding students in grade will not solve the problem. We cannot just let them languish without direction and without help in a failing system.

Instead, ongoing remedial work, specialized tutoring, after-school programs and summer school all must be used—intensively and consistently.

That is why I am proposing a new federal infusion of funds for remedial education, as embodied in this amendment.

HOW WIDESPREAD IS SOCIAL PROMOTION?

Social promotion is widespread. Although there is no hard data on the extent of social promotion, most authorities, in the schools and out, know it is happening—and in some districts it is standard operating procedure.

In fact, 4 in 10 teachers reported that their schools automatically promote students when they reach the maximum age for their grade level (Source: Los Angeles Times, January 14, 1998).

And the September 1998 American Federation of Teachers study says social promotion is ''rampant.''

This study involved 85 of the nation's 820 largest school districts in 32 states—representing one-third of the nation's public school enrollment. It found most school districts:

Use vague criteria for passing and retaining students.

Lack explicit policies of social promotion, but have an implicit practice of social promotion, including a loose and vague criteria for advancing students to the next grade.

View holding students back as a policy of last resort and often put explicit limits on retaining students.

Also, the study found that only 17 states have standards in the four core disciplines (English, math, social studies and science) which are well grounded in content and that are clear enough to be used.

SOCIAL PROMOTION IN CALIFORNIA

In July 1998, I wrote 500 California school districts and asked about their policy on social promotion.

Their responses, which are vague and often misleading, include the following:

Some school districts say they do not have a specific policy.

Some say they simply figure what is ''in the best interest of the student.''

Some say teachers provide recommendations, but final decisions on retention can be overridden by parents.

And some simply promote regardless of failing grades, non-attendance, or virtually anything else.

In short, the policies are all over the place.

SOCIAL PROMOTION IS ENDING IN CALIFORNIA

Last year, in California, the Legislature passed and the Governor signed into law a bill to end social promotion in public education.

This new law requires school districts to identify students who are failing based on their grades or scores on statewide performance tests.

The schools have to hold back the student unless their teachers submit a written finding that the student should be allowed to advance to the next grade.

In such a case, the teacher is required to recommend remediation to get the student to the next level, which could include summer school or after-school instruction.

In one example, the Los Angeles Unified School District is currently working to develop a plan to end social promotion.

The LAUSD Board plans to identify those students who are at risk of flunking and require them to participate in remedial classes.

The alternative curriculum will stress the basics in reading, language arts and math through special after-school tutoring. The district's plan would take effect in the 1999–2000 school year and target students moving in the third through sixth grades and into the ninth grade.

THE COST OF SOCIAL PROMOTION

Here are some of the painful results of social promotion:

Half of California's students—3 million children—perform below levels considered proficient for their grade level.

One third of college freshmen nationwide take remedial courses in college and three-quarters of all campuses, public and private, offer remediation.

More than two-thirds of students entering California State University campuses in Los Angeles lack the math or English they should have mastered in high school. At some high schools, not one graduate going on to one of Cal State's campuses passed a basic skills test.

And these numbers represent an increase. In the fall of 1998, almost 50 percent of freshmen needed remedial help. In 1997, it was 47 percent, compared to 43 percent in each of the previous three years.

THE PUBLIC RECOGNIZES THE FLAW IN SOCIAL PROMOTION

President Clinton called for ending social promotion in his last two State of the Union speeches. Last year, he said, ''We must also demand greater accountability. When we promote a child from grade to grade who hasn't mastered the work, we don't do that child any favors. It is time to end social promotion in America's schools.''

Seven states have a policy in place that ties promotion to state level standards. They are California, Delaware, Florida, Louisiana, North Carolina, Ohio, and Virginia.

The Chicago Public Schools have ditched social promotion. After their new policy was put in place, in the spring of 1997, over 40,000 students failed tests in the third, sixth and eight and ninth grades and then went to mandatory summer school.

In my own state, the San Diego School Board in February adopted requirements that all students in certain grades must demonstrate grade-level performance.

And they will require all students to earn a C overall grade average and a C grade in core subjects for high school graduation, effectively ending social promotion for certain grades and for high school graduation. For example, San Diego's schools are requiring that eighth graders who do not pass core courses be retained or pass core courses in summer school.

CONCLUSION

A January 1998 poll by Public Agenda asked employers and college professors whether they believe a high school diploma guarantees that a student has mastered basic skills. In this poll, 63 percent of employers and 76 percent of professors said that the diploma is not a guarantee that a graduate can read, write or do basic math.

California employers tell me that many applicants are unprepared for work and they have to provide very basic training to make them employable.

High tech companies say they have to recruit abroad. For example, last year, MCI spent $7.5 million to provide basic skills training.

On December 17, 1998, the California Business for Education Excellence announced that they were organizing a major effort to reform public education.

This group includes the State's major corporations and organizations like the California Business Roundtable, the California Manufacturers Association, and the American Electronics Association, and companies like Hewlett-Packard, IBM, Boeing and Pacific Bell. They had to organize because they see firsthand the results of a lagging school system.

I offer this amendment today to get the Senate, officially, on record, to support the notion that we have to provide our students and teachers the resources they need to help students achieve.

The amendment is not meant as an indictment of our schools and the many able educators who work hard everyday.

This amendment is being offered because we must face up to these deficiencies and do the hard work that reform requires.

We can no longer tolerate doing what is ''politically correct'' or the latest teaching fad. It takes hard, proven, concentrated work by students, teachers, and families. And we have to have the ability to know the difference.

I urge my colleagues to accept this amendment, to give educators the resources they need to help students achieve and to tie federal resources to real results.

Mr. BURNS. I stand in support of the Senate's Concurrent Budget Resolution for Fiscal Year 2000 since I believe it establishes the right priorities and balance for the Federal Government going into the next millennium. It preserves the future retirement and health care for our aging population by ensuring the financial integrity of the Social Security and Medicare Programs. It reduces the financial burden of the Federal Government on American taxpayers by reducing the national debt and returning excess taxes to them. And finally it limits the growth of the Federal Government by adhering to the statutory spending caps agreed to between Congress and the President in 1997.

Saving Social Security is not a partisan issue. Principles, not politics should guide us when it comes to providing for our senior citizens who have been our guide through life thus far. We need to fix this program not only for our parents but also our grandchildren. We need to trust the American people that they can make their own choices on how their retirement will be financed. I believe all Americans should be given the opportunity to invest in a personalized savings account to control their own future. I do not agree that we should mandate the creation of a politically constituted Federal commission to control the investments of Social Security trust funds in the stock markets.

The President's plan doesn't add up. His FY 2000 budget projects a $4.5 trillion surplus over the next 15 years. One half of that $2.3 trillion, is the surplus for the Social Security trust fund. That leaves us with a working surplus of $2.2 trillion. I just don't understand where we come up with the $2.8 trillion for the Social Security trust fund out of this non-Social Security surplus of $2.2 trillion especially after the President proposes to spend $1.7 trillion of the remaining $2.2 working surplus. His plan just doesn't add up. As we say in Montana—looks like it, smells like it, taste like it, glad we didn't step in it.

Medicare is another tricky issue that we need to fix. I want the record to show that Republicans have never proposed cutting Medicare. Rather Republicans have allowed Medicare to grow at twice the rate of inflation. Our FY 2000 Budget Resolution assures that Medicare is fully funded—every dollar that is projected to go to beneficiaries will do so instead of what the President proposes with $9 billion in cuts to Medicare. This means that the Republican plan will continue to preserve Medicare for our seniors in this FY 2000 Budget Resolution.

In the State of the Union, the President proposed that $1 out of every $6 of the surplus will be used to guarantee the soundness of Medicare until the year 2020. What he claims actually is to set aside $700 billion—15 percent of the $4.5 trillion total budget surplus of the next fifteen years—and then credit this with another $300 billion in interest payments.

While this sounds attractive, the President doesn't have the money to implement this plan plus his claims are based on IOUs and phony numbers. However, the worst part is that his plan still wouldn't help Medicare.

Since the total Federal budget deficit was eliminated in FY 1998, the FY 2000 Budget Resolution will focus now on eliminating the on-budget deficit in FY 2001—the first time this has occurred since the 1960s. Furthermore, the FY 2000 Budget Resolution will cut the public debt over the next 10 years by 50 percent versus the 20 percent reduction proposed in the President's budget. Correspondingly, Federal interest payments on the national debt will be cut in half—from $229 billion this year to $115 billion in 2009—releasing capital previously set aside to pay for interest on the national debt to more productive private economic activities, such as helping our struggling farmers and

ranchers. Also we will not have to make the American public go further into debt. The statutory debt limit for the total government (currently at $5.95 trillion) will not have to be increased until 2004 as opposed to the President's budget which would have to raise the statutory debt limit as early as 2001.

The FY 2000 Concurrent Budget Resolution further accommodates a tax cut of $15 billion in the first year and $142 billion over the first five years from the non-Social Security surplus. Congress is not only receptive to paying down the national debt, but also to refund excess taxes to the American people.

Let me assure you that the Republican tax cut will have no effect on Social Security or Medicare because they are not funded by general revenues but by dedicated payroll taxes. Also, tax cuts from a surplus discretionary budget have no impact on Social Security or Medicare.

With a budget surplus well over $100 billion, I believe it is arrogant for the Administration to believe it has the best perspective on how to spend the American taxpayers money. Furthermore it is even harder to believe tax increases are justified as the President proposes. Our nonpartisan Congressional Budget Office estimates, under current law, American taxpayers will overpay their taxes by $787 billion over the next 10 years which is the equivalent of $7,000 for every American taxpayer.

However, two areas of importance to me in the Budget Resolution are increased spending for education and agriculture. I support the increase of $47.4 billion over the Senate Budget Committee baseline and by $21.2 billion over the President's request for the next ten years. The FY 2000 Budget Resolution also provides for a $28 billion over five years and an $82 billion over ten years net increase in discretionary spending for elementary and secondary education. Overall discretionary spending for education increases by $2.4 billion in 2000—double the President's request—and $31 billion over the next five years—five times the President's request.

The President's budget for the coming fiscal year contains 66 new programs and $45 billion in tax increases. His budget plans for the next 15 years call for over $500 billion in new spending and not one dollar in non-credit tax cuts.

I am pleased that the FY 2000 Budget Resolution contains a mandatory spending allocation of $6 billion for the next 5 years (FY 2000–2004) based upon legislation proposed by the Committee on Agriculture, Nutrition and Forestry. I am also pleased that the Committee-reported Resolution provides a total of over $4 billion more in budget authority for mandatory programs. Farmers need protection against the weather related and economic losses they have sustained this past year. It is critical that Congress provide adequate Federal funding in the FY 2000 Budget Resolution so the Agriculture Committee can address the severe problems faced by our nation's farmers and ranchers.

Unfortunately, every credible economic forecast indicates the farm economy will recover slowly at best. The Agriculture Committee needs adequate budget authority to develop and strengthen programs which provide production credit, risk management, and economic assistance to farmers and ranchers.

Beyond these concerns, I call upon my colleagues to support the Budget Resolution for FY 2000 to continue the progress Congress has made to strengthen our financial future into the 21st Century.

Thank you Mr. President. I yield the floor.

Mr. FEINGOLD. Mr. President, I rise to offer a few observations on the budget resolution, and on some recent developments that relate closely to our budget position.

In particular, I want to sound a note of caution to my colleagues, and urge that we refrain from basing our budget on the assumption that we will have significant budget surpluses in the near future.

Mr. President, the last six years or so have seen some dramatic improvements in our Federal budget position.

In part, this has been due to some tough budget discipline on the part of the White House and Congress.

In part, it has come as a result of a strong economy, itself the beneficiary of our budget discipline.

In January of 1993, I don't think anyone would have seriously predicted that we would be on the brink not only of balancing the unified budget, but also of eliminating the on-budget deficit, producing a balanced budget without having to rely on the Social Security Trust Fund balances to make up the difference.

Now that we are so close to actually balancing the government's books without using Social Security, some recent developments are all the more troubling to me.

I'll just note a few of them.

Let me begin with last year's half trillion dollar omnibus appropriations bill.

That measure was not only loaded up with special interest provisions, it ended up spending $20 billion over budget by using the emergency spending exceptions to our budget caps.

There were a number of reasons the bill ended up the way it did, and let me say that I hope the biennial budget measure offered by the distinguished Chairman of the Budget Committee (Mr. DOMENICI) can help prevent such situations from arising again.

I served in the Wisconsin State Legislature for 10 years using a biennial approach to budgeting, and I think such a structure at the Federal level might help prevent the kind of last minute omnibus appropriations bill we had last year where abuse of the budget process is almost inevitable.

Mr. President, I had hoped the new Congress would start off on a more fiscally responsible foot after having produced the omnibus appropriations bill last fall.

But I was disappointed that the first major piece of legislation we took up was just more of the same.

The bill that passed the Senate recently, S. 4, was another giant budget buster, providing spending increases of more than $50 billion over the next 10 years without a penny of offsetting savings elsewhere.

And it did so before Congress has had a chance to pass a budget resolution, even before this committee has produced a budget resolution for floor debate.

Mr. President, there was no reason to rush that bill through.

A pay hike for our armed forces would have received solid support as part of an overall budget plan. S. 4 was a politically popular bill, and rightly so.

There are good arguments for providing members of our armed forces and the national guard and reserve a pay hike.

Indeed, I very much want to support a pay hike for them.

But not outside of an overall budget plan, and not in a measure that busts the budget.

Mr. President, this brings me to the President's budget, the budget resolution reported out of the Budget Committee, and the alternative budgets various interests have proposed.

Each of these budget proposals is centered around the use of projected budget surpluses.

Indeed, it is the use of those very surpluses that in a sense defines the goals of these budget proposals, and distinguishes one from another.

Mr. President, as I noted before, we have come a long way in the last 6 years.

We now have the opportunity to achieve a truly balanced budget, one that does not rely on Social Security Trust Fund balances.

We are within striking distance of producing genuine surpluses.

But let me emphasize, we may be within striking distance, but we aren't there yet.

Mr. President, we do not have a budget surplus now, and I am concerned that for several reasons we may not achieve one.

While subsequent estimates may change, the most recent CBO estimates show we do not have a budget surplus this year, and CBO does not project a

genuine on-budget surplus of any significant size until FY2002, when a $55 billion on-budget surplus is projected.

Mr. President, even those modest surpluses are based on assumptions that may prove to be overly optimistic.

CBO currently projects non-Social Security surpluses of slightly over $800 billion over the next ten years.

But in making those projections, CBO assumes that total discretionary spending will remain under the caps we agreed to in 1997, and that after 2002, total discretionary spending will be held to inflationary increases only.

Mr. President, according to the Center for Budget and Policy Priorities, these assumptions mean that discretionary spending over the next 10 years will be $580 billion below current levels in real terms.

Put another way, if we simply held discretionary spending at a level which reflects current services, and adjusted only for inflation, nearly three-quarters of the projected surpluses over the next 10 years will vanish.

Mr. President, some will argue Congress and the White House will hold to the spending caps, and will cut the amount of spending necessary to produce the projected surpluses.

Let me suggest that given the omnibus appropriations bill of last fall, the military pay increase bill of last month, and the desire of so many to focus on the surpluses we hope for, those assumptions about limiting our spending appear to be extremely fragile.

Beyond our ability to live up to the spending and tax assumptions that produce the projected surpluses, we know that projections can change quickly.

Just since last August, the CBO projections for unified budget surpluses over the next 10 years have increased by about $1 trillion—a change that is itself larger than the non-Social Security surplus over that same period.

Estimates that can grow by $1 trillion in a few months can shrink by the same amount just as quickly.

Altogether, Mr. President, the projected surpluses are far from a sure thing, and we should not be writing budgets that commit us to spending and taxing policies that are so utterly dependent on them.

AMENDMENT NO. 211

Mr. HUTCHINSON. Mr. President, I rise today to inform my colleagues about some of my thoughts about Amendment 211 that was authored by my good friend from Pennsylvania, Senator SANTORUM. This Amendment to S. Con. Res. 20, was accepted by the Senate by unanimous consent.

Mr. President, I know that I am not alone in stating that many of us in the Senate believe that, first and foremost, we believe that the Davis-Bacon Act should be repealed. If full repeal is not possible at this time, there are meaningful steps we should take in the meantime to get us to that end.

Mr. President, we must allow widespread use of ''helpers'' on federal construction projects. Considering our nation's changing welfare-to-work environment and with the importance of revitalizing disadvantaged communities, it is particularly critical that the government not limit opportunities for entry-level jobs.

Congress should exempt schools from the outdated rules and restrictions and give local school districts the flexibility to spend resources where they will most effectively meet students' educational needs.

The Davis-Bacon wage process has been shown to be inaccurate, subject to bias, and used as a tool to defraud taxpayers. In March 1997, a DOL Inspector General's report confirmed that 2/3 of the wage surveys were inaccurate. In January 1999, a General Accounting Office report found errors in 70% of the wage forms, and confirmed frequent errors go undetected and the high proportion of erroneous data ''poses a threat to the reliability'' of prevailing wage determinations.

Mr. President, again, I know that I am not the only Senator who would prefer repealing Davis-Bacon, but in light of the spirit of Senator SANTORUM's Amendment to the FY2000 budget measure, I ask that we at least consider the reform points I outlined above.

VETERANS HEALTH CARE

Mr. JOHNSON. Mr. President, I was pleased that I was able to join with my colleague Mr. WELLSTONE from Minnesota in passing an amendment to the Fiscal Year 2000 budget resolution to increase funding for veterans health care. This amendment will help correct a serious injustice to our nation's veterans that I believe demands urgent attention by Congress and the Clinton Administration.

This will be the fourth consecutive year, that the Clinton Administration has proposed a flat-line appropriation for veterans' health care in its FY 2000 budget request. The VA's budget includes a $17.3 billion appropriation request for the Veterans Health Administration (VHA). Although, the Clinton Administration's request includes allowing the VA to collect approximately $749 million from third-party insurers—$124 million more than in FY 1999, this cap on medical spending places a greater strain on the quality of patient care currently provided in our nation's VA facility, especially when meeting the needs and high health costs of our rapidly aging World War II population.

In a memo to VA Secretary Togo West, Under Secretary for Health Dr. Kenneth Kizer expressed concern that the Administration's FY 2000 requested budget ''poses very serious financial challenges which can only be met if decisive and timely actions are taken.'' He indicates that cuts must be made now to preclude even deeper cuts such as ''mandatory employee furloughs, severe curtailment of services or elimination of programs, and possible unnecessary facility closures.'' Dr. Kizer also states that ''. . . changes are absolutely essential if we are to prepare ourselves for the limitations inherent in the proposed FY 2000 budget.''

I have met with several representatives of South Dakota's veterans' organizations who have expressed their justifiable fears and frustrations that the VA's flat-lined health care budget is causing mandatory reductions in outpatient and inpatient care and VA staff levels. Since 1992, over 150 full-time employees at the Ft. Meade VA facility have been cut due to insufficient budgets. There are legitimate fears in South Dakota that inpatient care will be eliminated from one of our VA facilities if an immediate solution is not found to augment the VA's budget.

Peter Henry, Director of the Ft. Meade/Hot Springs VA facilities has been raiding from other budgets and has been forced to close other services in order to provide health care for veterans in western South Dakota. If the FY 2000 VA budget is not increased, Dr. Henry will soon be forced to reduce inpatient care and could result in possible denial of certain category veterans.

South Dakota's veterans are tired of hearing what the VA cannot do for them. It is time for Congress and the VA to tell veterans ''Yes, we can and will help you.''

Many of South Dakota's 70,000 veterans contend that four years of flat-lined budgets for VA health care has left the system in danger of losing as many as 8,000 employees nationwide, eliminating health care programs and possibly closing VA facilities like the one in Sioux Falls. I have heard from people like Harry VandeMore, a Korean war veteran, who said, ''There was plenty of money to send me to Korea. There was plenty of money for hand grenades, plenty of money for rifle shells. I guess the government would like to throw me out in the weeds. I don't know where I would go for health care [without the VA]. The days of the hospital here in Sioux Falls are numbered if this keeps up.''

Gene Murphy, a former national commander of the Disabled American Veterans and now state adjutant for the South Dakota DAV, feels that ''. . . our government is always happy to send us off to war, but apparently they're not so happy to take care of us when we come back.''

Since I began my service in Congress over twelve years ago, I have held countless meetings, marched in small town Memorial Day parades, and participated in Veterans Day tributes with South Dakota's veterans. As the years go on their concerns remain the same.

To ensure that Congress provides the VA with adequate funding to meet the health care needs for all veterans. Without additional funding South Dakota VA facilities will continue to face staff reductions, cutbacks in programs, and possible closing of facilities.

Too often, I have received letters from veterans who must wait up to three months to see a doctor. For many veterans who do not have any other form of health insurance, the VA is the only place they can go to receive medical attention. They were promised medical care when they completed their service and now many veterans are having to jump through hoops just to see a doctor.

Our nation's veterans groups have worked extensively on crafting a sensible budget that will allow the VA to provide the necessary care to all veterans. They have offered an Independent Budget that calls for an immediate $3 billion increase for VA health care to rectify two current deficiencies in the VA budget. First, the VA has had to reduce expenditures by $1.3 billion due to their flatlined budget at $17.3 billion. These were mandatory reductions in outpatient and inpatient care and VA staff levels that the VA had to make due to their flatlined budget.

The remaining $1.7 billion is needed to keep up with medical inflation, COLAs for VA employees, new medical initiatives that the VA wants to begin (Hepatitis C screenings, emergency care services), long term health care costs, funding for homeless veterans, and treating 54,000 new patients in 89 outpatient clinics.

Mr. President, as a member of the Budget Committee I was encouraged that an additional $1 billion was added for veterans health care. Although this will help relieve some of the VA's budgetary constraints, I believe that more needs to be done. The veterans community has requested that VA health care needs to be augmented by $3 billion to ensure the provision of accessible and high quality services to veterans. That is why I offered an amendment during the Budget Committee mark up of the budget resolution that would have raised VA health care by an additional $2 billion. The nation's top veterans groups (AMVETS, Blinded Veterans Association, Disabled American Veterans, Paralyzed Veterans of America, Veterans of Foreign Wars and Vietnam Veterans of America) voiced their strong support for my amendment in a letter that I shared with members of the Committee. Unfortunately, my amendment failed 11–11.

Therefore, I along with Senator WELLSTONE offered an amendment that once again increased veterans health care by $2 billion. I was pleased that the Senate accepted my amendment by a vote of 99–0. The future of health care for veterans at the Sioux Falls, Hot Springs, and Ft. Meade VA facilities and in VA hospitals across the country will be sustained by this $3 billion total increase for veterans health care. The VA must be provided with every resource to provide quality care for all eligible veterans who walk into a VA facility.

Mr. President, I feel that our VA facilities are on the verge of a catastrophic collapse if we continue to remain idle on this issue. In 1972, the Sioux Falls VA medical facility contained 269 beds for inpatient care. Today, they are down to 44 beds. This is a facility that saw 75,000 people walk through their doors last year. Some veterans have told me that when they go to the VA they see more janitors than nurses. This is unacceptable. If we want to provide care for all eligible veterans who walk into a VA facility Congress needs to act now.

The funding required for this amendment represents a minute fraction of the total federal budget that we are debating here today. However, the funding we set aside to improve accessibility and quality of care within our veterans health care system will provide a tremendous boost for an already stretched and fractured VA medical system.

As we enter the twilight of the Twentieth Century, we can look back at the immense multitude of achievements that led to the ascension of the United States of America as the preeminent nation in modern history. We owe this title as world's greatest superpower in large part to the twenty-five million men and women who served in our armed services and who defended the principles and ideals of our nation.

From the battlefields of Lexington and Concord, to the beaches of Normandy, and to the deserts of the Persian Gulf, our nation's history is replete with men and women who, during the savagery of battle, were willing to forego their own survival not only to protect the lives of their comrades, but because they believed that peace and freedom was too invaluable a right to be vanquished. Americans should never forget our veterans who served our nation with such dedication and patriotism.

Mr. President, I want to thank Senator WELLSTONE and my Senate colleagues for supporting my amendment. Acceptance of my amendment was just one victory in the war to provide decent, affordable health care for South Dakota's veterans. By passing this amendment we live up to our obligation to our nation's veterans and ensure that they are treated with the respect and honor that they so richly deserve.

MEDIA COVERAGE OF FEDERAL COURT PROCEEDINGS

Mr. SCHUMER. Mr. President, I am pleased to join Senator GRASSLEY in introducing this legislation to permit federal trials and appellate proceedings to be televised, at the discretion of the presiding judge.

Former Chief Justice Warren Burger once said of the U.S. Supreme Court, ''A court which is final and unreviewable needs more careful scrutiny than any other. Unreviewable power is the most likely to indulge itself and the least likely to engage in dispassionate self-analysis . . . In a country like ours, no public institution, or the people who operate it, can be above public debate.''

I believe that these words are applicable to the entire federal judiciary. As such, I strongly support giving federal judges discretion to televise the proceedings over which they preside. When the people of this nation watch their government in action, they come to understand how our governing institutions work and equip themselves to hold those institutions accountable for their deeds. If there are flaws in our governing institutions—including our courts—we hide them only at our peril.

The federal courts are lagging behind the state courts on the issue of televising court proceedings. Indeed, 48 out of the 50 states allow cameras in their courtrooms in at least some cases. Moreover, a two-and-a-half year pilot program in which cameras were routinely permitted in six federal district courts and two courts of appeals revealed near universal support for cameras in the courtroom.

Our bill would simply afford federal trial and appellate judges discretion to permit cameras in their courtrooms. It would not require them to do so. Furthermore, to protect the privacy of non-party witnesses, the legislation would give such witnesses the right to have their voices and images obscured during their testimony.

A version of this legislation passed the House in the previous Congress. I eagerly anticipate Senate passage and the day when openness is the norm in our federal courtrooms, not the exception.

Mr. JOHNSON. Mr. President, I oppose the Republican Budget Resolution because it supports the wrong priorities.

1998 was an exceptional year in this country's modern economic history. We enjoyed the first budget surplus in 29 years and the economy exceeded expectations and continued to expand in the face of international instability—unemployment remained low; wages continued to increase; welfare recipients declined; home ownership increased; and interest rates remained low. All of this good news has allowed the White House, the Congress, and the American people to begin debating how to use future surpluses which are projected for the foreseeable future.

As a Member of Congress who arrived in Washington when the annual federal budget deficit was over $220 billion and

still growing, I am extremely pleased and a little amazed that we have gotten to where we are today. That said, I think it is extremely important that Congress proceed carefully in the coming years to ensure we make wise choices that will keep this country's budget running in the black for years to come.

Writing the FY 2000 budget is our first test of how we will handle existing and future surpluses to ensure long-term economic growth and stability, and it is a test too important to coming generations for us to fail. I believe that this year's budget resolution should follow four principles: first, we must save Social Security and Medicare; second, we should pay down the national debt; third, we should support targeted tax relief to low and middle-income Americans; and finally, we should identify and support critically needed discretionary priorities.

Unfortunately, the Republican Budget Resolution doesn't follow these principles, which I believe are critical to balancing the many pressing needs of this nation. First, the Republican Budget Resolution does nothing to preserve Medicare. Second, while I support targeted tax cuts, I cannot support the use of essentially all future on-budget surpluses for tax cuts at the expense of Medicare solvency and other critical discretionary investments such as veterans health care. Third, the Republican budget resolution reduces non-defense discretionary spending by $20 billion in FY 2000. Finally, while the resolution increases funding for some programs and protects others from cuts, the bottom line is that discretional programs such as agriculture, head start, law enforcement, and many other critically important programs could be cut by more than 12% under the Republican Budget Resolution. I support preserving the discretionary caps and acknowledge that the caps force many tough decisions on discretionary spending priorities. However, I firmly believe that we can do a better job of balancing discretionary priorities than what is included in the Republican Budget Resolution.

AMENDMENT NO. 197

Mr. LIEBERMAN. Mr. President, I rise today to offer a Sense of the Senate resolution as an amendment to the Budget Resolution. I am pleased to be joined in this endeavor by Senators SANTORUM, BINGAMAN, and ABRAHAM. As my colleagues know, saving is empowering. It allow families to weather the bad times, to live without aid, and to deal with emergencies. But more than just being a safety net, savings offer families a ladder up. That is because saving is the first step toward developing assets. And assets beget assets. Having them can actually change a family's economic station and set a better course for generations to come.

Yet, despite our booming economy we know that fully a third of all American households have no financial assets to speak of. For those with children the outlook is even worse. Almost half of all American children live in households that have no financial assets. This, in my view, is an untenable situation that should be changed.

Mr. President, we in the Senate have produced some innovative legislation in recent years that are designed to encourage Americans to build assets for retirement. That is due in no small part to the leadership of Senator ROTH and Senator MOYNIHAN; Senate leaders who understand the importance of savings. However, I believe that we have been remiss in neglecting the American that assets can benefit the most: the working poor. They need to build assets not just for retirement, but also for the betterment of their lives and those of their children.

So Mr. President I, along with my distinguished colleagues offer this Sense of the Senate. It simply says that the tax laws should encourage low-income workers and their families to build assets. Similar language was offered by Representative THOMPSON, and passed unanimously in the House Budget Committee mark-up. I hope that this resolution will also be accepted here unanimously. Thank you and I cede the remainder of my time.

AMENDMENT NO. 224

Mr. ASHCROFT. Mr. President, I rise today to pose a question to my colleague, Mr. BAUCUS. I would like to thank my colleague, Mr. BAUCUS for working with me on our amendment concerning Korea's compliance with their trade agreements. For our beef and pork producers, this couldn't come at more pressing time. Particularly since the South Korean Government reportedly has been subsidizing its pork exports to Japan and these subsidies are hindering U.S. pork producers from capturing their full potential in the Japanese market.

However, I would like to take a moment to pose a question to Mr. BAUCUS in order to clarify paragraph (4). My question is what kind of report do we intend to request? And how shall we define what ''resources'' shall be reported upon?

Mr. BAUCUS. I thank you for working with me on this measure and agree with you that it is critical that South Korea live up to its trade agreements concerning beef and pork. For that reason, I agree that we should clarify the implications of paragraph (4). In answer to your questions, I would respond that reporting to Congress is meant to say that any reporting will: be in verbal form. And, second, that reports on resources used to stabilize the South Korean market will be provided by the Department of Treasury and the Department of Agriculture as appropriate.

Mr. ASHCROFT. I concur with your suggestions and urge all of my colleagues to support the measure as defined.

Mr. ABRAHAM. Mr. President, I am joined today by Senator CRAPO in offering a Sense of the Senate amendment rejecting a new tax proposed by the Clinton Administration. I am very pleased that this amendment has been cleared on both sides of the aisle and will be accepted by the full United States Senate. This unanimous voice vote for the Abraham-Crapo amendment demonstrates beyond a shadow of a doubt that this association tax increase proposal is dead on arrival here in the United States Senate.

As part of the Administration's fiscal year 2000 budget proposal, this tax would be levied on the investment income earned by non-profit trade associations and professional societies. This proposal, which would tax any income earned through interest, dividends, capital gains, rents and royalties in excess of $10,000, imposes a tremendous burden on thousands of small and mid-sized trade associations and professional societies currently exempt under 501(c)(6) of the Internal Revenue Code.

The Administration would like us to believe that this tax is targeted to a few large associations, affecting only those ''lobbying organizations'' which exist as tax shelters for members and to further the goals of special interests. Mr. President, nothing could be further from the truth.

This new tax would affect an estimated 70,000 registered trade associations and professional societies. The bulk of these associations operate at a state and local level, many of whom perform little, if any, lobbying function. In fact, associations rely on investment income to perform such vital services as education, training, standard setting, industry safety, research and statistical data, and community outreach. Through association organized volunteer programs, Americans contribute more than 173 million volunteer hours per year, at a value estimated at over $2 billion annually.

These organizations already contribute millions in taxes for any activities which place them in competition with for-profit businesses. Yet the Administration would like to impose a new tax on income earned outside of the competitive business environment, income which is used to fund functions serving the public welfare. Unlike for-profit corporations, investment income does not go to shareholders, individuals, or other companies. Associations do not have the liberty of simply raising prices, as do ordinary corporations, to cover increased costs.

Mr. President, faced with an additional increase in taxes of $1.44 billion over the next five years, many trade associations will be forced to cut back on important services, and some may not survive an economic downturn

without the small cushion their investments provide. Without such services provided by associations, the government will be forced to step in, increasing expenditures and creating additional government programs and departments.

During a time when the government is projecting on-budget tax surpluses of more than $800 billion over the next 10 years, it is unconscionable that we allow the Administration to levy a new tax on these non-profit organizations.

Mr. President, in summary, the unanimous vote puts the entire Senate on record as rejecting this misguided tax increase on trade associations. Should this association tax proposal surface as a part of—or as an amendment to—tax reduction legislation reported by the Senate Finance Committee later this year, I will fight to ensure that the Senate adheres to the vote that we have taken today expressing the Sense of the Senate that it ought to be rejected outright.

Mr. ROBB. Mr. President, this is the third time this year that I've come to the floor to express my strong support to help states and localities build and repair our children's schools. I am concerned that this budget resolution, which often serves as our roadmap throughout the appropriations process, does not adequately take into account the urgent need that school districts are facing throughout the country. Not only do we have old schools in desperate need of repair, we also have a growing student population. States and localities simply cannot keep up with their school construction and repair needs. They cannot pay for major infrastructure projects without our help.

Mr. President, this is what we know. We know that the average school building in the country is 50 years old. We know that GAO estimates that we need $112 billion just to repair old buildings to make them safe. And Mr. President, we know that over the last ten years, public school enrollment has increased 16.4% and that GAO estimates that it will cost an additional $73 billion to build the new schools we need to accommodate this surge in enrollment.

Mr. President, in Virginia, there are over 3,000 trailers in use. These trailers are not wired to the Internet; they're not even wired to their own school's network. Over the last two years, 38% of our school districts have been forced to close at least one building in each district due to facility-related problems. The most commonly reported problem was the insufficiency of air-conditioning and ventilation. In fact, our students have lost 38 days of instructional time—that's seven weeks—because of problems with the air conditioning.

But these problems are not unique to Virginia. School infrastructure problems exist everywhere. In Alabama, it is reported that the roof of an elementary school collapsed just after the children had left for the day. In Chicago, teachers place cheesecloth over air vents to filter out lead-based paint flecks from getting into their classrooms. In Ohio, there are even some children who use outhouses instead of modern-day restrooms. Roughly forty percent of New Mexico schools have inadequate electrical wiring, and fifty percent of Delaware schools report inadequate plumbing systems.

The list goes on and on.

Developing a budget is about setting priorities. I have long believed that we have three basic priorities which should come before all others: we should provide for our citizens a strong national defense, we should provide quality education for our children, and we should not pass on debt to the next generation.

When we consider the federal role in education, we should focus on helping states and localities to meet their pressing needs. And Mr. President we have pressing needs when it comes to the condition of our schools. It is a pressing need when we see children fainting in school because the building has no air conditioning. It is a pressing need when we see a child attending class in a trailer. It is a pressing need when we see leaky, unsafe roofs. I don't believe that any parent would deny that their children's needs come first.

We should not procrastinate in finding a solution to this problem. This amendment is broadly worded. It doesn't target the money to any particular population. It doesn't impede states' efforts to begin their construction projects. Where there are disagreements on how to allocate federal funds to the states, or whether or not to target a certain portion of those funds, or whether to have more private sector involvement, or what amount of federal dollars we can afford, let's talk about those issues. But let's at least agree that we in Congress do have an important role to play. This amendment is merely an attempt to determine whether this Congress is going to recognize our national school construction crisis. Our states and localities have recognized the crisis and are reaching out for our help.

Mr. President, last session Congress recognized another infrastructure need—our national transportation need—and appropriated $216 billion for roads and transit projects. If we can recognize this national need, come together on a bipartisan basis, and pass legislation to build roads, surely we can come together to build schools. Schools are more than just classrooms, they're community centers. Schools provide more than just classroom instruction, they provide the keys to the future.

Mr. President, this amendment is a starting point. Let's at least send the right message to this Nation: that we see the leaking roofs, that we see the cracked walls, that we see all the trailers—and that we are willing to help.

I thank my friends, Senator LAUTENBERG and Senator HARKIN, and all those who have co-sponsored this amendment and I urge its adoption. With that, Mr. President, I yield the floor.

Ms. COLLINS. Mr. President, I rise on behalf of Senator GREGG and myself to offer a Sense of the Senate Amendment to reaffirm the commitment of the United States government to make good on the promise it made in 1975 to fund special education and to reject the President's efforts to undermine this commitment.

When Congress passed the Individuals with Disabilities Education Act in 1975, the federal government promised states and local school districts that Washington would help them meet the cost of educating students with special needs. The federal government pledged to pay 40 percent of the average cost of providing elementary and secondary education for each student receiving special education. Unfortunately, the federal government has failed to meet this obligation, creating an unfunded mandate that must be borne by every state and community in America.

Due to the efforts of Senator GREGG and others, we are making progress. The appropriation for Fiscal Year 1999 contained a 13 percent increase in special education funding. As the Table behind me shows, the Budget Resolution before the Senate increases funding for K–12 education by $27.5 billion more than the President's budget over the next five years. This includes an increase of $2.5 billion dollars for special education over the next five years.

We must not retreat from our commitment to fund special education, as the President's budget proposes to do. This Sense of the Senate resolution will make clear that we reject the President's flat funding of special education grants to the states. Instead, it expresses the Senate's intention to fulfill the pledge made years ago.

What would this mean for our states and local school districts? Let's take my home State of Maine as an example. In the 1997–1998 school year, the total cost of special education was $189 million dollars. The Individuals with Disabilities Act promised Maine $2,318 per student receiving special education services, but the federal government only sent the states slightly more than $535 per student—which means that Maine received $57 million dollars less than what had been promised.

For the current school year, the increased appropriation for special education brings the federal payment to $638 per student but still leaves a shortfall that exceeds $55 million. The President's budget proposal for fiscal year 2000, however, reverses this progress and allows the federal shortfall in Maine alone to grow to almost

$59 million. According to the U.S. Department of Education, the unmet mandate will reach over $11 billion nationally. We cannot continue to shift this burden to our local communities. We must meet the federal commitment to help pay for special education and end this unfunded mandate.

I want to quote briefly from a letter I received last week from the Governor of Maine. In the letter, Governor Angus King describes the consequence of this mandate on Maine's communities.

> The costs of special education (in Maine) . . . continue to grow dramatically, at nearly twice the rate of increase in overall education spending. The federal mandate to provide all children with a free and appropriate education is being met, but the rising costs of special education are borne by local property taxpayers. The fiscal pain of meeting this mandate is dividing our communities around an issue on which we should be united—helping every child meet his or her full potential, without regard to disability.

In Maine, meeting this mandate accounts for millions of dollars annually, dollars that otherwise could be used for school construction, teacher salaries, new computers, or any other state effort to improve the performance of our students.

We need to increase federal spending on education, but we do not need new federal categorical programs with more federal regulations and dollars wasted on administrative costs. Rather we need to meet our commitment to bear our fair share of special education costs. As Governor King told President Clinton several weeks ago, ''If you want to do something for schools in Maine, then fund special education and we can hire our own teachers and build our own schools.'' This is true for every state. The best thing this Congress can do for education is to move toward fully funding, the federal government's share of special education—not standing in place as the President's budget would have us do.

I urge my colleagues to support this commitment to give our states and local communities the financial help they have been promised and so desperately need. Let's finally keep the promise made more than 20 years ago.

Mr. SNOWE. I support the Chafee amendment that assumes funding of $200 million specifically for the stateside program of the Land and Water Conservation Fund to come out of Function 370. It is my understanding that no specific program in Function 370 has been designated as an offset for the Chafee amendment. The ultimate funding decision of course rests with the appropriators, but I wanted to take this opportunity to cast my support for funds for the LWCF stateside program, which has not received any funding since 1995.

Up until 1995, LWCF stateside program funds were used in my state to assist communities for planning, acquiring and developing outdoor recreation facilities that would not otherwise have been affordable, especially in the smaller communities in Maine.

The LWCF stateside program has funded such local projects in Maine as the community playground in Durham, the Mt. Apatite trails in Auburn, the Dionne Park Playground in Madawaska, the East-West Aroostook Valley trail in Caribou, the Williams Wading Pool in Augusta, multi-purpose fields in St. George, Hampden, Buxton, Calais, and Bradford, the skating rink in Bucksport, and wharf rehabilitation in Greenville.

By leveraging state dollars with critical LWCF stateside funds, Maine's communities have been able to enjoy recreational facilities such as neighborhood parks, swimming pools, and ball fields, and also have had the opportunity to conserve certain highly valued lands that the citizens of the state wish to save for outdoor recreational activities for themselves and for generations to come.

I thank the Chair.

Mr. JEFFORDS. Mr. President, I am proud to stand with my colleague from Maine in offering this important amendment to the Budget Resolution. Senator COLLINS has been a leader in the area of higher education and she has contributed a great deal as a member of the Health, Education and Labor and Pensions Committee.

Last year, the Health, Education, Labor, and Pensions Committee reported and Congress passed the Higher Education Amendments of 1998. We adopted the conference report to accompany that bill by overwhelming, bipartisan vote of 96–0. Throughout the process, we were determined to craft legislation that offered students more opportunities. We kept our sights clearly focused on the goal of increasing educational opportunities for all our nation's students.

We achieved our goal and as a result, students will receive significant benefits from the passage of that legislation. They will benefit from the lowest interest rate in 17 years on their new student loans. They will benefit from strengthened and improved student grant programs and campus based programs. They will benefit from the creation of a performance based organization housed in the Department of Education which will vastly improve the delivery of student financial aid. More of our nation's aspiring students will be prepared for and able to pursue higher education because of programs like TRIO and GEAR UP. Clearly, that bill went far in opening the door to all who dream of pursuing higher education.

We have an opportunity today to take another step forward in meeting the goals that we set out in the Higher Education Amendments of 1998.

The Sense of Senate offered by Senator COLLINS, myself and others follows the blueprint that we laid out during reauthorization and encourages the Appropriations Committee to increase funding for some of the most critical programs designed to help our neediest students succeed at the undergraduate level.

Earlier this year I called for a $400 increase in the maximum Pell grant. The importance of this program cannot be overstated—it is the cornerstone of our federal investment in need-based grant aid. It has helped millions of young people obtain a degree. The Pell grant has made a positive difference in the lives of individual students who received it and it is has made a positive difference in the well being of our nation. Thanks to the Pell grant, more Americans have received a post secondary degree, the knowledge base of our nation has been expanded and the earnings base of our nation has increased.

This Sense of the Senate also calls on Congress to increase funds for other programs that have as their goal increasing access to post secondary study for our nation's neediest students. The SEOG program, Perkins Loans, LEAP, Federal Work Study and TRIO all are targeted to provide additional assistance, both financial and educational, to students who really need it the most. These funds often times make the difference for a student between making it through school or dropping out. Therefore, our efforts today in support of these programs are critical.

We are pleased to have the support of nearly all the major higher education groups on this amendment. These organizations represent the students and institutions and they have a deep, first-hand understanding of how important this federal investment is to today's undergraduate students.

I applaud my colleague from Maine, Ms. COLLINS for her contributions to the Higher Education Amendments of 1998 and for the effort she is making today.

I urge all of my colleagues to support this amendment.

Mr. DEWINE. Mr. President, I am pleased to join with my distinguished colleague from New Mexico, Senator BINGAMAN, to introduce this amendment, which would once again put this Senate on record in support of restoring our nation's military science and technology base. Specifically, our amendment expresses the Sense of the Senate that the budgetary levels for the Defense Science and Technology program should be consistent with the 2% real increases in the budget request called for by Congress in last year's Defense Authorization Act.

Without question, our nation has built the most technologically superior military force in the history of mankind. During our recent demonstration of resolve against Saddam Hussein, the men and women who participated in

Operation Desert Fox were virtually untouchable. The results of their efforts were amazing: we attacked over 100 separate targets in an effort to degrade Saddam Hussein's military infrastructure. We totally destroyed 85 percent of these targets, and partially damaged the remainder, all without so much as a scratched airplane.

Why are our aircraft so overwhelmingly dominant and untouchable on the battlefield? The answer: the Air Force made an investment many years ago in science and technology research and we are now reaping the returns of that investment.

Unfortunately, in recent years, the Air Force, as well as our other service branches, have made significant reductions in its investment in scientific research which may cast a long, dark shadow on the success of tomorrow's military. Over the last 10 years, the Air Force, for example, has reduced the S&T workforce by 2,375 people. A large number of these talented individuals came from Wright-Patterson Air Force Base in Dayton, Ohio. And unless we in Congress take action, Wright-Patterson and other similar bases across our country will continue to lose this unrivaled expertise.

Mr. President, this should be of great concern to all of us. Continued investment in Defense S&T research is crucial if we are to meet the challenges ahead. Yes, our nation's central security concern of the past half century—the threat of communist expansion—is gone. However, the world is far from being a safe place. Every day, our nation faces more and more diverse and complex challenges—as highlighted by recent events in the Middle East, Kosovo, international terrorism, proliferation of weapons of mass destruction and the means to deliver them, and the flooding of illegal drugs into our country. These threats to stability and security require an enduring commitment to diplomatic engagement and military readiness. In both instances, science and technology research plays a critical role.

Today we lead the world in virtually every measure of technological development, but we can't rest on our recent successes. To remain the best we have to continue to offer the best technology and employ the best scientists, engineers, technicians, and innovators. The brave men and women of tomorrow's military will have to fight with the technology we invest in today—what we do today will have a direct impact on our success tomorrow.

Since the founding of our great nation, scientific discovery and technological innovation have advanced our military capabilities and economic prosperity, ensuring the United States' position as a world leader. I must confess a great deal of personal pride in the dedicated men and women at Wright-Patterson Air Force Base—the Defense Department's largest research site—who play no small part in this endeavor.

Wright-Patterson, founded in 1917 and formerly known as McCook Field, has given the nation technological advancements too numerous to count. These include advanced lightweight aerodynamic designs, advanced jet engines, hypersonic lifting bodies, development of the first ''smart weapons,'' and many, many others.

It is doubtful we will see that kind of achievement in the near future. My colleagues and I are here offering this amendment because we are very concerned that the proposed level of funding for Defense S&T programs for next year is nearly $400 million below the level Congress provided this year.

I am very troubled about the Air Force's proposal to use Air Force S&T resources to fund the Space Based Laser and Discoverer II (space-based radar) program beginning in FY 2000. It is our understanding that these previously non-S&T programs were inserted into the FY 2000 Air Force late in the budget process, while providing no additional funding to cover the costs of current S&T programs. This represents a significant reduction in our Air Force S&T investment in FY 2000 and the outyears, and unless Congress acts, will result in drastic cuts in critical Air Force research programs, severe reductions in force, and weaken our overall Air Force technology base. In fact, earlier this month, the Air Force Research Laboratory at Wright-Patterson Air Force Base (WPAFB) announced it would lose 163 civilian positions as a result of the Air Force's proposed FY 2000 S&T budget.

Now that Congress has agreed to address emerging readiness issues and increase our investment in our national defense, our long term readiness requires Congress to reverse the dangerous decline in S&T funding. Last year, Congress recognized this downward trend in our S&T investments and passed legislation that called for an increase in the budget for Defense S&T programs in all the Services by at least two percent above the rate of inflation for each year for the next nine years.

Rebuilding Defense S&T is more than in investment in programs, but in people as well. Simply restoring funding for S&T will not automatically bring that lost expertise back. It has to be built up over time. In order to take advantage of next generation technology, we need to begin recruiting the next generation of innovators.

For these reasons, it's important that we pass a long-term budget plan that is consistent with the goal we set last year to rebuild our Defense S&T programs and personnel. We can start that effort by passing the amendment offered by the Senator from New Mexico. If we abide by the commitment embodied in this amendment, we will give tomorrow's military the tools it needs to ensure our national security needs are met. In addition, by investing in highly qualified personnel, we are making it possible to devote the best minds toward developing the best technology. We must invest now so our children can enjoy the peace and prosperity that comes with being second to none in military technological superiority.

I thank the Chair.

Mr. FITZGERALD. Mr. President, I rise today to introduce a sense of the Senate amendment to the budget resolution, S. Con. Res. 20.

As we prepare to work on this year's federal budget, everyone seems to be talking about what we should and should not do with the Social Security trust funds. There is a growing understanding that the federal government mixes the revenues of the Social Security trust fund in with the revenues of the general fund in order to cover-up continuing annual deficits. What many people may not know is that the government does the same thing with over 150 other trust funds, mixing them all in with the general fund.

The ''surpluses'' now being talked about are entirely fictitious, the result of misleading and deceptive accounting practices. The ''surpluses'' disappear once borrowing from the Social Security trust funds ($121.9 billion in the current fiscal year) and borrowing from all other trust funds ($67.9 billion in the current fiscal year) are subtracted. That's why the national debt will rise by $395.6 billion between FY 1998 and FY 2004.

I believe it is wrong for our government to use deceptive accounting practices. I believe it is wrong to encourage the perception that we are running annual surpluses, when in fact we are continuing to run annual deficits and continuing to add to the national debt. Anyone in the private sector who engaged in similar practices would, by our own laws, be subjected to prosecution and imprisonment. Why do we allow the government to use accounting shell games that would be illegal anywhere else?

To provide a more accurate picture of our country's financial situation to the American people, I have this amendment to the Budget Resolution. This Sense of the Senate amendment states that the Office of Management and Budget and the Congressional Budget Office should separate the revenues of all government trust funds from the general fund and report the budget deficit or surplus when all trust funds are excluded.

This is an incremental first step toward changing the way Congress and the President budget and spend taxpayer money.

I ask for your support in this effort to provide truthful budget numbers to the American people. This amendment

is, in my judgment, completely nonpartisan. It makes no pre-judgments about tax cuts or spending increases. Instead, it simply seeks to expose a deceptive accounting practice long used by our federal government.

Thank you, Mr. President.

Mr. President, I rise to urge the passage of my Sense of the Senate amendment to the budget resolution, S. Con. Res. 20. This amendment will require truth-in-budgeting with respect to the on-budget trust funds.

There is a growing understanding that the federal government mixes the revenues of the Social Security trust fund in with the revenues of the general fund in order to cover-up continuing annual deficits. What many people may not know is that the government does the same thing with over 150 other trust funds, mixing them all in with the general fund.

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Mr. LIEBERMAN. Mr. President, this new era of budget surpluses presents us with a tremendous opportunity to expand our investment in education, particularly our efforts to improve our public schools and raise academic achievement. This opportunity could not come at a better time, given the growing importance of knowledge in this Information Age economy, the growing concerns parents have about the ability of our schools to adequately prepare America's children for the challenges ahead of them, and the growing interest here in Congress in retooling our Federal education policy this year through the reauthorization of the Elementary and Secondary Education Act.

The budget resolution before us makes an attempt to seize that opportunity providing for a $32 billion increase in elementary and secondary education programs over the next five years. But I am disappointed that the architects of this plan did not go further, that rather than making a dramatic statement about the priority we place on education quality, this resolution instead opts to devote far more resources to broad-based tax cuts. In particular, I am disappointed that, because of this preference for tax cuts, we have failed to fund the President's plan to help local school districts reduce elementary school class sizes by hiring 100,000 new teachers, a plan I am proud to have cosponsored. And I am disappointed that we have failed to fully fund our share of IDEA, to finally meet the pledge Congress made to cover 40 percent of the cost of providing a free and appropriate education to children with special needs. Eliminating this shortfall is by far the top priority of the teachers and principals and administrators in my state of Connecticut, whose budgets are being busted by the spiraling costs of meeting the requirements of IDEA, and who tell us that all children are suffering as a result.

It is my hope that we could rectify this imbalance, which is why I am joining many of my colleagues in cosponsoring an amendment that would significantly strengthen our investment in education. Specifically, it would shift one-fifth of the funding reserved for tax cuts, $156 billion over the next 10 years, into education accounts. This shift would enable us to fully fund the class-size initiative and meet our IDEA obligations, as well as provide additional resources to several important K–12 programs. This amendment is broadly supported by a wide array of education groups, and I believe that it truly reflects the will of the American, people who have repeatedly expressed their preference for using the surplus to lift up our schools over broad-based tax cuts.

I would strongly urge my colleagues on both sides of the aisle to support this amendment and send a clear signal to the American people about the priorities of this Congress, about our willingness to seize the unique opportunity this new budget environment affords to invest in our children's future.

Mr. KOHL. Mr. President, I rise today to express my strong support for the Kennedy-Dodd amendment. This amendment helps right a wrong that was committed during the Senate Ed-Flex debate several weeks ago. During that debate, the Senate adopted an amendment that effectively forces our school districts to choose between hiring teachers and providing services for students with special needs. This was unfair and unnecessary, and I am still hopeful that the amendment will be dropped in conference. However, I believe we need to do more than that—we need to send a strong signal to our school districts that we are committed to fulfilling our obligations to fully fund both IDEA and hiring teachers. The Kennedy-Dodd amendment does just that.

School districts in Wisconsin and across the nation are working hard to improve public education for all children. However, we in Congress must also live up to our obligation to assist them. Although the Federal government has the responsibility to fund 40% of the costs of special education, we are currently only funding about 10%. In addition, school districts will need to hire 2 million new teachers over the next decade, and we should continue to provide funding for them to do that.

The Kennedy-Dodd amendment provides full funding for the next six years for both IDEA and the hiring of teachers. This amendment sends a strong message—backed up by real dollars—that we will continue to be partners with local communities in improving education. It tells them we will not tie their hands and force them to choose between hiring teachers and serving students with special needs. It is our duty to live up to our obligations and fully fund both. I strongly urge my colleagues to support the Kennedy-Dodd amendment, and I yield the floor.

Mr. DEWINE. Mr. President, I am pleased to offer an amendment along with Senators, ABRAHAM, COVERDELL, BURNS, SANTORUM, SMITH of Oregon, GRAMS, BAUCUS, and ASHCROFT to the budget resolution on the importance of counter-narcotic funding. I offer this amendment because I want to make it crystal clear that this budget, and this Congress, should make a serious investment in anti-drug activities.

This amendment expresses a Sense of Senate that funding for federal drug control activities should be at a level higher than that proposed in the President's Budget Request for Fiscal Year 2000 and that funding for federal drug control activities should allow for investments in programs authorized in the Western Hemisphere Drug Elimination Act and in S.5, the proposed Drug Free Century Act, which I introduced earlier this year.

Mr. President, history has proven that a successful anti-drug strategy is balanced and comprehensive in three key areas: demand reduction—such as education and treatment; domestic law enforcement; and international supply reduction.

This is why last year, I introduced the Western Hemisphere Drug Elimination Act, a $2.6 billion authorization initiative over three years for enhanced international eradication, interdiction and crop alternative programs.

Two factors motivated me to launch this bi-partisan effort: a significant rise in teen drug use and a significant decline in our investment to seize drugs outside our borders. This dramatic decrease in our international efforts is one of the reasons why drugs have become more available and more affordable.

This wasn't always the case. The budget numbers tell an alarming and undeniable story. In 1987, the federal government's drug control budget of $4.79 billion was divided as follows: 29% for demand reduction programs; 38% for domestic law enforcement; and 33% for international supply reduction. This funding breakdown was the norm during the Reagan and Bush Administrations' efforts against illegal drugs, from 1985–92.

And during that time, our investment paid off. From 1988–1991, total drug use was down 13%. Cocaine use dropped by 35%. Marijuana use was reduced by 16%.

After President Clinton took office in 1993, this Administration pursued an anti-drug strategy that upset this careful funding balance. And by 1995, the federal drug control budget of $13.3 billion was divided as follows: 35% for demand reduction programs; 53% for domestic law enforcement, and only 12% for international supply reduction. The share of our anti-drug investment dedicated to stopping drugs outside our country dropped from 33% in 1987 to 12% in 1995.

Mr. President, our country is paying the price for this unfortunate change in strategy. Since 1992, overall drug use among teens aged 12 to 17 rose by 70 percent. Drug-abuse related arrests more than doubled for minors between 1992 and 1996. And the price of drugs also decreased during this time period.

Last year we passed the Western Hemisphere Drug Elimination Act and also provided a down payment of $829 million to get this initiative started.

Today, however, it is clear that the Administration is not yet ready to exercise the leadership Congress demanded on this Act. First, the Administration's Fiscal Year 2000 budget would invest less in our anti-drug efforts than what Congress provided this year. Second, regardless of repeated efforts to work with the Administration to get serious about eradication and interdiction, not one of the top priorities outlined in our bi-partisan Act were funded in the Administration's proposed budget.

So, once again, it is up to us in Congress to set the example and provide the leadership to ensure we implement a serious and balanced drug control policy.

Let me conclude by thanking the Chairman of the Budget Committee, Senator DOMENICI, and his staff, for their efforts to make sure this budget resolution represents the commitment we must make if we are truly serious about reducing drugs. It will take that kind of commitment to help us achieve once again a comprehensive and balanced drug control strategy. Most important, it will put us back on a course toward ridding our schools and communities of illegal and destructive drugs.

Mr. President, I urge my colleagues to support this important and timely amendment.

Mr. KENNEDY. Mr. President, earlier this month, under the impressive bipartisan leadership of Senator ROTH and Senator MOYNIHAN, the Finance Committee approved the Work Incentives Improvement Act of 1999 by a 16–2 vote. This important legislation sends a strong message that all Americans with disabilities have access to the affordable health care they need in order to work and live independently.

The Jeffords amendment endorses that legislation as part of the budget resolution, and will put the Senate on record that now is the time for barriers that prevent disabled people from obtaining employment to come down.

Despite the extraordinary growth and prosperity the country is now enjoying, people with disabilities continue to struggle to live independently and become fully contributing members of their communities. We need to do more to see that the benefits of our prosperous economy are truly available to all Americans, including those with disabilities. Children and adults with disabilities deserve access to the benefits and support they need to achieve their full potential.

Large numbers of the 54 million Americans with disabilities have the capacity to work and become productive citizens but they are unable to do so because of the unnecessary barriers they face. For too long people with disabilities have suffered from unfair penalties if they go to work. They are in danger of losing their cash benefits if they accept a paying job. They are in danger of losing their medical coverage, which may well mean the difference between life and death. Too often, they face a harsh choice between eating a decent meal and buying their needed medication.

The goal of the Work Incentives Improvement Act is to reform and improve existing disability programs so that they do more to encourage and support every disabled person's dream to work and live independently, and be productive and contributing members of their society. That goal should be the birthright of all Americans—and when we say all, we mean all.

It is a privilege to be part of this bipartisan effort with Senator JEFFORDS, Senator ROTH, Senator MOYNIHAN, and sixty-six other Senate colleagues. Work is a central part of the American dream, and it is time for Congress to give greater support to disabled citizens in achieving that dream. This legislation is the right thing to do, it is the cost effective thing to do, and now is the time to do it. I urge the Senate to make this commitment a part of the budget resolution.

Mr. LEAHY. Mr. President, I have worked for many years to try to keep the costs of prescription drugs down. Too many Americans are unable to afford the costly medications they need to stay healthy. Seniors in Vermont living on fixed incomes should not be forced to choose between buying food or fuel for heat, and paying for prescription drugs.

As part of this continuing effort, I am pleased to cosponsor the Prescription Drug Fairness for Seniors Act of 1999, which is being introduced today. This bill is an important step toward increasing the access of older Americans to the prescription drugs they need for their health and well-being. The Prescription Drug Fairness for Seniors Act will allow pharmacies to purchase prescription drugs for Medicare beneficiaries at the same discounted rates available to the federal government and large insurance companies. Seniors should no longer foot the bill for generous discounts to the favored customers of pharmaceutical companies. Under this legislation, seniors could see their medication costs decrease by more than 40 percent.

This is only the first step. We must begin to address the greater problem that the costs of most prescription drugs are not covered by Medicare. As drug costs skyrocketed 17 percent in the last year alone, paying for prescription drugs has become a tremendous out-of-pocket burden for seniors, who fill 18 prescriptions a year on average. I am encouraged by the debate on the Senate floor on the Budget Resolution which has focused on addressing the lack of a drug benefit. I will support efforts to include coverage of prescription drugs in the Medicare program. This is the right thing to do for seniors, and this is the right time to do it.

Mr. FEINGOLD. Mr. President, I rise to join my colleagues, Senators KENNEDY, JOHNSON, LEAHY, WELLSTONE, INOUYE, KERRY, and others in introducing the Prescription Drug Fairness for Seniors Act.

Mr. President, the sky-rocketing cost of prescription drugs has long been among the top 2 or 3 issues my constituents in Wisconsin call and write to me about. The problem of expensive prescription drugs is particularly acute among Wisconsin senior citizens who live on fixed incomes. Nationally, prescription drugs are Senior Citizens' largest single out-of-pocket health care expenditure: the average Senior spends $100–$200 month on prescription drugs.

As you may know, Mr. President, last fall, a study by the House Government Reform and Oversight Committee found that the average price seniors pay for prescription drugs is twice as

high as that enjoyed by favored customers—big purchasers such as HMOs and the federal government. The Committee's report found a price differential in one case was 1400%, meaning that the retail price a typical senior citizen paid was $27.05, while the favored customer was charged only $1.75.

To be sure, Mr. President, the Committee's report did find that Wisconsin had lower price differentials compared to other parts of the country, an 85% differential compared to a high of 123% in California. But I think my constituents would find that a pretty hollow distinction. There's not doubt in my mind that paying 85% more than others are charged for the same product is unfair, plain and simple.

Mr. President, as we all know, traditional Medicare does not cover prescription drugs. While some Medicare managed care plans offer a prescription drug benefit, few of those managed care plans operate in Wisconsin or in other largely rural states. So, while pharmaceutical companies give lower prices to favored customers who buy in bulk, small community pharmacies such as we have throughout Wisconsin lack this purchasing power, meaning that Seniors who purchase their prescriptions drugs at those small pharmacies get the high prices passed on to them.

Mr. President, I regularly get calls from Seniors on tight, fixed incomes who tell me that they have to choose between buying groceries and buying groceries and buying their prescription drugs. I would guess that many of my colleagues receive similar calls from their constituents. Calls like these, and the fact that prices are only getting higher as scientific advances develop new medications, tell me that we must take action to make prescription drugs more affordable to Seniors.

The legislation my colleagues and I are introducing today will require that pharmaceutical companies offer senior citizens the same discounts that they offer to their most favored customers. Through this legislation, we take an important step in making costly but vitally important prescription drugs more affordable to the Seniors who need them. I thank the chair.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, with a little assistance, I believe we can finish this bill within the next 45 minutes.

I commend Senators on both sides of the aisle who have worked hard to work out these amendments and accept them by voice vote. The managers have been doing an excellent job, and Senator REID, and Senator DORGAN, so that we can do this.

But I want to try to explain where we are. The votes are still taking close to 10 minutes. But there is a physical problem with just how long it takes to call the roll. We will continue to try to do those as quickly as possible.

I believe we have no more than five amendments left. We have two that we already had ready to go, and we have possibly three more, and two more on that side. We could be down to, I think, no more than five. I don't want to say fewer than that until we are sure what we have done. But let me ask unanimous consent and see if we can identify this properly.

I ask unanimous consent that the following amendments be the only amendments remaining in order, other than those previously in order by Senator DOMENICI, and except those agreed to by the two managers, and, following the disposition of the amendments, the Senate proceed to the consideration of H. Con. Res. 68, the House companion bill.

I further ask that all after the enacting clause be stricken in the House resolution, the text of the Senate resolution be inserted, passage occur immediately, and the Senate resolution be placed back on the Calendar.

The amendments are as follows. I believe we have two that are still pending.

Robb, No. 181. I believe we are going to be able to do that one by voice vote.

Lautenberg, No. 183, which I believe will very likely take a recorded vote. Voice vote? All right. We will do those two by voice vote.

Then Kerry No. 190;

Kennedy, No. 196;

And Chafee, No. 238.

I further ask that the votes occur in sequence, as provided in the previous consent, with all provisions of the previous consent still in order.

I want to emphasize, we may still work out one or two of those that are on the list. But we are locking it down to the two that we are going to do by voice vote and the three that may require a recorded vote.

I yield to the manager.

Mr. LAUTENBERG. We have a question. Mr. President, I understand a vote will be asked for on the amendment of the Senator from Illinois.

Mr. DOMENICI. We have another list of ones we will accept, that the leader hasn't mentioned, that we agreed on.

Mr. LAUTENBERG. All right.

Mr. REID. There is also No. 182, the Robb amendment. Whatever the body decides on that by voice vote will do.

Mr. LOTT. Right.

I renew my unanimous consent request.

Mr. BYRD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. My question is, does the leader's request preclude a vote up or down on the resolution itself?

Mr. LOTT. Mr. President, my understanding is it does not. It would not be my intent to do that.

Mr. BYRD. I have no objection.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. CHAFEE. I believe that I have 236. I believe that has been cleared.

Mr. LOTT. Yes. I believe it has. No. 236 is on the list.

Mr. President?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I yield the floor.

Let's proceed.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senate will now proceed to the question on the Robb amendment No. 182.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator in New Mexico.

Mr. DOMENICI. Mr. President, could I do the house cleaning? That will get us to the unanimous consent agreement.

AMENDMENT NO. 164, AS MODIFIED

Mr. DOMENICI. Mr. President, Graham No. 164, as modified. We ask that it be accepted. We send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 164), as modified, is as follows:

AMENDMENT NO. 164, AS MODIFIED

At the appropriate place, insert the following:

SEC. ____. SENSE OF THE SENATE CONCERNING RECOVERY OF FUNDS BY THE FEDERAL GOVERNMENT IN TOBACCO-RELATED LITIGATION.

(a) SHORT TITLE.—This section may be cited as the ''Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999''.

(b) FINDINGS.—The Senate makes the following findings:

(1) The President, in his January 19, 1999 State of the Union address—

(A) announced that the Department of Justice would develop a litigation plan for the Federal Government against the tobacco industry;

(B) indicated that any funds recovered through such litigation would be used to strengthen the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(C) urged Congress to pass legislation to include a prescription drug benefit in the medicare program.

(2) The traditional medicare program does not include most outpatient prescription drugs as part of its benefit package.

(3) Prescription drugs are a central element in improving quality of life and in routine health maintenance.

(4) Prescription drugs are a key component to early health care intervention strategies for the elderly.

(5) Eighty percent of retired individuals take at least 1 prescription drug every day.

(6) Individuals 65 years of age or older represent 12 percent of the population of the United States but consume more than ⅓ of all prescription drugs consumed in the United States.

(7) Exclusive of health care-related premiums, prescription drugs account for almost ⅓ of the health care costs and expenditures of elderly individuals.

(8) Approximately 10 percent of all medicare beneficiaries account for nearly 50 percent of all prescription drug spending by the elderly.

(9) Research and development on new generations of pharmaceuticals represent new opportunities for healthier, longer lives for our Nation's elderly.

(10) Prescription drugs are among the key tools in every health care professional's medical arsenal to help combat and prevent the onset, recurrence, or debilitating effects of illness and disease.

(11) While possible Federal litigation against tobacco companies will take time to develop, Congress should continue to work to address the immediate need among the elderly for access to affordable prescription drugs.

(12) Treatment of tobacco-related illness is estimated to cost the medicare program approximately $10,000,000,000 every year.

(13) In 1998, 50 States reached a settlement with the tobacco industry for tobacco-related illness in the amount of $206,000,000,000.

(14) Recoveries from possible Federal tobacco-related litigation, if successful, will likely be comparable to or exceed the dollar amount recovered by the States under the 1998 settlement.

(15) In the event Federal tobacco-related litigation is valid, undertaken and is successful, funds recovered under such litigation should first be used for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to finance a medicare prescription drug benefit.

(16) The scope of any medicare prescription drug benefit should be as comprehensive as possible, with drugs used in fighting tobacco-related illnesses given a first priority.

(17) Most Americans want the medicare program to cover the costs of prescription drugs.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds recovered under any tobacco-related litigation commenced by the Federal Government should be used first for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to fund a medicare prescription drug benefit.

The PRESIDING OFFICER. Without objection, the amendment, as modified, is agreed to.

The amendment (No. 164), as modified, was agreed to.

AMENDMENT NO. 165, AS MODIFIED

Mr. DOMENICI. GRAHAM of Florida, No. 165, with a modification.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 165), as modified, is as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON OFFSETTING INAPPROPRIATE EMERGENCY SPENDING.

It is the sense of the Senate that the levels in this resolution assume that—

(1) some emergency expenditures made at the end of the 105th Congress for fiscal year 1999 were inappropriately deemed as emergencies;

(2) Congress and the President should identify these inappropriate expenditures and fully pay for these expenditures during the fiscal year in which they will be incurred; and

(3) Congress should only apply the emergency designation for occurrences that meet the criteria set forth in the Congressional Budget Act.

The PRESIDING OFFICER. Without objection, the amendment, as modified, is agreed to.

The amendment (No. 165), as modified, was agreed to.

Amendments Nos. 227, 230, 185, 214, As Modified, And 236.

Mr. DOMENICI. Senator ABRAHAM, 227; 230, Senator STEVENS; 185, Senator DURBIN; 214, Senator DEWINE, modification. I send the modification to the desk.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

Mr. DOMENICI. Senator CHAFEE, 236.

The PRESIDING OFFICER. Without objection, the amendment, as modified, is agreed to.

The amendments (Nos. 227, 230, 185, and 236) were agreed to.

The amendment (No. 214), as modified, was agreed to, as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING FUNDING FOR COUNTER-NARCOTICS INITIATIVES.

(a) FINDINGS.—The Senate finds that—

(1) from 1985–1992, the Federal Government's drug control budget was balanced among education, treatment, law enforcement, and international supply reduction activities and this resulted in a 13-percent reduction in total drug use from 1988 to 1991;

(2) since 1992, overall drug use among teens aged 12 to 17 rose by 70 percent, cocaine and marijuana use by high school seniors rose 80 percent, and heroin use by high school seniors rose 100 percent;

(3) during this same period, the Federal investment in reducing the flow of drugs outside our borders declined both in real dollars and as a proportion of the Federal drug control budget;

(4) while the Federal Government works with State and local governments and numerous private organizations to reduce the demand for illegal drugs, seize drugs, and break down drug trafficking organizations within our borders, only the Federal Government can seize and destroy drugs outside of our borders;

(5) in an effort to restore Federal international eradication and interdiction efforts, in 1998, Congress passed the Western Hemisphere Drug Elimination Act which authorized an additional $2,600,000,000 over 3 years for international interdiction, eradication, and alternative development activities;

(6) Congress appropriated over $800,000,000 in fiscal year 1999 for anti-drug activities authorized in the Western Hemisphere Drug Elimination Act;

(9) the proposed Drug Free Century Act would build upon many of the initiatives authorized in the Western Hemisphere Drug Elimination Act, including additional funding for the Department of Defense for counter-drug intelligence and related activities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) funding for Federal drug control activities should be at a level higher than that proposed in the President's budget request for fiscal year 2000; and

(2) funding for Federal drug control activities should allow for investments in programs authorized in the Western Hemisphere Drug Elimination Act and in the proposed Drug Free Century Act.

AMENDMENTS NOS. 226, 223, AND 167, WITHDRAWN

Mr. DOMENICI. The following amendments are withdrawn: 226, 223, and 167.

The PRESIDING OFFICER. Without objection, the amendments are withdrawn.

The amendments (Nos. 226, 223, and 167) were withdrawn.

AMENDMENT NO. 183

Mr. DOMENICI. Senator LAUTENBERG, do you have your amendment?

Mr. LAUTENBERG. I have my amendment.

Mr. DOMENICI. Can we accept it right now?

Mr. LAUTENBERG. We can accept it. This is on school modernization. It has my list of cosponsors.

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. There will be order in the Senate.

Mr. DOMENICI. We accept the Lautenberg amendment.

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

The amendment (No. 183) was agreed to.

Mr. LAUTENBERG. Mr. President, this amendment expresses the sense of the Senate that we should enact legislation to help local school districts modernize their schools. This is a critical need for our school districts.

This school modernization proposal is supported by the National School Boards Association, the National PTA, the National Association of Elementary School Principals, and the entire range of education advocates.

Mr. President, help with school modernization is what the education community wants from the Federal Government. They don't want lip service, they want action. Here is our chance. I ask for my colleagues' support.

I thank my principal cosponsor Senator ROBB for his support for this important amendment.

Mr. DOMENICI. That is it so far.

AMENDMENT NO. 182

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Virginia.

Mr. ROBB. Mr. President, I hope I may have the 60 seconds, even though I am going to have a voice vote, and I know the result of that vote.

Mr. President, may I simply say pay-as-you-go has served this institution and this country well. It has helped reduce deficits, and it has helped us not to spend money we did not have. Senator GRAHAM and I thought it would be appropriate to continue that discipline. Regrettably, in an effort to spend money that we do not have, it is being withdrawn in this amendment.

I yield to my distinguished friend from Florida to use up any time that I have not used.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, the threat to the surplus is not the threat that it will or will not be placed in a lockbox. It is a threat whether the surplus will be dissipated by expenditures that are not offset by either other spending or by sources of revenue to support those additional expenditures.

I believe if you are seriously committed to preserving the surplus so it can be used to strengthen our Social Security system, you should give strong support to the amendment offered by the Senator from Virginia.

Mr. ROBB. Mr. President, the fiscally responsible vote is yea. With that, Mr. President, I yield.

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

Mr. DOMENICI. Mr. President, I don't believe we should vote yea. We should not be required to follow a pay-as-you-go that was there when we had big deficits and require we have 60 votes when you have a surplus or to spend any money when you have a surplus. We should not do that. We will not support the amendment.

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

The amendment (No. 182) was rejected.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 196

The PRESIDING OFFICER. The next amendment up is the Kennedy amendment No. 196.

Mr. DOMENICI. We understand that amendment should be called a Rockefeller amendment. Is that correct?

Mr. ROCKEFELLER. Mr. President, that is correct.

The PRESIDING OFFICER. The amendment is the Rockefeller amendment. The Senator from West Virginia.

Mr. ROCKEFELLER. If I may have the attention of my colleagues.

The PRESIDING OFFICER. There will be order in the Senate.

The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, our senior citizens in the United States deserve a Medicare prescription drug benefit. The amendment that I am offering, together with Senator KENNEDY, creates a credible reserve fund to accommodate such if a bill which reforms Medicare, in fact, passes. This will not add to the debt. There are no unacceptable conditions. There is no uncertainty about whether the funds will be there. The idea is clear and simple, and I urge my colleagues to vote for the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

There will be order in the Senate.

Mr. DOMENICI. Fellow Senators, this amendment sets up a reserve fund for any taxes that might be forthcoming from cigarettes without requiring any reform or any changes in the Medicare program. It just says that is out there to be used for Medicare. And whatever you want to call it, prescription drugs or what, it just doesn't seem to this Senator we ought to be doing that when we have a bipartisan Commission and many others saying let's reform Medicare and then let's see where we are.

So I don't believe we should be doing this, and I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—54

Abraham	Fitzgerald	Murkowski
Allard	Frist	Nickles
Ashcroft	Gorton	Roberts
Bennett	Gramm	Roth
Bond	Grams	Santorum
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burns	Hagel	Smith (NH)
Campbell	Hatch	Smith (OR)
Chafee	Helms	Snowe
Cochran	Hutchinson	Specter
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Thurmond
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Enzi	Mack	
	McConnell	

NAYS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NOT VOTING—1

McCain

The motion to lay on the table the amendment (No. 196) was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 190

Mr. KERRY. Mr. President, we spent a lot of effort in the last years trying to assert discipline on the budget process. This amendment is an opportunity to continue that discipline and to vote against deficit spending. As my colleagues know, I think the vast majority of the Senate is in favor of a tax cut. But this tax cut is loaded in a way that of $780 billion, $630 billion is not until the last years. In fact, it will not even take effect until about 2005.

What we say is we do not take away the tax cut. We simply say if CBO says that will result in deficit spending, we delay for the 1 year until we know we are in surplus rather than having to deficit spend in order to fund a tax cut.

The vast majority of the American people want to get out of debt. They do not want a tax cut if it means deficit spending to provide it. The danger is that the economic statistics, or realities, could turn downwards, but the law will require a tax cut we cannot afford.

So, this is a way of saying there is an automatic delay. We do not take it away. It affects nothing on Social Security and guarantees no deficit spending.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, the simplest way I can explain this is this is the kind of tax cut we give, but we take it way. It is kind of a reverse trigger. Instead of putting a tax on, we put tax on and then we stop it in the event we get an estimate from the Congressional Budget Office that the surpluses are not quite what we figured out.

We do not do that for spending. Spending can go on up. We have no triggers on or off. But when it comes to tax cuts, we kind of give them, but we do not quite give them. I do not think that is the way we ought to treat the taxpayer.

Having said that, the amendment violates the Budget Act. It is not germane and I make the point of order it does not comply with the Budget Act.

The PRESIDING OFFICER. The Senator from Massachusetts.

MOTION TO WAIVE THE BUDGET ACT

Mr. KERRY. Mr. President, pursuant to section 904 of the Budget Act of 1974, I move to waive the provisions for consideration of this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

to waive the Budget Act with respect to the amendment (No. 190). The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—55

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McCain
Baucus	Gorton	McConnell
Bayh	Graham, Florida	Mikulski
Bennett	Gramm, Texas	Moynihan
Biden	Grams, Minnesota	Murkowski
Bingaman	Grassley	Murray
Bond	Gregg	Nickles
Boxer	Hagel	Reed
Breaux	Harkin	Reid
Brownback	Hatch	Robb
Bryan	Helms	Roberts
Bunning	Hollings	Rockefeller
Burns	Hutchinson, Arkansas	Roth
Byrd	Hutchison	Santorum
Campbell	Inhofe	Sarbanes
Chafee	Inouye	Schumer
Cleland	Jeffords	Sessions
Cochran	Johnson	Shelby
Collins	Kennedy	Smith (NH)
Conrad	Kerrey	Smith (OR)
Coverdell	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Kyl	Stevens
Daschle	Landrieu	Thomas
DeWine	Lautenberg	Thompson
Dodd	Leahy	Thurmond
Domenici	Levin	Torricelli
Dorgan	Lieberman	Voinovich
Durbin	Lincoln	Warner
Edwards		Wellstone
Enzi		Wyden

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The question is now on the Chafee amendment.

CHANGE OF VOTE

Mr. REID. On vote No. 64, I voted ''nay,'' but I meant to vote ''aye.'' I ask unanimous consent that I be recorded as an ''aye.'' It will not affect the outcome of the vote.

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

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. With just a few amendments we have to clear up, we will be ready to vote on final passage.

I ask unanimous consent that Senator CRAPO be added as a cosponsor to amendment No. 227.

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

AMENDMENTS NOS. 233, 203, 201, 200, 198, 194, 184, 172, AND 168, WITHDRAWN

Mr. DOMENICI. I ask unanimous consent to withdraw amendment No. 233, Coverdell. And I ask unanimous consent to withdraw the following amendments. I will not name the Senator, just the number. These are what we know are around but nobody wants them called up: 203, 201, 200, 198, 194, 184, 172, and 168. I send that to the desk in case the scrivener did not get my vocabulary.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are withdrawn.

The amendments (Nos. 233, 203, 201, 200, 198, 194, 184, 172, and 168) were withdrawn.

AMENDMENT NO. 206, AS MODIFIED

Mr. DOMENICI. I ask unanimous consent that amendment No. 206 be modified with the modification I send to the desk.

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

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

''SEC. . SENSE OF THE SENATE REGARDING SUPPORT FOR FEDERAL, STATE AND LOCAL LAW ENFORCEMENT AND FOR THE VIOLENT CRIME REDUCTION TRUST FUND

''(a) FINDINGS.—The Senate finds that—

''(1) Our Federal, State and local law enforcement officers provide essential services that preserve and protect our freedom and safety, and with the support of federal assistance such as the Local Law Enforcement Block Grant Program, the Juvenile Accountability Incentive Block Grant Program, the COPS Program, and the Byrne Grant program, state and local law enforcement officers have succeeded in reducing the national scourge of violent crime, illustrated by a violent crime rate that has dropped in each of the past four years;

''(2) Assistance, such as the Violent Offender Incarceration/Truth in Sentencing Incentive Grants, provided to State corrections systems to encourage truth in sentencing laws for violent offenders has resulted in longer time served by violent criminals and safer streets for law abiding people across the Nation;

''(3) Through a comprehensive effort by state and local law enforcement to attack violence against women, in concert with the efforts of dedicated volunteers and professionals who provide victim services, shelter, counseling and advocacy to battered women and their children, important strides have been made against the national scourge of violence against women;

''(4) Despite recent gains, the violent crime rate remains high by historical standards;

''(5) Federal efforts to investigate and prosecute international terrorism and complex interstate and international crime are vital aspects of a National anticrime strategy, and should be maintained;

''(6) The recent gains by Federal, State and local law enforcement in the fight against violent crime and violence against women are fragile, and continued financial commitment from the Federal Government for funding and financial assistance is required to sustain and build upon these gains; and

''(7) The Violent Crime Reduction Trust Fund, enacted as a part of the Violent Crime Control and Law Enforcement Act of 1994, funds the Violent Crime Control and Law Enforcement Act of 1994, the Violence Against Women Act of 1994, and the Antiterrorism and Effective Death Penalty Act of 1996, without adding to the federal budget deficit.

''(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions and the functional totals underlying this resolution assume that the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts to combat violent crime shall be maintained, and the funding for the Violent Crime Reduction Trust Fund shall continue to at least year 2005.''

Mr. DOMENICI. I ask unanimous consent that amendment No. 206, as modified, the Hatch-Biden amendment, be adopted.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment, as modified, is agreed to.

The amendment (No. 206), as modified, was agreed to.

AMENDMENT NO. 247

(Purpose: To express the sense of the Senate on need-based student financial aid programs)

Mr. DOMENICI. We have an amendment that by mistake did not get called up and was misplaced somewhere. It is Senator COLLINS' amendment. I ask unanimous consent that it be in order to offer the amendment.

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

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for Ms. COLLINS, for herself, Mr. JEFFORDS, Mr. REED, Mr. DODD, Mr. KENNEDY and Mr. LIEBERMAN proposes an amendment numbered 247.

The amendment reads as follows:

Amend section 315 to read as follows:

SEC. 315. SENSE OF THE SENATE ON NEED-BASED STUDENT FINANCIAL AID PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) public investment in higher education yields a return of several dollars for each dollar invested;

(2) higher education promotes economic opportunity for individuals, as recipients of bachelor's degrees earn an average of 75 percent per year more than those with high school diplomas and experience half as much unemployment as high school graduates;

(3) higher education promotes social opportunity, as increased education is correlated with reduced criminal activity, lessened reliance on public assistance, and increased civic participation;

(4) a more educated workforce will be essential for continued economic competitiveness in an age where the amount of information available to society will double in a matter of days rather than months or years;

(5) access to a college education has become a hallmark of American society, and is vital to upholding our belief in equality of opportunity;

(6) for a generation, the Federal Pell Grant has served as an established and effective means of providing access to higher education for students with financial need;

(7) over the past decade, Pell Grant awards have failed to keep pace with inflation, eroding their value and threatening access to higher education for the nation's neediest students;

(8) grant aid as a portion of all students financial aid has fallen significantly over the past 5 years;

(9) the nation's neediest students are now borrowing approximately as much as its wealthiest students to finance higher education; and

(10) the percentage of freshmen attending public and private 4-year institutions from families below national median income has fallen since 1981.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that within the discretionary allocation provided to the Committee on Appropriations of the Senate for function 500—

(1) the maximum amount of Federal Pell Grants should be increased by $400;

(2) funding for the Federal Supplemental Educational Opportunity Grants Program should be increased by $65,000,000;

(3) funding for the Federal capital contributions under the Federal Perkins Loan Program should be increased by $35,000,000;

(4) funding for the Leveraging Educational Assistance Partnership Program should be increased by $50,000,000;

(5) funding for the Federal Work-Study Program should be increased by $64,000,000;

(6) funding for the Federal TRIO Programs should be increased by $100,000,000.

Ms. COLLINS. Mr President, I rise to offer a Sense of the Senate amendment to express the commitment of the Senate to expand needs-based Federal student aid programs. I am joined in this effort by Senators JEFFORDS, REED, DODD, KENNEDY, and LIEBERMAN.

I am pleased by the large increase in funding for education included in the Budget Resolution and thank Senator DOMENICI and the other members of the Budget Committee for taking a forward-looking stance in favor of our children. I am offering this amendment to help ensure that as these increased funds for education are appropriated—and as the ''hard decisions'' are made about appropriations for specific programs—need-based student financial aid programs are given priority.

Although the federal government cannot guarantee that every American will complete a postsecondary education program, we can ensure that every qualified American has an equal opportunity to do so. This is the primary purpose of the student financial aid programs authorized by the Higher Education Act.

The evidence is overwhelming that individuals from low-income families pursue higher education at a significantly lower rate than individuals from middle- and upper-income families. This educational gap, which is rooted in economic disparity, threatens to divide our nation into two self-perpetuating classes: an educated class that participates fully in the tremendous economic opportunities that demand a postsecondary education and a class of ''have nots'' lacking the skills and education needed to be successful members of the modern work force.

Congress created need-based student financial aid programs to ensure that individuals from low-income families are not denied postsecondary education because they cannot afford it. These are the programs that assist the most disadvantaged Americans. They are the programs that help the students who come from families with no history of pursuing postsecondary education. They are the programs that will close the gap between educational ''haves'' and the ''have nots''

Federal Pell Grants are the cornerstone of our country's need-based financial aid. These grants provide essential financial assistance to almost 4 million students a year. Eighty percent of the dependent students receiving Pell Grants come from families with annual family incomes of less than $30,000. Yet, over the last 20 years, while the cost of postsecondary education has grown at an unprecedented rate, the maximum Pell Grant has declined in constant dollars by 14 percent. This Sense of the Senate amendment states that we should increase the maximum Pell Grant by $400 dollars to $3525. We still will not be back to the 1980 level in terms of purchasing power, but we will be getting closer.

This amendment also urges an increase in two other important grant programs. The Federal Supplementary Educational Opportunity Grant and the Leveraged Educational Assistance Program (formerly SSIG) are grant programs managed by schools and states respectively. These programs leverage federal dollars through matching funds from schools and states and provide additional assistance for those students most in need of financial aid.

In addition to these important educational grants, my amendment calls for increased funding for two other need-based programs that assist students from low income families: the Federal Work Study Program and the Perkins Loan Program. These are campus-based programs in which the federal contribution is leveraged by matching funds from participating schools. Work Study is a self-help student aid program under which needy students pay some of the cost of their education through jobs that contribute to their education and often involve important community service. The Perkins Loan program allows schools to make low-interest loans to needy students. Both of these programs, along with the Supplementary Educational Opportunity Grants, give financial aid offices flexibility in creating individualized student aid packages that will minimize the student's debt burden upon graduation.

Unfortunately, during the last 20 years, funding for the work study program had declined by 25 percent in constant dollars and the capital contribution to Perkins Loans has declined by 78 percent. This Sense of the Senate Amendment expresses our support for these important programs, which aid our neediest students.

Providing financial aid is only one aspect of the challenge to equalize education opportunity. Before financial aid can help, a potential student must aspire to higher education. This is one of the goals of the TRIO programs. There is no question that thousands of individuals who would never have considered a college education have been identified by Talent Search and Upward Bound and gone on to college and successful careers. Thousands of other individuals have been assisted while in college by the Academic Support Services Program, while many non-traditional students have entered college because of the Educational Opportunity Centers.

Despite this strong record of success, the existing TRIO programs reach only a very small percentage of the individuals who are eligible for their services. The additional funds that this Sense of the Senate Amendments urges will extend the reach of these programs to more disadvantaged youth and adults who could so benefit from the support the TRIO programs provide.

I urge my colleagues to support this amendment so that more of our citizens can pursue the American dream of college education.

Mr. DOMENICI. I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 247) was agreed to.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 170

Mr. REID. Amendment No. 170 was acceptable with a modification. It was cleared by both sides.

Mr. DOMENICI. Would you accept that as if I said it, please, so I do not have to say it. It has been accepted.

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

Without objection, the amendment is agreed to.

The amendment (No. 170) was agreed to.

Mr. DOMENICI. Mr. President, I thank all Senators for participating and for permitting us to get this bill done today. It has been a big struggle for many of us. And while we had a lot of fun with many of the amendments and many of the concepts, it is a serious budget resolution. It has been a pleasure serving you as chairman of the Budget Committee. And I thank all of those who vote for it. For those who do not vote for it, I think you are missing the boat, missing a great path. It is the best budget we have produced in an awful long time.

I thank Senator LAUTENBERG for all his cooperation and certainly all the good he has done in bringing this budget to the floor.

I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I say to Senator DOMENICI, I too had fun, not as much fun as the Senator had, but it was good working together. We put our most difficult disagreements to the side at times. Senator DOMENICI invented a new index for debate. And the index that Senator DOMENICI has is a ''red'' neck. When it gets above your collar, that is when you have to sit back.

So we have no ''red'' necks in the Budget Committee. We have had a good time in getting it done. I thank all of my colleagues, particularly the members on my side, who worked so arduously.

I do want to say a word about the staff while the Senators are here. I thank Bill Hogan and his team; but I also want to make particular mention of the fact that Bruce King, our chief of staff, Sue Nelson, Lisa Konwinski, Amy Abraham, Claudia Arko, Jim Esquea, Dan Katz, Marty Morris, Paul Saltman, Jeff Siegel, Mitch Warren, Ted Zegers, and Jon Rosenwasser—I thank all the staff. They worked very hard, on both sides, and they deserve our deep thanks and our appreciation.

With that, I surrender the floor.

The PRESIDING OFFICER. The Senate will be in order. The Senate will be in order.

The Senator from New Mexico.

AMENDMENT NO. 238

Mr. DOMENICI. Mr. President, I made a mistake. We have been working very hard to get Senator CHAFEE's amendment No. 238 accepted on the other side. It was. And we would like to offer it at this time. I think it is at the desk, amendment No. 238.

The PRESIDING OFFICER. The clerk will report.

Mr. DOMENICI. I do not believe there are any objections to it.

The legislative clerk read as follows:

Amendment No. 238 previously offered by the Senator from New Mexico [Mr. DOMENICI] for Mr. CHAFEE.

Mr. SMITH of New Hampshire. Mr. President, I am pleased to sponsor, along with the gentleman from Rhode Island and others, an amendment to increase funding for the Land and Water Conservation Fund (LWCF). Our amendment would accomplish two important goals.

First, the amendment authorizes $200 million in matching grants to states for their conservation and recreation programs. The amendment therefore would help fulfill a thirty-five year-old Federal commitment that has been largely ignored in recent years.

Second, our amendment maintains Congress' commitment to living within the budget agreement by offsetting the increased LWCF funding with an equivalent reduction in programs within the Department of Commerce.

Let me speak first about the LWCF. As most of my colleagues know, the Land and Water Conservation Fund was established in 1964, and it has been the main source of Federal funding for Federal and state recreational lands. The LWCF accumulates revenues from outdoor recreation user fees, the federal motorboat fuel tax, surplus property sales, and, most significantly, revenue from oil and gas leases on the Outer Continental Shelf. Due to early successes and strong support, authorized funding levels increased steadily from the initial authorization of $60 million to the program's current $900 million level—although appropriations have consistently fallen far short of authorized levels.

Until Fiscal Year 1995, about one third of the total $10 billion appropriated under this program went directly to the states. The rest of the revenue was split between four Federal agencies: the Park Service, the Forest Service, the Fish and Wildlife Service, and the Bureau of Land Management.

Matching grants to states have funded some 37,000 projects and helped conserve 2.3 million acres of land. While the law requires at least a 50% match from states receiving funds, in some cases the Federal grants enabled states to leverage up to seven times the grant amount.

The LWCF has enjoyed widespread support, both in my home State of New Hampshire and across the nation. The LWCF has truly been, up until recent years, a Federal-state partnership that works.

In the early years of the program, the bulk of the funding for LWCF went directly to the states. However, the state share of LWCF funding has declined dramatically since Fiscal Year 1978, when annual LWCF appropriations stabilized at between $200 and $300 million after fiscal year 1978, but the state portion of LWCF appropriations steadily declined until Fiscal Year 1996, when grants to states were completely eliminated. Since Fiscal Year 1996, overall funding for LWCF has begun to increase again, but all of the money has been appropriated for the Federal-side of the program, and none for the states.

Mr. President, to put it simply: that is wrong. These revenues were originally intended to be shared between the Federal Government and the states. We should not penalize states like New Hampshire that can effectively manage these funds and that have critical needs which must be addressed. The idea that only the Federal government can be trusted to conserve resources is again, Mr. President, simply wrong.

Last month, more than 100 elected officials, community representatives and other New Hampshire citizens sent a letter to the Chairman of the Budget Committee, expressing their strong support for the LWCF and other conservation partnership programs. I ask unanimous consent that their letter be inserted into the RECORD, along with a letter that I and thirty-five of my colleagues sent to the Chairman on this topic as well.

Today's amendment will help bring back some balance to this program by providing $200 million for states from the LWCF. Our amendment will not reduce LWCF appropriations to Federal agencies, but will, as I stated earlier, offset this increased funding with a corresponding reduction in appropriations for certain Commerce Department activities within Budget Function 370.

Mr. LIEBERMAN. Mr. President, while I support the underlying Chafee amendment providing $200 million in increased funding for the state-side portion of the Land and Water Conservation Program, I object to the use of funds from Function 370 as an offset. The Land and Water Fund monies are of critical importance to communities in my state and around the nation, and I have pledged to work hard to ensure that the state-side portion of the Fund is revived. I believe that revival of the State-side Fund represents the commitment of all Americans to conserving natural treasures and preserving open space.

Nevertheless, Function 370 is not the place to target offsets. Important programs under this budget function in the Commerce Department are vital to small businesses around the country and to our economic growth and our global competitiveness. Function 370 contains cost-effective initiatives that directly contribute to our economic well-being. Clearly, it makes little sense to take funds from some of the numerous cost effective programs in this Function when other areas in other Functions could better serve as offsets. I will support the amendment because I trust that the conference and the appropriations process will locate preferable offsets to fund this important Land and Water Conservation initiative.

Mr. LEAHY. Mr. President, I am pleased to join Senators CHAFEE, BOB SMITH, and FEINGOLD in offering this amendment to restart the Land and Water Conservation Fund (LWCF) state assistance program. Our amendment will recognize the outpouring of support for open space conservation and urban revitalization demonstrated by the passage of 124 ballot measures dedicating tax revenues to these goals.

Our amendment will allocate $200 million to the state grants program of LWCF. More than thirty years ago Congress made a promise to future generations that we would use the revenues from offshore oil and gas leases to protect the ''irreplaceable lands of natural beauty and unique recreational value.'' The revenues would be placed into the Land and Water Conservation Fund and used by the federal government, states and local communities to

build a network of parks, refuges, hiking trails, bike paths, river accesses and greenways.

Unfortunately, only half of that promise has been kept. For the past three years, Congress has not funded the state grants program of the Fund. Instead, we have been diverting these revenues for other purposes at a time when these investments are needed more than ever. We have all seen the impact of urban sprawl in our home states, whether it be large, multi-tract housing or mega-malls that bring national superstores and nation-sized parking lots. We are losing farm and forest land across the country at an alarming rate. If we are going to reverse this trend, Congress has to step in to the debate and start funding federal land conservation programs that help states address their land conservation priorities. The LWCF state grants program is one of the few federal programs available to do this—Congress now needs to make a commitment to fund it.

By funding the state grants program we will be investing in a proven success. The program has proved itself by helping to fund more than 37,000 projects across the country. As the National Park Service has testified, these projects are in ''every nook and cranny of the country and serve every segment of the public.'' I am sure every one of us have visited one of these places without even knowing that federal funds—which leveraged state and local funds—made it happen.

But it is not happening any more. By not funding the state grants program we are leaving state and local governments to fill the gap. In Vermont, we are fortunate. Most Vermonters are within a few hours of the Green Mountain National Forest or the Appalachian Trail. Most Americans, however, are much further away from a national park, national forest or wildlife refuge. They depend on their local parks and bike paths for weekend getaways or evening excursions.

I have seen the success of the stateside program in Vermont, where more than $27 million from the Fund has helped conserve more than 66,000 acres of land that was set aside as open space, parks and recreation places. I have a list of more than 500 projects that touch every corner of Vermont. However, there are still many special places in Vermont that remain unprotected. I constantly hear from Vermonters what are trying to protect their town green, a local wetland or access to their favorite fishing hole.

By restarting the state grant program we will be able to protect some of these special places in each of our states. In Vermont, I would like to see the Long Trail, which follows the spine of the Green Mountains through my state and attracts more than 200,000 hikers a year, completed. I would like to see better access to the banks of one of the premier fly-fishing rivers, the Battenkill. Although these will not become part of our federal network of conservation areas, we still have a federal responsibility to ensure they remain open and accessible for future generations to enjoy.

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

Without objection, the amendment is agreed to.

The amendment (No. 238) was agreed to.

Mr. DOMENICI. I yield to the majority leader.

The PRESIDING OFFICER. The Senate majority leader.

Mr. LOTT. Mr. President, we are ready now for the last vote of the night and the last vote on the budget resolution. I commend the chairman of the committee and the ranking member, the Senator from New Jersey.

This is a record handling of a budget resolution. I think, in at least the 5 years that I have been watching it closely, this is the shortest time—2 days—and a limited number of votes in the ''vote-arama.'' I think it makes more sense when you have a more limited number. We understand a little bit better about what we are voting on.

So you have done an exceptional job. But it would not have happened without the leadership and cooperation of Senator DASCHLE, his team, Senator REID and Senator DORGAN; on our side, Senator NICKLES, Senator CRAIG, and a lot of other people who cooperated and were willing to forgo votes on their amendments. So I think, sincerely, a lot of congratulations should be passed out for the cooperation on this concurrent resolution.

It has been a very good legislative period. Senator DASCHLE and I——

The PRESIDING OFFICER. The Senate will be in order. The majority leader has the floor. The Senate will be in order. Would the Senators suspend to my right. Thank you.

Mr. LOTT. This is actually so much fun, we might want to stay on and take up another bill. But I want to give a little more credit here because it has been a very productive legislative period. With this budget resolution, we have also passed the national missile defense bill; we passed the Ed-Flex bill; the Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act; the supplemental appropriations bill, on a voice vote; the Y2K small business bill; and the resolution supporting our men and women overseas in Kosovo.

articularly this week, we took up the vote on Kosovo, the supplemental, and the budget resolution. It is one of the most productive weeks I have seen in a long time.

When we adjourn shortly, the Easter recess will, of course, begin tonight. There will be no recorded votes until Tuesday, April 13.

We will not be in session this Friday. We will be in session on Monday, April 12, but there will be no recorded votes. At that time, we expect to take up the supplemental appropriations conference report, if available, and a budget conference report, if available, and other legislation that may be cleared at that time.

Thank you all very much. Have a good Easter recess.

The PRESIDING OFFICER (Mr. SESSIONS). Pursuant to the previous order, the Senate will now proceed to the consideration of H. Con. Res. 68. All after the enacting clause is stricken and the text of S. Con. Res. 20, as amended, is inserted in lieu thereof.

The question is on agreeing to H. Con. Res. 68, as amended.

Mr. COVERDELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—55

Abraham	Fitzgerald	Murkowski
Allard	Frist	Nickles
Ashcroft	Gorton	Roberts
Bennett	Gramm	Roth
Bond	Grams	Santorum
Breaux	Grassley	Sessions
Brownback	Gregg	Shelby
Bunning	Hagel	Smith (NH)
Burns	Hatch	Smith (OR)
Campbell	Helms	Snowe
Chafee	Hutchinson	Specter
Cochran	Hutchison	Stevens
Collins	Inhofe	Thomas
Coverdell	Jeffords	Thompson
Craig	Kyl	Thurmond
Crapo	Lott	Voinovich
DeWine	Lugar	Warner
Domenici	Mack	
Enzi	McConnell	

NAYS—44

Akaka	Feingold	Lieberman
Baucus	Feinstein	Lincoln
Bayh	Graham	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden
Edwards	Levin	

NOT VOTING—1

McCain

The concurrent resolution (H. Con. Res. 68), as amended, was agreed to.

The text of H. Con. Res. 68 will be printed in a future edition of the RECORD.

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate insist on its amendments and request a conference with the House.

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

Pursuant to the previous order, S. Con. Res. 20 is returned to the calendar.

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

NATIONAL TARTAN DAY

Mr. LOTT. Mr. President, today I rise to commemorate the first anniversary of National Tartan Day. While it is observed on April 6 of each year, I make this recognition today because Congress will be in recess on that day. I want to remind my colleagues that the resolution which establishes National Tartan Day was Senate Resolution 155. It passed by unanimous consent on March 20th of last year.

As an American of Scottish descent, I appreciate the efforts of individuals, clan organizations, and other groups such as the Scottish Coalition, who were instrumental in generating support for the resolution. These groups worked diligently to foster national awareness of the important role that Americans of Scottish descent have played in the progress of our country.

Mr. President, the purpose of National Tartan Day is to recognize the contributions that Americans of Scottish ancestry have made to our national heritage. It also recognizes the contributions that Scottish Americans continue to make to our country. I look forward to National Tartan Day as another opportunity to pause and reflect on the role Scottish Americans have played in advancing democracy and freedom. It is my hope that this annual event will grow in prominence. Scottish Americans have helped shape this nation. Their contributions are innumerable. In fact, three fourths of all American Presidents can trace their roots to Scotland.

Mr. President, in addition to recognizing Americans of Scottish ancestry, National Tartan Day reminds us of the importance of liberty. It honors those who strived for freedom from an oppressive government on April 6th, 1320. It was on that day that the Declaration of Arbroath was signed. It is the Scottish Declaration of Independence. This important document served as the model for America's Declaration of Independence.

In demanding their independence from England, the men of Arbroath wrote, ''We fight for liberty alone, which no good man loses but with his live.'' These words are applicable today to the heroism of our American veterans and active duty forces who know the precious cost of fighting for liberty.

Mr. President, Senate Resolution 155 has served as a catalyst for the many states, cities, and counties that have passed similar resolutions recognizing the important contributions of Scottish Americans.

I would like to thank all of my colleagues who supported this resolution last year and who helped to remind the world of the stand for liberty taken on April 6—almost seven hundred years ago—in Arbroath, Scotland. A call for liberty which still echoes through our history and the history of many nations across the globe.

I believe April 6th can also serve as a day to recognize those nations that have not achieved the principles of freedom which we hold dear. The example of the Scotsmen at Arbroath—their courage—their desire for freedom—serves as a beacon to countries still striving for liberty today.

ADMIRAL ROY L. JOHNSON

Mr. LOTT. Mr. President, the nation lost one of its most distinguished military leaders when Admiral Roy L. Johnson passed away on March 20. He was 93. His Naval career spanned 38 years, at the end of which he was Commander in Chief of the U.S. Naval Forces in the Pacific at the height of the Vietnam conflict in 1965–1967. Prior to that, as Commander of the U.S. Seventh Fleet, he had given the orders to the U.S.S. *Maddox* and U.S.S. *Turner Joy* to fire back at Viet Cong gunboats in the Tonkin Gulf incident.

The Admiral was a pioneer of Naval aviation. He received his wings in 1932 and served as a flight instructor at the U.S. Navy flight school at Pensacola, both in the era of the biplane in the early 1930s and at the dawn of the space age in the 1950s.

This remarkable man was born March 18, 1906 in Big Bend, Louisiana, the eldest of twelve children of John Edward Johnson and Hettie May Long. He graduated from the U.S. Naval Academy in the class of 1929 and devoted his life thereafter to the security of his country. During World War II, serving on the U.S.S *Hornet*, he was awarded the Bronze Star, the Air Medal and the Legion of Merit with gold star. He saw action in the places whose names have become a litany of courage: the Philippines, Wake Island, Truk, Iwo Jima, Okinawa. A few years later, as Commanding Officer of the escort carrier U.S.S. *Badoeng Strait*, he again saw action in the Korean War.

In 1955, he became the first commanding officer of the U.S.S. *Forrestal*, the first of the ''super-carriers,'' was promoted to the rank of Rear Admiral, and later assumed command of Carrier Division Four, with the *Forrestal* as his flagship. In 1960, he was named Assistant Chief of Naval Operations for Plans and Policy, was later promoted to Vice Admiral, and in 1963 became Deputy Commander in Chief of the U.S. Pacific Fleet. A year later, he was appointed Commander of the Seventh Fleet, and in that capacity was awarded his second Distinguished Service Medal. In 1965, he was promoted to full Admiral and became Commander in Chief of the U.S. Pacific Fleet and the last Military Governor of the Bonin Islands, which include Iwo Jima.

After his retirement in 1967, Admiral Johnson remained active in civic affairs. He was Chairman of the Board of Virginia Beach General Hospital, a founding trustee of the U.S.S. *Forrestal* Memorial Education Foundation, president of the Early and Pioneer Naval Aviators Association (The Golden Eagles), President of the Naval Academy Alumni Association, and other organizations. He was an active contributor to the U.S. Naval Institute's Oral History Program, which published his military memoirs, served as an advisor on national security matters, and was on the national board of Senator Bob Dole's veterans' group in his presidential campaign.

The Admiral's wife of 69 years, the former Margaret Louise Gross, died last year. Anyone who has been close to a military life knows that it has to be a joint enterprise, in which both husband and wife share the sacrifices, the uncertainties, and the satisfaction of a job heroically done.

On behalf of the U.S. Senate, I would like to offer one last salute to Roy Johnson, a patriot from the beginning, a patriot to the last. As we extend our condolences to all his family—especial his daughter, Jo-Anne Lee Coe, our former Secretary of the Senate—we know they share our pride and our appreciation for all that Admiral Johnson did, and gave, to the country he loved.

THE SENATE SAYS GOODBYE

HELEN C. SCOTT (4/1/85–4/1/99)

Mr. LOTT. Mr. President, Helen Scott has worked for the United States Senate for 14 years in the Environmental Services Department at the U.S. Capitol. During her tenure at the Senate, Helen has proven to be an outstanding employee. She possesses qualities of unremarkable character—dedication and loyalty. Helen is married to Joseph C. Scott and together they have six children and nine grandchildren. We wish Helen the best in her retirement.

JAMES DAVIS (4/2/85–3/1/99)

Mr. LOTT. Mr. President, James Davis has worked for the United States Senate for 14 years in the Environmental Services Department at the

U.S. Capitol. During his years of service, we have known Jim to be a fine employee who always performed his duties with spirit and dedication. Jim is married to Nae Davis and they have a son, James Jr. We wish Jim the best of luck in his retirement.

WASHINGTON CENTER FOR INTERNSHIPS AND ACADEMIC SEMINARS

Mr. DASCHLE. Mr. President, I would like to take this opportunity to commend the Washington Center for Internships and Academic Seminars for its excellent work over the last 25 years. The Center, which was founded by William and Sheila Burke in 1975, is an independent, non-profit educational organization that has placed more than 24,000 students from over 750 colleges and universities in internships across the Washington, D.C. area.

The Center plays a critical and formative role in teaching students the value of public service. The organization fosters an enduring civic awareness by placing students in internships and by holding academic seminars that introduce students to the exciting culture and history of our nation's capital. In addition to helping students experience the extraordinary educational opportunities that exist in the District of Columbia, The Center has made an invaluable contribution to public service by helping those of us in Congress to identify talented and energetic young men and women to assist in our work on behalf of the American public.

I know that many of my colleagues share my deep appreciation for this extraordinary achievement, and join me in commending The Center for its pioneering efforts over the last quarter century to promote participatory learning in the nation's capitol. On this, The Center's 25th anniversary, it deserves the recognition and thanks of all of us who work in our nation's capitol and who have benefitted from The Center's important work.

In conclusion, Mr. President, I wish the Washington Center continued success in fulfilling its vital mission to enhance the lives and learning of our nation's college students. This Center's work has immeasurably enriched the lives of students and the lives of those who have been fortunate enough to work with them, and I know it will continue to do so for many years to come.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 24, 1999, the federal debt stood at $5,645,338,661,953.64 (Five trillion, six hundred forty-five billion, three hundred thirty-eight million, six hundred sixty-one thousand, nine hundred fifty-three dollars and sixty-four cents).

One year ago, March 24, 1998, the federal debt stood at $5,542,617,000,000 (Five trillion, five hundred forty-two billion, six hundred seventeen million).

Five years ago, March 24, 1994, the federal debt stood at $4,556,299,000,000 (Four trillion, five hundred fifty-six billion, two hundred ninety-nine million).

Ten years ago, March 24, 1989, the federal debt stood at $2,737,627,000,000 (Two trillion, seven hundred thirty-seven billion, six hundred twenty-seven million) which reflects a debt increase of almost $3 trillion—$2,907,711,661,953.64 (Two trillion, nine hundred seven billion, seven hundred eleven million, six hundred sixty-one thousand, nine hundred fifty-three dollars and sixty-four cents) during the past 10 years.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:29 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1141. An act making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 643. An act to authorize the Airport Improvement Program for 2 months, and for other purposes.

The message further announced that pursuant to the provisions of Executive Order No. 12131, the Speaker appoints the following Members of the House to the President's Export Council: Mr. EWING of Illinois, Mr. ENGLISH of Pennsylvania, and Mr. PICKERING of Mississippi.

ENROLLED BILLS SIGNED

At 12:06 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 68. An act to amend section 20 the Small Business Act and make technical corrections in title III of the Small Business Investment Act.

H.R. 92. An act to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse.''

H.R. 158. An act to designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the ''James F. Battin United States Courthouse''.

H.R. 233. An act to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building.''

H.R. 396. An act to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building.''

S. 314. An act to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 7:58 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 68. Concurrent resolution 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.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 23. Concurrent Resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

At 9:12 p.m., a message from the House of Representatives delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolutions:

H.R. 774. An act to amend the Small Business Act to change the condition of participation and provide an authorization of appropriations for the women's business center program.

H.R. 808. An act to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted.

H.J. Res. 26. Joint resolution providing for the reappointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 27. Joint resolution providing for the reappointment of Dr. Hanna H. Gray as citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 28. Joint resolution providing for the reappointment of Wesley S. Williams, Jr. as a citizen of the Board of Regents of the Smithsonian Institution.

S. 643. An act to authorize the Airport Improvement Program for 2 months, and for other purposes.

The enrolled bills and joint resolutions were signed subsequently by the President pro tempore (Mr. THURMOND).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on March 25, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 314. An act to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2340. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to protect producers of agricultural commodities who have purchased a CRCPLUS supplemental endorsement; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2341. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cinnamaldehyde; Exemption from the Requirement of a Tolerance; Correction'' (RIN2070–AB78) received on March 17, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2342. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clopyralid; Extension of Tolerance for Emergency Exemptions'' (FRL6066–2) received on March 17, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2343. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Norflurazon; Extension of Tolerance for Emergency Exemptions'' (FRL6063–2) received on March 17, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2344. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imidacloprid; Extension of Tolerance for Emergency Exemptions'' (FRL6066–9) received on March 17, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2345. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's report entitled ''Automotive Fuel Economy Program'' for calendar year 1998; to the Committee on Commerce, Science, and Transportation.

EC–2346. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to increase consumer protections for airline passengers; to the Committee on Commerce, Science, and Transportation.

EC–2347. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled ''The Maritime Administration Authorization Act for Fiscal Years 2000 and 2001''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2348. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Department's report on the administration of the Marine Mammal Protection Act; to the Committee on Commerce, Science, and Transportation.

EC–2349. A communication from the Secretary of Commerce, transmitting, a draft of proposed legislation entitled ''The Coastal Management Enhancement Act''; to the Committee on Commerce, Science, and Transportation.

EC–2350. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closure of Specified Groundfish Fisheries in the Bering Sea and Aleutian Islands'' (I.D. 030899B) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2351. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closure of Specified Groundfish Fisheries in the Gulf of Alaska'' (I.D. 030899C) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2352. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Tuna Fisheries; Atlantic Bluefin Tuna'' (I.D. 021299E) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2353. A communication from the Acting Director of the Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Eastern Regulatory Area of the Gulf of Alaska'' (I.D. 030599C) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2354. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 1999 Harvest Specifications for Groundfish'' (I.D. 121098D) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2355. A communication from the Associate Administrator, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Public Telecommunications Facilities Program: Closing Date'' (RIN0660–ZA07) received on March 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2356. A communication from the Assistant Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Grant Technology Program: Request for Proposals for FY 1999'' (RIN0648–ZA58) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2357. A communication from the Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Grant Industry Fellows Program: Request for Proposals for FY 1999'' (RIN0648–ZA57) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2358. A communication from the Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''National Oyster Disease Research Program and Gulf Oyster Industry Initiative: Request for Proposals for FY 1999'' (RIN0648–ZA56) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2359. A communication from the Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Dean John A. Knauss Marine Policy Fellowship National Sea Grant College Federal Fellows Program'' (RIN0648–ZA55) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2360. A communication from the Assistant Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Aquatic Nuisance Species Research and Outreach and Improved Methods for Ballast Water Treatment and Management; Request for Proposals for FY 1999'' (RIN0648–ZA54) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2361. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Table of Allotments, FM Broadcast Stations: Clinton and Okarche, Oklahoma'' (Docket 98–70) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2362. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Table of Allotments, FM Broadcast Stations: Brewster, Massachusetts'' (Docket 98-58) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2363. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Table of Allotments, FM Broadcast Stations: Spencer and Webster, Massachusetts'' (Docket 98-174) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2364. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Table of Allotments, FM Broadcast Stations: Kansas City, Missouri'' (Docket 96-134) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2365. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; 1D48 Chesapeake Grand Prix Round-the-Buoys Races'' (Docket 05-99-012) received on March

18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2366. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Chesapeake Bay, Patapsco River, Inner Harbor, Baltimore, Maryland'' (Docket 05-99-009) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2367. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; 1D48 Chesapeake Grand Prix Distance Race'' (Docket 05-99-013) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2368. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, Virginia'' (Docket 05-99-010) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2369. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Change-of-Gauge Services'' (RIN2105-AC17) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2370. A communication from the Attorney-Advisor, Bureau of Transportation Statistics, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision to Reporting Requirements for Motor Carriers of Property and Household Goods'' (RIN2139-AA05) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2371. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Child Restraint Systems; Child Restraint Anchorage Systems'' (RIN2127-AG50) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2372. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilateus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes'' (Docket 98-CE-73-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2373. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757–200 Series Airplanes'' (Docket 98–NM–238–AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2374. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglass Model DC–10 and MD–11 Series Airplanes, and KC–10 [Military) Series Airplanes'' (Docket 98–NM–55–AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2375. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Short Brothers Model SD3–60 and SD3–60 SHERPA Series Airplanes'' (Docket 97–NM–106–AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2376. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Kenosha, WI'' (Docket 98–AGL–62) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2377. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Restricted Areas R–2531A and R–2531B, Establishment of Restricted Area R–2531, and Change of Using Agency, Tracy; CA'' (Docket 98–AWP–30) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2378. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 and A300–600 Series Airplanes'' (Docket 98–NM–106–AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2379. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A320 Series Airplanes'' (Docket 98–NM–105–AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2380. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Rapid City, SD'' (Docket 98–AGL–64) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2381. A communication from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Request for Proposals for the Global Ocean Ecosystems Dynamics Project'' (RIN0648–ZA53) received on March 10, 1999; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–22. A resolution adopted by the Commission of the City of Margate, Florida, relative to the rights of freedom of speech and association of candidates for office; to the Committee on the Judiciary.

POM–23. A resolution adopted by the Legislature of the State of Nebraska; to the Committee on the Judiciary.

LEGISLATIVE RESOLUTION 10

Whereas, the delegates to the 1788 Constitutional Convention discussed whether the term of office for a representative should be one year or three years and compromised on a two-year term; and

Whereas, communications systems and travel accommodations have improved over the last two hundred years which allows quicker and easier communication with constituents and more direct contact; and

Whereas, the American people would be better served by having the members of the House of Representatives focus on issues and matters before the Congress rather than constantly running a campaign; and

Whereas, a biennial election of one-half of the Members of the House of Representatives would still allow the American people to express their will every two years. Now therefore, be it

Resolved by the Members of the Ninety-Sixth Legislature of Nebraska, First Session:

1. That the Legislature hereby petitions the Congress of the United States to propose to the states an amendment to Article I, section 2, of the United States Constitution that would increase the length of the terms of office for members of the House of Representatives from two years to four years with one-half of the Member's terms expiring every two years.

2. That official copies of this resolution be prepared and forwarded to the Speaker of the House of Representatives and President of the Senate of the Congress of the United States and to all Members of the Nebraska delegation to the Congress of the United States, with the request that it be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States.

3. That a copy of the resolution be prepared and forwarded to President William J. Clinton.

POM–24. A resolution adopted by the Legislature of the State of Wyoming; to the Committee on Governmental Affairs.

Whereas, the U.S. Constitution requires an actual enumeration of the population every ten years, and entrusts Congress with overseeing all aspects of each decennial enumeration;

Whereas, the sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states;

Whereas, an accurate and legal decennial census is necessary to properly apportion U.S. House of Representatives seats among the 50 states and to create legislative districts within the states;

Whereas, an accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states;

Whereas, Article 1, Section 2 of the U.S. Constitution, in order to ensure an accurate count, and to minimize the potential for political manipulation, mandates an ''actual enumeration'' of the population, which requires a physical headcount of the population and prohibits statistical guessing or estimates of the population;

Whereas, Title 13, Section 195 of the U.S. Code, consistent with this constitutional

mandate, expressly prohibits the use of statistical sampling to enumerate the U.S. population for the purpose of reapportioning the U.S. House of Representatives;

Whereas, legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states;

Whereas, the United States Supreme Court, in No. 98–404, *Department of Commerce, et al. v. United States House of Representatives, et al.*, together with No. 98–564, *Clinton, President of the United States, et al. v. Glavin, et al.* ruled on January 25, 1999 that the Census Act prohibits the Census Bureau's proposed uses of statistical sampling in calculating the population for purposes of apportionment;

Whereas, in reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of 'one-person, one-vote;'

Whereas, consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the U.S. House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate 'one-person, one-vote' legal protections, thus exposing the State of Wyoming to protracted litigation over legislative redistricting plans at great cost to the taxpayers of the State of Wyoming, and likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts based solely on statistical inference;

Whereas, consistent with this ruling, no person enumerated in the census should ever be deleted from the census enumeration;

Whereas, consistent with this ruling, every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population as possible, including appropriate funding for state and local census outreach and education programs; as well as a provision for post census local review; Therefore be it

Resolved, That the Wyoming State Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical headcount of the population and bars the use of statistical sampling to create, or in any way adjust the count; be it further

Resolved, That the Wyoming State Legislature opposes the use of P.L. 94–171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts; be it further

Resolved, That the Wyoming State Legislature demands that it receive P.L. 94–171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the U.S. House of Representatives consistent to the aforementioned United States Supreme Court ruling and constitutional mandates, which requires a physical headcount of the population and bars the use of statistical sampling to create, or in any way adjust the count; be it further

Resolved, That the Wyoming State Legislature urges Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally; and be it further.

Resolved, That a copy of this Resolution be transmitted to the Speaker of the U.S. House of Representatives, Majority Leader of the U.S. Senate, Vice President and the President of the United States.

POM–25. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Governmental Affairs.

SENATE JOINT RESOLUTION NO. 4

Whereas, Few environmental challenges have proven more daunting than the problems posed by high-level nuclear waste; and

Whereas, The proposed Nuclear Waste Policy Act of 1999 is a disastrous response to these problems and if enacted would attack state authority, create massive taxpayer liabilities and unwisely require an ''interim'' storage facility for high-level nuclear waste which would directly threaten the environment; and

Whereas, By requiring construction of an ''interim'' storage facility at the Nevada Test Site, the proposed Nuclear Waste Policy Act of 1999 would require the unprecedented shipment of high-level nuclear waste through 43 states endangering the lives of fifty million American citizens who live within one-half mile of the proposed transportation routes; and

Whereas, Although there is the expectation that high-level waste at reactors will eventually have to be moved, the provisions of the Nuclear Waste Policy Act of 1999 exacerbate the risk of this dangerous activity; and

Whereas, Despite the serious flaws with the proposed Yucca Mountain site, studies are being conducted to determine whether the site is capable of hosting a permanent repository for high-level nuclear waste, but if enacted, the Nuclear Waste Policy Act of 1999 would prejudice those studies by explicitly revoking federal regulations that establish guidelines for determining the suitability of the site; and

Whereas, Upon the revocation of such regulations, requirements for establishing the characteristics of the site, such as the time it takes for water to travel and climactic stability, would be eliminated, thereby undermining the integrity of any determination regarding the suitability of the site for the storage of high-level nuclear waste; and

Whereas, A major cause for concern in designating the Nevada Test Site as the ''interim'' storage facility is the high seismic activity that has been taking place in the area, including seven earthquakes just last month at 3.0 or greater with three jolts recorded at a magnitude of between 4.3 and 4.7 that struck at the eastern edge of the site; and

Whereas, Geologists have expressed concern over this seismic activity stating that these recent earthquakes are part of a swarm of tremors that have occurred along the Rock Valley Fault zone, including a 5.8 magnitude quake on June 29, 1992, at Little Skull Mountain, which knocked out windows, cracked walls and brought down ceiling panels at a fields operations center approximately 12 miles from the site of the proposed repository; and

Whereas, Federal law directs the Environmental Protection Agency to enact regulations to protect the environment from repository radiation releases, but the Nuclear Waste Policy Act of 1999 prohibits all efforts of the Environmental Protection Agency to carry out this responsibility; and

Whereas, The reality is that the Nuclear Waste Policy Act of 1999 would create a single performance standard that would allow annual radiation exposures of up to 100 millirems to an average member of the surrounding population, a level four times the amount allowed by regulation for storage facilities; and

Whereas, The Nuclear Waste Policy Act of 1999 contains broad preemptions for environmental legislation including a provision stating that any state or local law that is ''inconsistent'' with the requirements of the proposed Act is preempted; and

Whereas, This proposed Act does not allow the Environmental Impact Statement to question the size, need or timing of any ''interim'' storage facility nor does it allow any questions relating to alternative locations or design criteria; and

Whereas, The proposed ''interim'' storage facility site will have a capacity of 40,000 MTUs which is sufficient space to store all of today's commercial nuclear waste and the license is to be a 100-year renewable license which suggests that this proposed ''interim'' storage facility is expected to become permanent; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, (jointly), That the members of the 70th session of the Nevada Legislature do hereby urge the Congress of the United States not to enact the Nuclear Waste Policy Act of 1999, H.R. 45; and be it further

Resolved, that the Nevada Legislature is opposed to any further consideration of the use of the Nevada Test Site as a national site for the disposal of high-level nuclear waste; and be it further

Resolved, that the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, that the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, that this resolution becomes effective upon passage and approval.

POM–26. A resolution adopted by the House of the Legislature of the Commonwealth of the Northern Marianas Islands; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 11–126

Whereas, the Covenant to establish the Commonwealth of the Northern Mariana Islands (Commonwealth) in political union with the United States of America was entered into for two reasons: first, to secure and maintain the national security and defense of the United States in the Pacific rim and far east Asia; and second, to secure among the people of the Commonwealth the right to self-government with respect to their own internal affairs; and

Whereas, the people of the Commonwealth gave up their precious political sovereignty and some control over their lands, sea and air in order to secure and maintain the national security and defense of the United States; and

Whereas, in exchange for what the people of the Commonwealth gave up for the benefit of the United States under the Covenant, the United States agreed to extend to the Commonwealth financial assistance; agreed to assist the Commonwealth in developing its economic resources; agreed to protect the

small population of the Commonwealth from being overwhelmed by permanent immigrants from the nearby Asian countries; and extended third class US citizenship to the people of the Commonwealth; and

Whereas, first class US citizens are those who have representatives and senators in Congress and vote for the President; second class citizens are those who have only nonvoting delegates to Congress: and third class citizens are those who have no representative, no senator, no vote for the president and have no voice at all in their democratic government, the United States of America; and

Whereas, the economic goal of the Commonwealth as envisioned in the Covenant was to reduce its requirement for financial assistance from the United States and to become self-reliant; and

Whereas, in order to facilitate economic development in the Commonwealth, and at the same time maintain political control among the Commonwealth people, the United States left to the Commonwealth complete control over immigration and minimum age, and exempted the Commonwealth from the U.S. import duties; and

Whereas, as a direct result of these economic incentives, the local control of immigration and minimum wage, and the waiver of import duties, the Commonwealth's annual gross product ballooned from a mere few million dollars in 1978 when the Commonwealth Government came into being to over one billion dollars in 1997, making her the envy of other colonies and independent states in the region; and

Whereas, the Commonwealth imports U.S. products to the tune of one billion dollars per year; and

Whereas, the success story of the Commonwealth's economy, concentrated in the industries of tourism and garment manufacturing, is the result of innovative provisions in the Covenant, the effectiveness of which the United States and the Commonwealth should be proud of; and

Whereas, the economic boom in the Commonwealth resulted in the importation of a large number of temporary non-immigrant workers, as envisioned in the Covenant, to supplement its small pool of local manpower; and

Whereas, it has been the experience of developed and developing countries, including the United States, that any rapid social and demographic changes which naturally breed social and political problems; and

Whereas, in the case of the Commonwealth, the success of the garment industry is claimed by the Office of Insular Affairs to have adversely affected the textile industry in the United States, causing some first class U.S. citizens to lose their jobs, and the United States Government to lose about $200,000,000,00 in waived import duties; and

Whereas, the Office of Insular Affairs, insinuating arrogantly that the third class US citizens of the Commonwealth should not and cannot improve their economic status at the expense of secured jobs for the first class US citizens in the United States, has embarked on a vicious campaign to destroy the garment industry in the Commonwealth by persuading the US Congress to take away control of immigration and minimum wage and end the waiver of import duties with respect to garment; and

Whereas, as part of this campaign, the Office of Insular Affairs has submitted annual reports to Congress and in these reports attempts to paint a deceptive picture of these paradise islands as being evil, governed by abusive people, controlled by alien tycoons, and has exaggerated the social problems associated with the recent economic boom; and

Whereas, this legislature denounces the most recent report to Congress which purposely ignores major reform programs, legislative actions, improved enforcement,and the immense progress made in solving the consequential social problems associated with the recent economic boom, and instead, repeated old and inaccurate facts; and

Whereas, some members of the US Congress have complimented the Commonwealth for its economic miracle and for showcasing what free-enterprise and democracy, working hand in hand, could accomplish; and others have stated that the social problems resulting from the economic boom are local problems deserving local solutions; now, therefore

Be it resolved, by the House of Representatives, Eleventh Northern Marianas Commonwealth Legislature, that the Office of Insular Affairs is urged to be honest and sincere in its presentation of the facts about the Commonwealth to Congress and the news media; and

Be it further resolved That the Office of Insular Affairs acknowledge the tremendous benefit that the United States has received from the people of the Commonwealth through the Covenant and to show some appreciation for such gain; and

Be it further resolved That the US Congress is hereby requested to continue allowing the Commonwealth to work on its internal problems and to not take away control of immigration, but to uphold the intent and integrity of the Covenant; and

Be it further resolved, That the Speaker of the House shall certify and the House Clerk shall attest to the adoption of this resolution and thereafter transmit copies to Office of Insular Affairs, President of the United States, Speaker of the House of the US Congress, President of the US Senate, the president and governor's representatives to the 902 talks, the Honorable Pedro P. Tenorio, Governor, Commonwealth of the Northern Mariana Islands, and the Mayors of each senatorial district.

POM–27. A resolution adopted by the Senate of the Legislature of the State of New Hampshire; to the Committee on Appropriations.

RESOLUTION

Whereas, since its enactment in 1975, the Individuals with Disabilities Education Act (IDEA) has helped millions of children with special needs to receive a quality education and to develop to their full capacities; and

Whereas, the IDEA has moved children with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, the IDEA has helped break down stereotypes and ignorance about people with disabilities, improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the federal government enacted the Individuals with Disabilities Education Act, it promised to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 9 percent of the actual cost of special education services; and

Whereas, local school districts and state government end up bearing the largest share of the cost of special education services; and

Whereas, the federal government's failure to adequately fulfill its responsibility to special needs children undermines public support for special education and creates hardship for disabled children and their families; now, therefore, be it

Resolved by the Senate:

That the New Hampshire senate urges the President and the Congress to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the IDEA to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

That copies of this resolution be forwarded by the senate clerk to the President of the United States, the speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

POM–28. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts; to the Committee on Commerce, Science, and Transportation.

RESOLUTION

Whereas, the decision to close the Boston Regional Office of the Federal Trade Commission will have a substantial adverse effect on both consumers and small businesses in the Commonwealth of Massachusetts and New England; and

Whereas, for over 40 years the Boston Regional Office has provided a Federal Trade Commission presence in New England, enforcing consumer protection and anti-trust laws; and

Whereas, the Boston Federal Trade Commission Office receives in excess of 5,000 consumer complaints and inquiries annually which are mediated and adjusted to the satisfaction of consumers and small businesses; and

Whereas, the Boston Federal Trade Commission Office acts as a liaison for state and local consumer and regulatory agencies in the areas of credit, consumer protection and anti-trust as well as various other laws and regulations; and

Whereas, the Massachusetts consumers' coalition, whose members include representatives of the Massachusetts attorney general's office, the AARP, the National Consumer Law Center and local consumer protection offices, is charged with safeguarding the interests of consumers throughout the Commonwealth of Massachusetts and believes that closing the Boston Regional office will significantly diminish the level of consumer protection throughout the commonwealth; now therefore be it

Resolved, that the Massachusetts Senate hereby respectfully requests the president of the United States to direct the chairman of the Federal Trade Commission to rescind his decision closing the Boston Regional Office as it is contrary to the public's interest; and be it further

Resolved, that a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the President of the United States, the chairman of the Federal Trade Commission, the presiding officer of each branch of Congress and to the members thereof from this commonwealth.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Robert Wayne Gee, of Texas, to be an Assistant Secretary of Energy (Fossil Energy), vice Patricia Fry Godley, resigned.

Carolyn L. Huntoon, of Virginia, to be an Assistant Secretary of Energy (Environmental Management).

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

William J. Hibbler, of Illinois, to be United States District Judge for the Northern District of Illinois, vice James H. Alesia, retired.

Matthew F. Kennelly, of Illinois, to be United States District Judge for the Northern District of Illinois, vice Paul E. Plunkett, retired.

Thomas Lee Strickland, of Colorado, to be United States Attorney for the District of Colorado for the term of four years, vice Henry Lawrence Solano, resigned.

Carl Schnee, of Delaware, to be United States Attorney for the District of Delaware for the term of four years vice Gregory M. Sleet, resigned.

(The above nominations were reported with the recommendation that they be confirmed.)

By Mr. WARNER, from the Committee on Armed Services:

Rose Eilene Gottemoeller, of Virginia, to be an Assistant Secretary of Energy (Non-Proliferation and National Security).

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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

To be lieutenant general

Maj. Gen. Eugene L. Tattini, 0000

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

To be major general

Brig. Gen. Harold L. Timboe, 0000

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

To be brigadier general

Col. William C. Jones, Jr., 0000

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

To be lieutenant general

Maj. Gen. Michael V. Hayden, 0000

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

To be major general

Brig. Gen. Reginald A. Centracchio, 0000

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

To be rear admiral (lower half)

Capt. Edward J. Fahy, Jr., 0000

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

To be rear admiral

Rear Adm. (lh) Daniel R. Bowler, 0000
Rear Adm. (lh) John E. Boyington, Jr., 0000
Rear Adm. (lh) John V. Chenevey, 0000
Rear Adm. (lh) Albert T. Church, III, 0000
Rear Adm. (lh) John P. Davis, 0000
Rear Adm. (lh) John B. Foley, III, 0000
Rear Adm. (lh) Veronica A. Froman, 0000
Rear Adm. (lh) Alfred G. Harms, Jr., 0000
Rear Adm. (lh) John M. Johnson, 0000
Rear Adm. (lh) Timothy J. Keating, 0000
Rear Adm. (lh) Roland B. Knapp, 0000
Rear Adm. (lh) Timothy W. LaFleur, 0000
Rear Adm. (lh) James W. Metzger, 0000
Rear Adm. (lh) Richard J. Naughton, 0000
Rear Adm. (lh) John B. Padgett, 0000
Rear Adm. (lh) Kathleen K. Paige, 0000
Rear Adm. (lh) David P. Polatty, III, 0000
Rear Adm. (lh) Ronald A. Route, 0000
Rear Adm. (lh) Steven G. Smith, 0000
Rear Adm. (lh) Ralph E. Suggs, 0000
Rear Adm. (lh) Paul F. Sullivan, 0000

Mr. WARNER. Madam President, for the Committee on Armed Services, I also report favorably the lists which were printed in full in the RECORD of March 8, 1999, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD of March 8, 1999, at the end of the Senate proceedings.)

In the Army nomination of Patrick Finnegan, which was received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning Christopher D. Latchford, and ending James E. Braman, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning Lee G. Kennard, and ending Michael E. Thompson, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning Wesley D. Collier, and ending Thomas L. Musselman, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning David E. Bell, and ending Howard Lockwood, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning *Jan E. Aldykiewicz, and ending *Louis P. Yob, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Army nominations beginning Timothy K. Adams, and ending Derick B. Ziegler, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Marine Corps nomination of Stanley A. Packard, which was received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Marine Corps nomination of Todd D. Bjorklund, which was received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Navy nomination of Tarek A. Elbeshbeshy, which was received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Navy nominations beginning Glen C. Crawford, and ending Leonard G. Ross, Jr., which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

In the Navy nominations beginning Steven W. Allen, and ending Daniel C. Wyatt, which nominations were received by the Senate and appeared in the Congressional Record of March 8, 1999.

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. MURKOWSKI (for himself and Mr. STEVENS):

S. 713. A bill to amend the Internal Revenue Code of 1986 to provide a charitable deduction for certain expenses incurred in support of Native Alaskan subsistence whaling; to the Committee on Finance.

S. 714. A bill to amend the Internal Revenue Code of 1986 to maintain exemption of Alaska from dyeing requirements for exempt diesel fuel and kerosene; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. WYDEN, and Mr. BAUCUS):

S. 715. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 716. A bill to provide for the prevention of juvenile crime, and for other purposes; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself, Mr. SARBANES, Ms. SNOWE, Mr. DODD, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUYE, Ms. LANDRIEU, and Mr. REID):

S. 717. A bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,2000, adjusted for inflation; to the Committee on Finance.

By Ms. MIKULSKI (for herself and Mr. INOUYE):

S. 718. A bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service; to the Committee on Governmental Affairs.

By Mr. REID:

S. 719. A bill to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, and for

other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELMS (for himself, Mr. EDWARDS, and Mr. HAGEL):

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; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. FEINGOLD, and Mr. MOYNIHAN):

S. 721. A bill to allow media coverage of court proceedings.

By Mr. INHOFE (for himself, Mr. MURKOWSKI, Mr. BURNS, Mr. GRASSLEY, Mr. BREAUX, Mr. CRAPO, Mr. STEVENS, and Mr. FRIST):

S. 722. A bill to provide for the immediate application of certain orders relating to the amendment, modification, suspension, or revocation of certificates under chapter 447 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 723. A bill to provide regulatory amnesty for defendents who are unable to comply with federal enforceable requirements because of factors related to a Y2K system failure; to the Committee on Governmental Affairs.

By Mr. INHOFE (for himself and Mr. SESSIONS):

S. 724. A bill to amend the Safe Drinking Water Act to clarify that underground injection does not include certain activities, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Mr. MCCAIN):

S. 725. A bill to preserve and protect coral reefs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CAMPBELL (for himself and Mr. TORRICELLI):

S. 726. A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement departments; to the Committee on the Judiciary.

By Mr. CAMPBELL (for himself and Mr. HATCH):

S. 727. A bill to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. 728. A bill to amend chapter 44 of title 18, United States Code, to increase the maximum term of imprisonment for offenses involving stolen firearms; to the Committee on the Judiciary.

By Mr. CRAIG (for himself, Mr. MURKOWSKI, Mr. LOTT, Mr. STEVENS, Mr. BURNS, Mr. SMITH of Oregon, Mr. CRAPO, Mr. SHELBY, Mr. HAGEL, and Mr. BENNETT):

S. 729. A bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 730. A bill to direct the Consumer Product Safety Commission to promulgate fire safety standards for cigarettes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY (for himself, Mr. JOHNSON, Mr. LEAHY, Mr. WELLSTONE, Mr. FEINGOLD, Mr. INOUYE, Mr. KERRY, and Mr. DODD):

S. 731. A bill to provide for substantial reductions in the price of prescription drugs for medicare beneficiaries; to the Committee on Finance.

By Mr. TORRICELLI:

S. 732. A bill to require the Inspector General of the Department of Defense to conduct an audit of purchases of military clothing and related items made during fiscal year 1998 by certain military installations of the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 733. A bill to enact the Passaic River Basin Flood Management Program; to the Committee on Environment and Public Works.

By Mr. MURKOWSKI (for himself and Mr. REID):

S. 734. A bill entitled the ''National Discovery Trails Act of 1999''; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. SCHUMER):

S. 735. A bill to protect children from firearms violence; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 736. A bill to amend titles XVIII and XIX of the Social Security Act to ensure that individuals enjoy the right to be free from restraint, and for other purposes; to the Committee on Finance.

By Mr. CHAFEE (for himself and Mrs. FEINSTEIN):

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; to the Committee on Finance.

By Mr. DODD:

S. 738. A bill to assure that innocent users and businesses gain access to solutions to the year 2000 problem-related failures through fostering an incentive to settle year 2000 lawsuits that may disrupt significant sectors of the American economy; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. CAMPBELL):

S. 739. A bill to amend the American Indian Trust Fund Management Reform Act to direct the Secretary of the Interior to contract with qualified financial institutions for the investment of certain trust funds, and for other purposes; to the Committee on Indian Affairs.

By Mr. CRAIG (for himself, Mr. CRAPO, Mr. BURNS, and Mr. GRAMS):

S. 740. A bill to amend the Federal Power Act to improve the hydroelectric licensing process by granting the Federal Energy Regulatory Commission statutory authority to better coordinate participation by other agencies and entities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. HATCH, Mr. BREAUX, Mr. JEFFORDS, Mr. KERREY, Mr. ROBB, Mr. MACK, Mr. BOND, Mr. CHAFEE, Mr. THOMPSON, Mr. BINGAMAN, and Mr. MURKOWSKI):

S. 741. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. CONRAD):

S. 742. A bill to clarify the requirements for the accession to the World Trade Organization of the People's Republic of China; to the Committee on Finance.

By Mr. HOLLINGS (for himself and Mr. HELMS):

S. 743. A bill to require prior congressional approval before the United States supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States; to the Committee on Finance.

By Mr. MURKOWSKI:

S. 744. A bill to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. GRAMS, Mr. LEAHY, Mr. GRAHAM, Mr. BURNS, Mr. MCCAIN, Ms. SNOWE, Mr. DEWINE, Mr. JEFFORDS, Mr. GORTON, Mr. CRAIG, Mr. LEVIN, Mr. SCHUMER, Mrs. MURRAY, Mr. MURKOWSKI, Mr. MOYNIHAN, Mr. MACK, Mr. SMITH of Oregon, Mr. DORGAN, Mr. SANTORUM, Mr. COCHRAN, Mr. INOUYE, and Ms. COLLINS):

S. 745. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. THOMPSON, Mr. VOINOVICH, Mr. ROBB, Mr. ABRAHAM, Mr. ROCKEFELLER, Mr. ROTH, Mr. DASCHLE, Mr. STEVENS, Mr. MOYNIHAN, Mr. COCHRAN, Mr. BREAUX, Mr. FRIST, Mr. ENZI, Mr. GRAMS, Mr. GRASSLEY, and Mrs. LINCOLN):

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; to the Committee on Governmental Affairs.

By Mrs. HUTCHISON:

S. 747. A bill to amend title 49, United States Code, to promote rail competition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MURKOWSKI:

S. 748. A bill to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. STEVENS, Mr. DODD, Mr. JEFFORDS, and Mr. KERRY):

S. 749. A bill to establish a program to provide financial assistance to States and local entities to support early learning programs for prekindergarten children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 750. A bill to protect the rights of residents of certain federally funded hospitals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. DASCHLE, Mr. KENNEDY, and Mr. TORRICELLI):

S. 751. A bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors, and for other purposes; to the Committee on the Judiciary.

By Mr. MOYNIHAN (for himself and Mr. BINGAMAN):

S. 752. A bill to facilitate the recruitment of temporary employees to assist in the conduct of the 2000 decennial census of population, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DASCHLE (for himself, Mr. SARBANES, Mr. DODD, Mr. KERRY, Mr. BRYAN, Mr. JOHNSON, Mr. REED, Mr. SCHUMER, Mr. BAYH, and Mr. EDWARDS):

S. 753. A bill to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers; and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 754. A bill to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building''; read the first time.

By Mr. HATCH (for himself, Mr. NICKLES, Mr. THURMOND, Mr. BIDEN, Mr. KENNEDY, Mr. SESSIONS, Mr. ABRAHAM, Mr. KOHL, Mr. LIEBERMAN, Mr. HELMS, Mr. SCHUMER, and Mr. DEWINE):

S. 755. A bill to extend the period for compliance with certain ethical standards for Federal prosecutors; read the first time.

By Mrs. LINCOLN (for herself, Mr. BREAUX, Ms. LANDRIEU, Mr. COCHRAN, Mr. LOTT, Mrs. HUTCHISON, Mr. BOND, Mr. GRAMM, Mr. HUTCHINSON, and Mr. ASHCROFT):

S. 756. To provide adversely affected crop producers with additional time to make fully informed risk management decisions for the 1999 crop year; considered and passed.

By Mr. LUGAR (for himself, Mr. KERREY, Mr. HAGEL, Mr. THOMAS, Mr. SMITH of Oregon, Mr. GRAMS, Mr. ROBB, Mrs. FEINSTEIN, Mr. BINGAMAN, Mr. MURKOWSKI, Mr. COCHRAN, Mr. DOMENICI, Mr. LOTT, Mr. SANTORUM, Mr. BURNS, Mr. ALLARD, Mr. JOHNSON, Mrs. HUTCHISON, Mr. CHAFEE, Mr. GORTON, Mr. BREAUX, Mrs. MURRAY, Mr. DORGAN, Mr. CRAPO, Mr. BAUCUS, Mrs. LINCOLN, Mr. CONRAD, Mr. BOND, and Mr. ROBERTS):

S. 757. A bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions in order to ensure coordination of United States policy with respect to trade, security, and human rights; to the Committee on Foreign Relations.

By Mr. ASHCROFT (for himself, Mr. HATCH, Mr. DODD, Mr. SESSIONS, Mr. LIEBERMAN, Mr. GRASSLEY, Mr. TORRICELLI, Mr. SMITH of New Hampshire, and Mr. SCHUMER):

S. 758. A bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself, Mr. TORRICELLI, Mr. BURNS, and Mr. REID):

S. 759. A bill to regulate the transmission of unsolicited commercial electronic mail on the Internet, and for other purposes.

By Mr. MURKOWSKI (for himself and Mr. BINGAMAN):

S. 760. A bill to include the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands in the 50 States Commemorative Coin Program; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 761. A bill to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM:

S. 762. A bill to direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park; to the Committee on Energy and Natural Resources.

By Mr. SMITH of New Hampshire (for himself, Mr. SHELBY, and Mr. HELMS):

S.J. Res. 16. A joint resolution proposing a constitutional amendment to establish limited judicial terms of office; to the Committee on the Judiciary.

By Mr. SHELBY:

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by the Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT:

S. Res. 75. A resolution reconstituting the Senate Arms Control Observer Group as the Senate National Security Working Group and revising the authority of the Group; considered and agreed to.

S. Con. Res. 23. A concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives; considered and agreed to.

By Mr. LUGAR:

S. Con. Res. 24. A bill to express the sense of the Congress on the need for United States to defend the American agricultural and food supply system from industrial sabotage and terrorist threats; to the Committee on Agriculture, Nutrition, and Forestry.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 713. A bill to amend the Internal Revenue Code of 1986 to provide a charitable deduction for certain expenses incurred in support of Native Alaskan subsistence whaling; to the Committee on Finance.

NATIVE ALASKAN SUBSISTENCE WHALING ACT OF 1999

Mr. MURKOWSKI. Mr. President, I rise on behalf of myself and Senator STEVENS to introduce legislation that would resolve a dispute that has existed for several years between the IRS and native whaling captains in my state. Our legislation would amend the Internal Revenue Code to ensure that a charitable donation tax deduction would be allowed for native whaling captains who organize and support subsistence whaling activities in their communities.

Subsistence whaling is a necessity to the Alaska Native community. In many of our remote village communities, the whale hunt is a tradition that has been carried on for generations over many millennia. It is the custom that the captain of the hunt make all provisions for the meals, wages and equipment costs associated with this important activity.

In most instances, the Captain is repaid in whale meat and muktuck, which is blubber and skin. However, as part of the tradition, the Captain is required to donate a substantial portion of the whale to his village in order to help the community survive.

The proposed deduction would allow the Captain to deduct up to $7,500 to help defray the costs associated with providing this community service.

Mr. President, I want to point out that if the Captain incurred all of these expenses and then donated the whale meat to a local charitable organization, the Captain would almost certainly be able to deduct the costs he incurred in outfitting the boat for the charitable purpose. However, the cultural significance of the Captain's sharing the whale with the community would be lost.

This is a very modest effort to allow the Congress to recognize the importance of this part of our Native Alaskan tradition. When this measure passed the senate two years ago, the Joint Committee on Taxation estimated that this provision would cost a mere three million dollars over a 10 year period. I think that is a very small price for preserving this vital link with our natives' heritage.

I ask unanimous consent that the text of the legislation be included in the RECORD.

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

S. 713

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 ''Native Alaskan Subsistence Whaling Act of 1999''.

SEC. 2. CHARITABLE CONTRIBUTION DEDUCTION FOR CERTAIN EXPENSES INCURRED IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

''(m) EXPENSES PAID BY CERTAIN WHALING CAPTAINS IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.—

''(1) IN GENERAL.—In the case of an individual who is recognized by the Alaska Eskimo Whaling Commission as a whaling captain charged with the responsibility of maintaining and carrying out sanctioned whaling activities and who engages in such activities during the taxable year, the amount described in paragraph (2) (to the extent such amount does not exceed $7,500 for the taxable year) shall be treated for purposes of this section as a charitable contribution.

''(2) AMOUNT DESCRIBED.—

''(A) IN GENERAL.—The amount described in this paragraph is the aggregate of the reasonable and necessary whaling expenses paid by the taxpayer during the taxable year in carrying out sanctioned whaling activities.

''(B) WHALING EXPENSES.—For purposes of subparagraph (A), the term 'whaling expenses' includes expenses for—

''(i) the acquisition and maintenance of whaling boats, weapons, and gear used in sanctioned whaling activities,

''(ii) the supplying of food for the crew and other provisions for carrying out such activities, and

''(iii) storage and distribution of the catch from such activities.

''(3) SANCTIONED WHALING ACTIVITIES.—For purposes of this subsection, the term 'sanctioned whaling activities' means subsistence bowhead whale hunting activities conducted pursuant to the management plan of the Alaska Eskimo Whaling Commission.''

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 1998.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 714. A bill to amend the Internal Revenue Code of 1986 to maintain exemption of Alaska from dyeing requirements for exempt diesel fuel and kerosene; to the Committee on Finance.

DIESEL DYEING EXEMPTION FOR ALASKA

Mr. MURKOWSKI. Mr. President, today I am joined by Senator TED STEVENS in introducing legislation that would clarify a provision in the tax code that exempts the State of Alaska from the IRS diesel dyeing rules.

The Small Business Job Protection Act of 1996 included a provision that exempted Alaska from the diesel dyeing requirements during the period the state was exempted from the Clean Air Act low sulfur diesel dyeing rules. For various reasons, it was believed at the time that Alaska would ultimately be permanently exempted from the Clean Air Act rules. However, technological changes suggest that Alaska may in the next few years lose its exemption from the low sulfur rules.

However, in our view, whether Alaska is exempted from the low sulfur rules, it is imperative that Alaska be permanently exempted from the IRS diesel dyeing rules. That is what our bill does.

Today, more than 95 percent of all diesel fuel used in Alaska is exempt from tax because it is used for heating, power generation, or in commercial fishing boats. Under the diesel dyeing rules in place in 49 states, exempt diesel must be dyed. If these diesel dyeing rules were applied to Alaska, refiners would have to buy huge quantities of dye, along with expensive injection systems, to dye all of this non-taxable diesel fuel.

Although the Joint Tax Committee originally estimated in 1996 that repealing the dyeing rules for Alaska could cost the Treasury $500,000 a year, some refiners were spending as much as $750,000 on dye alone. Add on another $100,000 for injection systems and you begin to wonder what happened to common sense regulation. Congress saw it that way and decided to exempt Alaska. Now that exemption should be made permanent.

Approximately 65 percent of the state's communities are served solely by barges. For many of these communities, the fuel oil barge comes in only once a year when the waterways are not frozen. It is absurd to require these communities to build a second storage facility for undyed taxable fuel simply for the few vehicles in town that are subject to tax.

It is currently projected that the state will have to spend from $200 million to $400 million just to repair fuel storage tanks in hundreds of rural communities because of leaking fuel problems. If IRS dyeing rules were in place, millions more would have to be spent simply to maintain a small supply of taxable diesel in each of these communities.

Mr. President, in 1996, Congress acted sensibly in exempting Alaska from the IRS diesel dyeing rules. It is my hope that we will again see the wisdom of exempting Alaska, this time making it a permanent exemption.

I ask unanimous consent that the text of the bill be included in the RECORD.

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

S. 714

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

(a) EXCEPTION TO DYEING REQUIREMENTS FOR EXEMPT DIESEL FUEL AND KEROSENE.—Paragraph (1) of section 4082(c) of the Internal Revenue Code of 1986 (relating to exception to dyeing requirements is amended to read as follows:

''(1) removed, entered, or sold in the State of Alaska for ultimate sale or use in such State, and''.

(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to fuel removed, entered, or sold on or after the date of the enactment of this Act.

By Mrs. MURRAY (for herself, Mr. WYDEN and Mr. BAUCUS):

S. 715. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Energy and Natural Resources.

HANFORD REACH WILD AND SCENIC RIVER LEGISLATION

Mrs. MURRAY. Mr. President, today I am introducing legislation to establish the Hanford Reach of the Columbia River as a Wild and Scenic River. Simply stated, this is the best, most cost-effective, and smartest way to protect the Northwest's dwindling wild salmon runs.

The Hanford Reach is an extraordinary and unique place.

While most of the Columbia River Basin was being developed during the middle of this century, the Hanford Reach and other buffer areas within the Hanford Nuclear Reservation were kept pristine, ironically, by the same veil of secrecy and security that lead to the notorious nuclear and chemical contamination of the central Hanford Site. Today, these relatively undisturbed areas are the last wild remnants of a great river and vast ecological community that have been tamed by dams, farms, and other development elsewhere.

As the last free-flowing stretch of the Columbia River, the significance of the Hanford Reach cannot be overstated. Mile for mile, it contains some of the most productive and important fish spawning habitat in the lower 48 states. The volume and velocity of the cool, clear waters of the Columbia River produce ideal conditions for spawning and migrating salmon. The Reach produces eighty percent of the Columbia Basin's fall chinook salmon, as well as thriving runs of steelhead trout and sturgeon. It is the only truly healthy segment of the mainstem of the Columbia River.

The Reach is also rich in other natural and cultural resources. Bald eagles, wintering and migrating waterfowl, deer, elk, and a diversity of other wildlife depend on the Reach. It is home to dozens of rare, threatened, and endangered plants and animals, some found only in the Reach. Native American culture thrived on the shores and islands of the Reach for millennia, and there are over 150 archeological sites in the proposed designation, some dating back more than 10,000 years. The Reach's naturally spawning salmon and cultural sites remain a vital part of the culture and religion of Native American groups in the area.

It is remarkable that the Reach offers so much in such close proximity to the cities of Kennewick, Pasco, and Richland, Washington. The Reach offers residents and visitors recreation of many types—from hunting, fishing, and hiking to kayaking, waterskiing,

and birdwatching—and adds greatly to the quality of life and economy of the area.

Back in 1994, only the locals in and around the Tri-Cities had heard about the last-free flowing stretch of the mighty Columbia River. Several residents had been working more than thirty years to save the Reach and they got me involved to do the same. They showed me what a precious resource the Hanford Reach is, and I promised to do everything in my power to protect it.

I convened a Hanford Reach Advisory Panel to develop a consensus plan to protect the river corridor. Their work has been the basis of the bills I have introduced in the past and that I am introducing today, and builds on the foundation begun by Senators Dan Evans and Brock Adams, and Congressman Sid Morrison who enacted legislation imposing a moratorium on development within the river corridor in 1987.

I am confident this is the year we will finally achieve our goals and create a new Wild and Scenic River. We cannot wait any longer to save the Reach. Since the recent listing of the Puget Sound chinook, everyone across the Northwest is focused on what we all must do to save our wild salmon.

Designating the Hanford Reach as a Wild and Scenic River is the simplest and most effective way to provide real, permanent protection for our wild salmon stocks. Only under the Wild and Scenic Rivers Act will we get the expertise, resources and permanency that federal management agencies, like the U.S. Fish and Wildlife Service, provide. The Wild and Scenic Rivers Act is recognized as the best way to protect endangered rivers across the nation. The Reach deserves no less than the best.

And this designation will not cost a penny. The land surrounding the river is already publicly held. The Department of Energy owns land on both sides of the river, so no private lands will be acquired or taken out of production to save this special place.

In addition to public ownership, this section of the river is in superb ecological condition. It offers the best salmon spawning grounds on the mainstem of the Columbia. It will not require the millions of dollars for remediation that we've spent on other rivers and streams across the country. All the Hanford Reach requires is our protection, and it will continue to produce salmon runs unsurpassed anyplace in the region.

Creating a Wild and Scenic River will help us avoid drastic measures like breaching the dams along the Columbia and Snake River systems to restore salmon. The recent Endangered Species Act listing of nine more northwest salmon runs as threatened, is another indication that we must take immediate action. Protecting the Reach is an insurance policy against the future possibility of expensive clean-up efforts and lawsuits. We must make this investment now to demonstrate we're serious about protecting not only wild salmon, but also the economic and social structure in the inland West.

This bill differs from my previous legislation in some important ways. Not only does it create a federally-designated recreational Wild and Scenic River, it also establishes an innovative management approach through the creation of a multi-party commission. The management commission will develop a plan to guide the US Fish and Wildlife Service and will be comprised of three federal representatives from the Departments of Energy, Interior, and Commerce (National Marine Fisheries Service); three Washington state representatives from the Departments of Fish and Wildlife, Ecology, and Community, Trade and Economic Development; three representatives of local government from the counties of Benton, Grant, and Franklin; three tribal representatives from the Yakama, Umatilla, and Nez Perce peoples; and three local citizen representatives from conservation, recreation, and business interests.

This bill also takes us a step closer to consolidating lands on the Hanford reservation itself in order to facilitate economic development, preservation of sacred tribal sites, and protection of important biological resources. It requires the Bureau of Land Management (BLM) and the Department of Energy to examine the best ways to consolidate BLM lands on the south side of the river on the Hanford site. It establishes the objectives of the study to clear title to lands along the railroad and in the 200 Area for industrial development; to protect wildlife and native plants; and to preserve cultural sites important to Native Americans.

This bill does not address the critical and sensitive lands of the North Slope (also known as the Wahluke Slope) because the land is still needed by the Department of Energy for safety reasons. However, I hope to work through the administrative process to ensure these lands are not disturbed in any way that could possibly impact the healthy salmon spawning grounds below the White Bluffs. I remain committed to enlarging the existing Saddle Mountain National Wildlife Refuge because, again, I am convinced we must provide the strongest, surest protection for the North Slope to offer our wild salmon their best hope for survival.

At a time when the Pacific Northwest is spending hundreds of millions of dollars annually on restoration and enhancement efforts, and struggling to restore declining salmon runs, protecting the Hanford Reach is the most cost-effective measure we can take. That is why the Northwest Power Planning Council, Trout Unlimited, conservation groups, tribes, and many other regional interests involved in the salmon controversy all support designation of the Reach under the National Wild and Scenic Rivers Act.

These are some of the many good reasons for this Congress to take up and pass this legislation to ensure the Hanford Reach becomes a part of the National Wild and Scenic Rivers System. I urge the other members of Congress to join us in demanding the permanent protection of this river. It has given us so very much. The least we can do for the Columbia River is to protect the last fifty-one miles of free-flowing waters and the wild salmon that call it home.

By Mr. KOHL:

S. 716. A bill to provide for the prevention of juvenile crime, and for other purposes; to the Committee on the Judiciary.

THE 21ST CENTURY SAFE AND SOUND COMMUNITIES ACT

Mr. KOHL. Mr. President, I rise to introduce a proposal for reducing juvenile crime—the ''21st Century Safe and Sound Communities Act.'' In the past few years, we have begun to make real advances in fighting youth violence; in fact, in cities across the country, juvenile crime has started to fall. For example, in three ''Weed & Seed'' neighborhoods in Milwaukee, violent felonies dropped 47 percent, gun crimes fell 46 percent, and crime overall was down 21 percent. And after Boston implemented a citywide anti-crime plan, the number of juveniles murdered declined 80 percent, and in more than two years not a single child was killed by a gun. Not one child. Through a program called ''Safe and Sound,'' I have already worked hard with other public officials and business leaders to expand Milwaukee's success citywide. Now we need to build on what works, in order to protect our children and to make as many of our communities across the nation ''safe and sound.'' This measure will be an important step in the right direction.

We do not have to reinvent the wheel to reduce juvenile crime. The lesson from Milwaukee, Boston and other cities is clear. There is no single magic solution, but a number of steps, taken together, can and will make a difference: put dangerous criminals behind bars; keep guns out of the hands of juveniles; and create after-school alternatives to gangs and drugs. That's what works, and that's what this proposal is all about. It builds on each of these three basic strategies and expands them to more cities and more rural communities across the nation. Let me explain.

First, we can't even begin to stop violent kids unless we have police officers on the street to catch them, and

state and local prosecutors to try them. So this proposal makes it easier to lock up dangerous juveniles by extending the highly successful COPS program, which is due to expire after next year, through the year 2004. That will allow us to hire at least 50,000 new community police officers. And it provides $100 million per year for state and local prosecutors to go after juvenile criminals.

Of course, we can't keep criminals off the streets unless we have a place to send them. Unfortunately, although we provide states with hundreds of millions of dollars each year to build new prisons, most states use all of these funds for adult prisons only. So this measure requires states to set aside 10 percent of federal prison funding to juvenile prisons or alternative placements of delinquent children. This commitment is consistent with dedicated funding for juvenile facilities in the Senate-passed 1994 crime bill, which set the stage for spending billions of dollars on prisons through the 1994 Crime Act.

This proposal also helps rural communities keep dangerous kids behind bars. Now, although the closest juvenile facility may be hundreds of miles away, federal law prohibits rural police from locking up violent juveniles in adult jails for more than 24 hours. This means that state law enforcement officials either have to waste the time and resources to criss-cross the state even for initial court appearances, or simply let dangerous teens go free. In my view, that's a no-win situation. This measure gives rural police the flexibility they need by letting them detain juveniles in adult jails for up to 72 hours, provided they are separated from adult criminals.

Moreover, this measure will help lock up gun-toting kids—and the people who illegally supply them with weapons. It builds on my 1994 Youth Handgun Safety Act by turning illegal possession of a handgun by a minor into a felony. And the same goes for anyone who illegally sells handguns to kids. Kids and handguns don't mix, and our Federal law needs to make clear that this is a serious crime.

And this measure makes it easier to identify the violent juveniles who need to be dealt with more severely—by strongly encouraging states to share the records of violent juvenile offenders and providing the funding necessary for improved record-keeping. The fact is that law enforcement officials need full disclosure in order to make informed judgments about who should be incarcerated, but current law allows too many records to be concealed or to vanish without a trace when a teen felon turns 18.

Second, this proposal will help keep firearms out of the hands of young people. It promotes gun safety by requiring the sale of child safety locks with every new handgun. Child safety locks can help save many of the 500 children and teenagers killed each year in firearms accidents, and the 1,500 kids each year who use guns to commit suicide. Just as importantly, they can help prevent some of the 7,000 violent juvenile crimes committed every year with guns children took from their own homes.

It also helps identify who is supplying kids with guns, so we can put them out of business and behind bars. The Bureau of Alcohol, Tobacco and Firearms has been working closely with cities like Milwaukee and Boston to trace guns used by young people back to the source. Using ATF's national database, police and prosecutors can target illegal suppliers of firearms and help stop the flow of firearms into our communities. This measure will expand the program to other cities and, with the increased penalties outlined above, help cut down illegal gun trafficking.

In addition, it closes an inexcusable loophole that allows violent young offenders to buy guns legally when they turn 18. Under current law, violent adult offenders can't buy firearms, but violent juveniles can—even the kids convicted of the schoolyard killings in Jonesboro, Arkansas—at least once they are released at age 18. This has to stop. So this measure declares that all violent felons are disqualified from buying firearms, regardless of whether they were 10, 12, 14 or just a day short of their 18th birthday at the time of their offense.

And not only will this proposal prohibit all violent criminals from owning firearms, no matter what their age, it also encourages aggressive enforcement of this federal law by dedicating federal prosecutors and investigators to this task. This builds on a successful program, supported by the NRA, that has helped reduce gun violence in Richmond through increased federal prosecution, public outreach and fewer plea bargains.

Third, a balanced approach also requires a significant investment in crime prevention, so we can stop crime before it's too late. In fact, no one is more adamant in support of this approach than our nation's law enforcement officials. For example, last year more than 400 police chiefs, sheriffs and prosecutors nationwide endorsed a call for after-school programs for all children. And in my home state of Wisconsin, 90 percent of police chiefs and sheriffs I surveyed agreed that we need to increase federal prevention spending.

This proposal promotes prevention by concentrating funding in programs that already have a record of success, like Weed & Seed, and those that rely on proven strategies, like the ones that give children a safe place to go in the after-school hours between 3 and 8 p.m., when juvenile crime peaks.

For example, it expands the Weed & Seed program, a Republican program which combines aggressive enforcement and safe havens for at-risk kids. The measure also gives more schools the resources necessary to stay open after school, through expansion of the 21st Century Learning Center program. It promotes innovative prevention initiatives by reauthorizing and expanding the Title V At-Risk Children Challenge Grant program, which I authored, which encourages investment, collaboration, and long-range prevention planning by local communities, who must establish locally tailored prevention programs and contribute at least 50 cents for every federal dollar. It builds on our support for the valuable work of Boys & Girls Clubs, by continuing to dedicate funding to the Clubs and expanding funding to other successful organizations like the YMCA. And it requires that at least 20 percent of the new juvenile crime funds—namely the recently-appropriated $500 million juvenile accountability block grant—be dedicated to prevention.

Of course, we shouldn't blindly invest in prevention programs, just because they sound good. Quality, not quantity, matters. And it would be foolish to throw good money after bad. That's why my measure cuts nearly $1 billion in prevention programs authorized by the Crime Act—so we don't waste money on redundant programs which don't have records of success or bipartisan support. And that's why my measure requires 5 to 10 percent of all prevention funds to be set aside for rigorous evaluations—so we can keep funding the programs that work, and eliminate the programs that don't. We also reward cities that adopt comprehensive anti-juvenile crime strategies, like Milwaukee's and Boston's—so prevention is part of a balanced, coordinated overall plan.

Mr. President, the question about how to reduce juvenile crime is no longer a mystery. We have a good idea about what works. The real question is this: Will we act to make our communities safer and sounder places to live and to prevent teen crime before it happens? I have faith that we will, and I believe this measure moves us forward. I ask unanimous consent that a summary of this proposal be printed for the RECORD. There being no objection, the summary was ordered printed in the RECORD, as follows:

SUMMARY OF THE 21ST CENTURY SAFE AND SOUND COMMUNITIES ACT

Title I: Increased Placement of Juveniles in Appropriate Correctional Facilities

States must dedicate 10 percent of all prison funding from the 1994 Crime Act to juvenile facilities or alternative placements for delinquent juveniles. Expands ability to detain juveniles temporarily in rural adult jails by permitting detention for up to 72 hours and ending requirement of separate staff to oversee juveniles and adults.

Title II: Reducing Youth Access to Firearms

Limits access of juveniles and juvenile offenders to firearms. Requires the sale of child safety locks with all handguns. Expands Department of the Treasury's youth crime gun tracing program to identify more illegal gun traffickers who are supplying guns to children. Increases jail time for individuals who transfer handguns to juveniles and for juveniles who illegally possess handguns. Prohibits the sale of firearms to violent juvenile offenders after they become 18 years old. Increases enforcement of federal laws to prohibit illegal possession of firearms by violent criminals, including violent juvenile offenders.

Title III: Consolidation of Prevention Programs

Repeals nearly $1 billion in authorized prevention programs from the 1994 Crime Act. Expands Weed & Seed to $200 million per year (from $33.5 million in 1999), the Title V At-Risk Children Challenge Grants to $200 million per year (from $55 million), and the 21st Century Learning Centers to $600 million per year (from $200 million), and extends Boys & Girls Club funding for five more years, increasing funding to $100 million per year (from $40 million) and expanding the program to support other successful community organizations like the YMCA. Consolidates several gang prevention programs into one $25 million program. Rewards cities that adopt a comprehensive anti-juvenile crime strategy based on the Boston model. Sets aside 5 to 10 percent of prevention funding for evaluation, implementing the proposal of the DOJ-sponsored University of Maryland report.

Title IV: Juvenile Crime Control and Accountability Block Grant

Promotes funding for prosecutors, improved-record keeping, juvenile prisons, and prevention through $500 million block grant. Qualifying states must trace all firearms recovered from individuals under age 21 to identify illegal firearm traffickers, and must share criminal records of all juvenile violent offenders with other jurisdictions. $100 million of this grant program must be dedicated to both prevention and to hiring more prosecutors.

Title V: Extension of COPS and Juvenile Justice programs

Extends program to hire new community police officers. Reauthorizes Office of Juvenile Justice and Delinquency Prevention.

Title VI: Extension of Violent Crime Reduction Trust Fund

Extends trust fund established by 1994 Crime Act to pay for anti-crime programs with savings from reduction of federal workforce.

By Ms. MIKULSKI (for herself, Mr. SARBANES, Ms. SNOWE, Mr. DODD, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUYE, Ms. LANDRIEU, and Mr. REID):

S. 717. A bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation; to the Committee on Finance.

GOVERNMENT PENSION OFFSET REFORM ACT

● Ms. MIKULSKI. Mr. President, today, I am introducing a bill to modify a harsh and heartless rule of government that is unfair and prevents current workers from enjoying the benefits of their hard work in their retirement. This legislation is very important to me, very important to my constituents in Maryland, and very important to government workers and retirees across the nation. I want the middle class of this Nation to know that if you worked hard to become middle class you should stay middle class when you retire.

Under current law, there is something called the Pension Offset law. This is a harsh and unfair policy. Let me tell you why.

If you are a retired government worker, and you qualify for a spousal Social Security benefit based on your spouse's employment record, you may not receive what you qualify for. Because the Pension Offset law reduces or entirely eliminates a Social Security spousal benefit when the surviving spouse is eligible for a pension from a local, state or federal government job that was not covered by Social Security.

This policy only applies to government workers, not private sector workers. Let me give you an example of two women, Helen and her sister Phyllis.

Helen is a retired Social Security benefits counselor who lives in Woodlawn, Maryland. Helen currently earns $600 a month from her federal government pension. She's also entitled to a $645 a month spousal benefit from Social Security based on her deceased husband's hard work as an auto mechanic. That's a combined monthly benefit of $1,245.

Phyllis is a retired bank teller also in Woodlawn, Maryland. She currently earns a pension of $600 a month from the bank. Like Helen, Phyllis is also entitled to a $645 a month spousal benefit from Social Security based on her husband's employment. He was an auto-mechanic, too. In fact, he worked at the same shop as Helen's husband.

So, Phyllis is entitled to a total of $1,245 a month, the same as Helen. But, because of the Pension Offset law, Helen's spousal benefit is reduced by ⅔ of her government pension, or $400. So instead of $1,245 per month, she will only receive $845 per month.

This reduction in benefits only happens to Helen because she worked for the government. Phyllis will receive her full benefits because her pension is a private sector pension. I don't think that's right, and that's why I'm introducing this legislation.

The crucial thing about the MIKULSKI Modification is that it guarantees a minimum benefit of $1,200. So, with the MIKULSKI Modification to the Pension Offset, Helen is guaranteed at least $1,200 per month.

Let me tell you how it works. Helen's spousal benefit will be reduced only by 2/3 of the amount her combined monthly benefit exceeds $1,200. In her case, the amount of the offset would be 2/3 of $45, or $30. That's a big difference from $400, and I think people like our federal workers, teachers and our firefighters deserve that big difference.

Why should earning a government pension penalize the surviving spouse? If a deceased spouse had a job covered by Social Security and paid into the Social Security system, that spouse expected his earned Social Security benefits would be there for his surviving spouse.

Most working men believe this and many working women are counting on their spousal benefits. But because of this harsh and heartless policy, the spousal benefits will not be there, your spouse will not benefit from your hard work, and, chances are, you won't find out about it until your loved one is gone and you really need the money.

The MIKULSKI modification guarantees that the spouse will at least receive $1,200 in combined benefits. That Helen will receive the same amount as Phyllis.

I'm introducing this legislation, because these survivors deserve better than the reduced monthly benefits that the Pension Offset currently allows. They deserve to be rewarded for their hard work, not penalized for it.

Many workers affected by this Offset policy are women, or clerical workers and bus drivers who are currently working and looking forward to a deserved retirement. These are people who worked hard as federal employees, school teachers, or firefighters.

Frankly, I would repeal this policy all together. But, I realize that budget considerations make that unlikely. As a compromise, I hope we can agree that retirees who work hard should not have this offset applied until their combined monthly benefit exceeds $1,200.

In the few cases where retirees might have their benefits reduced by this policy change, my legislation will calculate their pension offset by the current method. I also have a provision in this legislation to index the minimum amount of $1,200 to inflation so retirees will see their minimum benefits increase as the cost of living increases.

I believe that people who work hard and play by the rules should not be penalized by arcane, legislative technicalities. That's why I'm introducing this bill today.

Representative WILLIAM JEFFERSON of Louisiana has introduced similar legislation in the House. I look forward to working with him to modify the harsh Pension Offset rule.

If the federal government is going to force government workers and retirees in Maryland and across the country to give up a portion of their spousal benefits, the retirees should at least receive a fair portion of their benefits.

I want to urge my Senate colleagues to join me in this effort and support my legislation to modify the Government Pension Offset.●

By Ms. MIKULSKI (for herself and Mr. INOUYE):

S. 718. A bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service; to the Committee on Governmental Affairs.

HAZARDOUS OCCUPATIONS RETIREMENT BENEFITS ACT OF 1999

●Ms. MIKULSKI. Mr. President, today I introduce the Hazardous Occupations Retirement Benefits Act of 1999. This legislation will grant an early retirement package for revenue officers of the Internal Revenue Service, customs inspectors of the U.S. Customs Service, and immigration inspectors of the Immigration and Naturalization Service.

Under current law, most Federal law enforcement officers and firefighters are eligible to retire at age 50 with 20 years of Federal service. Most people would be surprised to learn that current law does not treat revenue officers, customs inspectors and immigration inspectors as federal law enforcement personnel.

This legislation will amend the current law and finally grant the same 20-year retirement to these members of the Internal Revenue Service, Customs Service, and Immigration and Naturalization Service. The employees under this bill have very hazardous, physically taxing occupations, and it is in the public's interest to have a young and competent work force in these jobs.

The need for a 20-year retirement benefit for inspectors of the Customs Service is very clear. These employees are the country's first line of defense against terrorism and the smuggling of illegal drugs at our borders. They have the authority to apprehend those engaged in these crimes. These officers carry a firearm on the job. They are responsible for the most arrests performed by Customs Service employees. The Customs Service interdicts more narcotics than any other law enforcement agency—over a million pounds a year. In 1996, they seized 180,946 pounds of cocaine, 2,895 pounds of heroin, and 775,225 pounds of marijuana. They are required to have the same law enforcement training as all other law enforcement personnel. These employees face so many challenges. They confront criminals in the drug war, organized crime figures, and increasingly sophisticated white-collar criminals.

Revenue officers struggle with heavy workloads and a high rate of job stress. Some IRS employees must even employ pseudonyms to hide their identity because of the great threat to their personal safety. The Internal Revenue Service currently provides it's employees with a manual entitled: 'Assaults and Threats: A Guide to Your Personal Safety' to help employees respond to hostile situations. The document advises IRS employees how to handle on-the-job assaults, abuse, threatening telephone calls, and other menacing situations.

Mr. President, this legislation is cost effective. Any cost that is created by this act is more than offset by savings in training costs and increased revenue collection. A 20-year retirement bill for these critical employees will reduce turnover, increase productivity, decrease employee recruitment and development costs, and enhance the retention of a well-trained and experienced work force.

I urge my colleagues to join me again in this Congress in expressing support for this bill and finally getting it enacted. This bill will improve the effectiveness of our inspector and revenue officer work force to ensure the integrity of our borders and proper collection of the taxes and duties owed to the Federal Government.●

By Mr. REID:

S. 719. A bill to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

THE NEVADA PUBLIC LAND MANAGEMENT ACT OF 1999

Mr. REID. Mr. President, I am proud to introduce today, the Nevada Public Land Management Act of 1999. This Act provides a process for the sale of public lands to support the expansion and economic development of rural communities in Nevada.

Many of Nevada's rural counties are actively planning for economic growth and expansion. However, they are hampered, because more than 87 percent of Nevada is owned by the Federal Government and some Nevada counties are more than 90 percent owned by the federal government. As these counties seek to expand economic diversification, they find themselves land-locked by Federal lands.

But a lack of land is not the only problem these counties face. Many lack an adequate tax base, due to their lack of private lands. As the tax roles shrink and they experience some growth, officials are unable to adequately provide the basic public services expected of them. Adequate police and fire protection, education, road maintenance, and basic health care are suffering.

The legislation we introduce today will allow for the coordinated disposal of Federal lands that have already been identified by the Federal government and the Bureau of Land Management as suitable for disposal. Simply put, we are setting up a willing seller-willing buyer scenario. Sale of these lands will allow for economic diversification while implementing smart growth practices. Local governments will benefit from an infusion of revenue and a stable tax base to fund basic public services.

Senator BRYAN's and my bill requires that disposal of Nevada's lands be accomplished by competitive bidding, a process which will ensure that the sale of these public lands yield the highest return for the public. It is crucial to rural Nevada that we provide revenues for the basic services so many Americans take for granted, while also giving the Federal government the revenues they need to acquire truly special lands for future generations to enjoy.

Mr. President, this bill was drafted with conscious regard for the laws governing the management of public lands. In particular, the bill meets the intent of the Federal Land Policy and Management Act in three ways. First, it only involves lands determined to be suitable for disposal by the Bureau of Land Management's own land use planning process. Secondly, the bill assures that state and local governments are provided meaningful public involvement in land use decisions for public lands. And finally, the bill would allow for expansion of communities and economic development.

Two years ago I convened a Presidential Summit on the shores of Lake Tahoe to save the Lake. This Summit created a model of federal, state, local, public and private partnership. It is a model that the President said can apply across the nation and across the world. We learned there that we can all work together to preserve the nation's special places and promote economic growth. The legislation we introduce today is crafted with the Lake Tahoe Model in mind. It encourages cooperation between all levels of government and the private sector. It is supported by Nevada state and local officials on a bi-partisan basis and our Republican colleague, Representative JIM GIBBONS, has introduced similar legislation today in the House.

This kind of bill shows truly how government can work for the people in partnership. I urge its swift passage.

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. 719

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 ''Nevada Public Land Management Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) Federal holdings in the State of Nevada constitute over 87 percent of the area of the State, and in 10 of the 17 counties the Federal Government controls at least 80 percent of the land;

(2) the large amount of federally controlled land in Nevada and the lack of an adequate private land ownership base has had a negative impact on the overall economic development of rural counties and communities and severely degraded the ability of local governments to provide necessary services;

(3) under general land laws less than 3 percent of the Federal land in Nevada has moved from Federal control to private ownership in the last 130 years;

(4) in resource management plans, the Bureau of Land Management has identified for disposal land that is difficult and costly to manage and that would more appropriately be in non-Federal ownership;

(5) implementation of Federal land management plans has been impaired by the lack of necessary funding to provide the needed improvements and the lack of land management programs to accomplish the goals and standards set out in the plans; and

(6) the lack of a private land tax base prevents most local governments from providing the appropriate infrastructure to allow timely development of land that is disposed of by the Federal Government for community expansion and economic growth.

(b) PURPOSES.—The purposes of this Act are to provide for—

(1) the orderly disposal and use of certain Federal land in the State of Nevada that was not included in the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343);

(2) the acquisition of environmentally sensitive land in the State; and

(3) the implementation of projects and activities in the State to protect or restore important environmental and cultural resources.

SEC. 3. DEFINITIONS.

In this Act:

(1) CURRENT LAND USE PLAN.—The term ''current land use plan'', with respect to an administrative unit of the Bureau of Land Management, means the management framework plan or resource management plan applicable to the unit that was approved most recently before the date of enactment of this Act.

(2) ENVIRONMENTALLY SENSITIVE LAND.—The term ''environmentally sensitive land'' means land or an interest in land, the acquisition of which the United States would, in the judgment of the Secretary or the Secretary of Agriculture—

(A) promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife, or other values that contribute to public enjoyment or biological diversity;

(B) enhance recreational opportunities or public access;

(C) provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or

(D) otherwise serve the public interest.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) SPECIAL ACCOUNT.—The term ''Special Account'' means the account established by section 6.

(5) STATE.—The term ''State'' means the State of Nevada.

(6) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means the elected governing body of each city and county in the State except the cities of Las Vegas, Henderson, and North Las Vegas.

SEC. 4. DISPOSAL AND EXCHANGE.

(a) DISPOSAL.—In accordance with this Act, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable law and subject to valid existing rights, the Secretary may dispose of public land within the State identified for disposal under current land use plans maintained under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713), other than land that is identified for disposal under the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343).

(b) RECREATION AND PUBLIC PURPOSE CONVEYANCES.—

(1) IN GENERAL.—Not less than 30 days before offering land for sale or exchange under subsection (a), the State or the unit of local government in the jurisdiction of which the land is located may elect to obtain the land for local public purposes under the Act entitled ''An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes'', approved June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(2) RETENTION BY SECRETARY.—If the State or unit of local government elects to obtain the land, the Secretary shall retain the land for conveyance to the State or unit of local government in accordance with that Act.

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal land selected for disposal under subsection (d)(1) is withdrawn from location and entry under the mining laws and from operation under the mineral leasing and geothermal leasing laws until the Secretary terminates the withdrawal or the land is patented.

(d) SELECTION.—

(1) IN GENERAL.—The Secretary, the unit of local government that has jurisdiction over land identified for disposal under subsection (a), and the State shall jointly select land to be offered for sale or exchange under this section.

(2) COORDINATION.—The Secretary shall coordinate land disposal activities with the unit of local government under the jurisdiction of which the land is located.

(3) LOCAL LAND USE PLANNING AND ZONING REQUIREMENTS.—The Secretary shall dispose of land under this section in a manner that is consistent with local land use planning and zoning requirements and recommendations.

(e) SALES OFFERING, PRICE, PROCEDURES, AND PROHIBITIONS.—

(1) OFFERING.—The Secretary shall make the first offering of land as soon as practicable after land has been selected under subsection (d).

(2) SALE PRICE.—

(A) IN GENERAL.—The Secretary shall make all sales of land under this section at a price that is not less than the fair market value of the land, as determined by the Secretary.

(B) AFFORDABLE HOUSING.—Subparagraph (A) does not affect the authority of the Secretary to make land available at less than fair market value for affordable housing purposes under section 7(b) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2349).

(3) COMPETITIVE BIDDING.—

(A) IN GENERAL.—The sale of public land selected under subsection (d) shall be conducted in accordance with sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1719).

(B) EXCEPTIONS.—The exceptions to competitive bidding requirements under section 203(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713(f)) shall apply to sales under this Act in cases in which the Secretary determines that application of an exception is necessary and proper.

(C) NOTICE OF COMPETITIVE BIDDING PROCEDURES.—The Secretary shall also ensure adequate notice of competitive bidding procedures to—

(i) owners of land adjoining the land proposed for sale;

(ii) local governments in the vicinity of the land proposed for sale; and

(iii) the State.

(4) PROHIBITIONS.—A sale of a tract of land selected under subsection (d) shall not be undertaken if the Federal costs of sale preparation and processing are estimated to exceed the proceeds of the sale.

(f) DISPOSITION OF PROCEEDS.—

(1) LAND SALES.—Of the gross proceeds of sales of land under this section during a fiscal year—

(A) 5 percent shall be paid to the State for use in the general education program of the State;

(B) 45 percent shall be paid directly to the local unit of government in the jurisdiction of which the land is located for use as determined by the unit of local government, with consideration given to use for support of health care delivery, law enforcement, and schools; and

(C) 50 percent shall be deposited in the Special Account.

(2) LAND EXCHANGES.—

(A) IN GENERAL.—In a land exchange under this section, the non-Federal party shall provide direct payment to the unit of local government in the jurisdiction of which the land is located in an amount equal to 15 percent of the fair market value of the Federal land conveyed in the exchange.

(B) TREATMENT OF PAYMENTS AS COST INCURRED.—If any agreement to initiate the exchange so provides, a payment under subparagraph (A) shall be considered to be a cost incurred by the non-Federal party that shall be compensated by the Secretary.

(C) PENDING EXCHANGES.—This Act, other than subsections (a) and (b) and this subsection, shall not apply to any land exchange for which an initial agreement to initiate an exchange was signed by an authorized representative of the exchange proponent and an authorized officer of the Bureau of Land Management before the date of enactment of this Act.

(g) ADDITIONAL DISPOSAL LAND.—Public land identified for disposal in the State under a replacement of or amendment to a current land use plan shall be subject to this Act.

SEC. 5. ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND.

(a) IN GENERAL.—After consultation in accordance with subsection (c), the Secretary may use funds in the Special Account and any other funds that are made available by law to acquire environmentally sensitive land and interests in environmentally sensitive land.

(b) CONSENT.—The Secretary may acquire environmentally sensitive land under this section only from willing sellers.

(c) CONSULTATION.—

(1) IN GENERAL.—Before initiating efforts to acquire environmentally sensitive land under this section, the Secretary or the Secretary of Agriculture shall consult with the State and units of local government under

the jurisdiction of which the environmentally sensitive land is located (including appropriate planning and regulatory agencies) and with other interested persons concerning—

(A) the necessity of making the acquisition;

(B) the potential impact of the acquisition on State and local government; and

(C) other appropriate aspects of the acquisition.

(2) ADDITIONAL CONSULTATION.—Consultation under this paragraph shall be in addition to any other consultation that is required by law.

(d) ADMINISTRATION.—On acceptance of title by the United States, any environmentally sensitive land or interest in environmentally sensitive land acquired under this section that is within the boundaries of a unit of the National Forest System, the National Park System, the National Wildlife Refuge System, the National Wild and Scenic Rivers System, the National Trails System, the National Wilderness Preservation System, any other system established by law, or any national conservation or recreation area established by law—

(1) shall become part of the unit or area without further action by the Secretary or Secretary of Agriculture; and

(2) shall be managed in accordance with all laws (including regulations) and land use plans applicable to the unit or area.

(e) FAIR MARKET VALUE.—The fair market value of environmentally sensitive land or an interest in environmentally sensitive land to be acquired by the Secretary or the Secretary of Agriculture under this section shall be determined—

(1) under section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711) and other applicable requirements and standards; and

(2) without regard to the presence of a species listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(f) PAYMENTS IN LIEU OF TAXES.—Section 6901(1) of title 31, United States Code, is amended—

(1) in subparagraph (G), by striking ''or'' at the end;

(2) in subparagraph (H), by striking the period at the end and inserting ''; or ''; and

(3) by adding at the end the following:

''(I) acquired by the Secretary of the Interior or the Secretary of Agriculture under section 5 of the Nevada Public Land Management Act of 1999 that is not otherwise described in subparagraphs (A) through (G).''.

SEC. 6. SPECIAL ACCOUNT.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account to be used in carrying out this Act.

(b) CONTENTS.—The Special Account shall consist of—

(1) amounts deposited in the Special Account under section 4(f)(1)(B);

(2) donations to the Special Account; and

(3) appropriations to the Special Account.

(c) USE.—

(1) IN GENERAL.—Amounts in the Special Account shall be available to the Secretary until expended, without further Act of appropriation, to pay—

(A) subject to paragraph (2), costs incurred by the Bureau of Land Management in arranging sales or exchanges under this Act, including the costs of land boundary surveys, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), appraisals, environmental and cultural clearances, and public notice;

(B) the cost of acquisition of environmentally sensitive land or interest in such land in the State;

(C) the cost of carrying out any necessary revision or amendment of a current land use plan of the Bureau of Land Management that relates to land sold, exchanged, or acquired under this Act;

(D) the cost of projects or programs to restore or protect wetlands, riparian areas, or cultural, historic, prehistoric, or paleontological resources, including petroglyphs;

(E) the cost of projects, programs, or land acquisition to stabilize or restore water quality and lake levels in Walker Lake; and

(F) related costs determined by the Secretary.

(2) LIMITATIONS.—

(A) COSTS IN ARRANGING SALES OR EXCHANGES.—Costs charged against the Special Account for the purposes described in paragraph (1)(A) shall not exceed the minimum amount practicable in view of the fair market value of the Federal land to be sold or exchanged.

(B) ACQUISITION.—Not more than 50 percent of the amounts deposited in the Special Account in any fiscal year may be used in that fiscal year or any subsequent fiscal year for the purpose described in paragraph (1)(B).

(3) PLAN REVISIONS AND AMENDMENTS.—The process of revising or amending a land use plan shall not cause delay or postponement in the implementation of this Act.

(d) INTEREST.—All funds deposited in the Special Account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Such interest shall be added to the principal of the account and expended in accordance with subsection 6(c).

(e) COORDINATION.—The Secretary shall coordinate the use of the Special Account with the Secretary of Agriculture, the State, and units of local government in which land or an interest in land may be acquired, to ensure accountability and demonstrated results.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 7. REPORT.

The Secretary, in cooperation with the Secretary of Agriculture, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a biennial report that describes each transaction that is carried out under this Act.

By Mr. HELMS:

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; to the Committee on Foreign Relations.

SERBIA DEMOCRATIZATION ACT OF 1999

Mr. HELMS. Mr. President, this is a significant piece of legislation, I believe, the Serbia Democratization Act of 1999, on which I am honored by the cosponsorship of a number of distinguished colleagues—Senators GORDON SMITH, LUGAR, LIEBERMAN, LAUTENBERG, DEWINE, MCCAIN, and ORRIN HATCH.

More than a year ago, Yugoslav President Slobodan Milosevic sent Serbian troops into Kosovo to launch a brutal assault on the ethnic Albanian population there. This action was the beginning of a merciless and unjustified Serbian offensive against ethnic Albanians in Kosovo. Two thousand victims of Milosevic's cruelty lie dead—many of them innocent civilians. And hundreds of thousands of people have been driven from their homes.

Mr. President, this tragedy in Kosovo has emphasized the obvious: that if the United States continues to foolishly hope for good will on the part of Milosevic, the United States will be dragged into the crises this cruel man manufactures time and again. Instead of pursuing a strategy that leads to NATO airstrikes or the deployment of thousands of United States troops in peacekeeping operations, I believe it is the course of wisdom to examine the root cause of instability in that region—the bloody regime of Slobodan Milosevic.

President Milosevic has imposed rigid controls on, or launched outright attacks against, the media, universities, and the judicial system in Serbia to prevent the possibility that a democracy and an independent civil society can be developed. The massacres of innocent women and children in Kosovo demonstrate Milosevic's disregard for basic human rights. This man, in a word, forbids the very thought of a democratic system in Serbia.

For too long this Administration has claimed that no viable democratic opposition exists in Serbia or that the United States has no choice but to work with Milosevic. Mr. President, I refuse to accept this argument. There are individuals and organizations in Serbia that can be a force for democratic change in that country. Milosevic is not the only option. And in no case should the United States treat that dictator as a responsible leader or as someone with whom we can do business.

The Serbia Democratization Act, which I am introducing today, has but one purpose—to get rid of the murderous regime of Mr. Milosevic. Let me briefly summarize the key points of the legislation:

It authorizes $100 million over a two year period to support the development of a government in Yugoslavia based on democratic principles and the rule of law.

It calls for increased Voice of America and Radio Free Europe/Radio Liberty broadcasting to Serbia to undermine state control of the media and spread the message of democracy to the people of Serbia.

It calls for humanitarian and other assistance to the victims of oppression in Kosovo.

It adds new sanctions or strengthens those that exist against Serbia until the President certifies that the government is democratic. For example, it codifies the so-called ''outer wall'' of sanctions that the United States has informally in place. It blocks Yugoslav assets in the United States. It prevents senior Yugoslav and Serbian government officials, and their families, from receiving visas to travel to the U.S. And it requires a democratic government to be in place in Serbia before extending MFN status to Yugoslavia.

It states that the U.S. should send to the International Criminal Tribunal for the former Yugoslavia all information we have on the involvement of Milosevic in war crimes.

Now, as for Mr. Milosevic's future, I do not care one way or the other if he lives out his days in sunny Cyprus if he will agree to step aside and make way for democracy in Serbia. The important thing is that he be removed from power, whether voluntarily or not.

Once the Milosevic regime has been replaced by a democratic government in Yugoslavia, this legislation calls for immediate and substantial U.S. assistance to support the transition to democracy. When that day comes, I will lead the way in encouraging Yugoslavia to take its place among the democratic nations of the West. Until that time, I will work to implement a policy that will undermine the autocratic regime of Slobodan Milosevic in every way possible.

Mr. LAUTENBERG. Mr. President, I rise today as one of a bipartisan group of Senators introducing the Serbia Democratization Act of 1999.

We've been developing this legislation for some time, to address our long-term interest in fostering democracy and human rights in what remains of the former Yugoslavia. But this legislation sends an important message at a time when our Armed Forces are conducting air operations and missile strikes against the so-called Federal Republic of Yugoslavia, comprising Serbia and Montenegro.

The message this legislation sends to the people of Serbia and Montenegro is this: We are determined to punish those leaders responsible for such horrific violence throughout the former Yugoslavia. But we are also ready to support the development of democracy and civil society to help the people of Serbia and Montenegro overcome the repression which they, too, have suffered under the Milosevic regime.

The measures outlined in this act will help free thought and free speech to survive in Serbia-Montenegro. This legislation will also give victims of Serbian attacks, particularly in Kosovo, a degree of comfort knowing the American people stand with them in their hour of need even as our aircraft fly overhead.

This legislation also puts Slobodan Milosevic on notice that the reign of terror he has unleashed against the people of the Balkans—including Serbs and others within Serbia—will soon be over. Along with democratization measures for Serbia-Montenegro, this act contains narrow sanctions to make it more difficult for Milosevic to sustain his corrupt regime and carry on his bloody war.

The years Milosevic has been in power have left the region devastated. Americans remember all too well his brutal handiwork in the war in Bosnia. The images of destroyed homes, ethnically cleansed villages, of decaying corpses in mass graves, are indelibly etched in all our minds.

Now, less than two years after the signing of the Dayton peace agreement which brought about the end of that war, Milosevic has unleashed a similarly brutal campaign against people within Serbia. Yugoslav tanks and soldiers are attempting to crush the Kosovar Albanians' resistance. Belgrade's brutal crackdown has left thousands dead, tens of thousands homeless, and hundreds of thousands displaced from their towns and villages.

The man known in the Balkans as the Butcher of Belgrade, does not reserve his repression for Croats, Bosniaks, or Albanians. In his quest to gain and hold power, he has not spared his capital of Belgrade.

For years now, Slobodan Milosevic has carried out a sustained campaign to destroy his country's democratic institutions and its people's freedoms. He is a communist thug, a relic of the bad old days of Central Europe. For years, he has run whole of the so-called Federal Republic of Yugoslavia from his position as head of the constituent Republic of Serbia, leaving the constitution of the former Yugoslavia in tatters.

The Milosevic regime has tried for years to prevent the development of independent media outlets to provide accurate news and other information to the people of Serbia and Montenegro. Journalists who have pursued stories unflattering to the regime have been threatened and beaten by police. Independent television stations and newspapers are being shut down through litigation under a draconian press law passed last fall. As the State Department's 1998 Human Rights Report notes, that law allows private citizens and organizations to bring suit against media outlets for publishing information not deemed patriotic enough or considered to be ''against the territorial integrity, sovereignty and independence of the country.''

The effects of this policy are chilling. The people of Serbia-Montenegro are getting a filtered message about the events in their country and around the world. They see and hear and read only the news their Government chooses to disseminate.

Since NATO announced the approval of air operations and missile strikes, Belgrade has cracked down further on the independent media. Radio B92, operated courageously by Veran Matic, was shut down at gunpoint. Instead of hearing what is really happening, instead of hearing our reasons for conducting air strikes, people in Belgrade hear the regime's propaganda on Government radio.

The university in Belgrade—one of the great institutes of higher learning in Central Europe—has been purged of professors who refuse to tow the party line. Students who have protested this action have been harassed. As a result, there are virtually no progressive professors or students left in several programs.

The economy, too, is in tatters. Unemployment and underemployment hovers at 60 percent, primarily because the government has been unwilling to carry out needed economic reforms. Privatization, the cornerstone of a market economy, remains at a standstill, allowing cronyism and corruption to flourish.

I would like to draw particular attention to a section of this law concerning the International Criminal Tribunal for the former Yugoslavia.

As many of you know, for the past two years I have introduced legislation that bans U.S. aid to communities in the former Yugoslavia harboring war criminals. I introduced that legislation because it is my firm belief that democracy cannot come to a country, that a nation cannot begin to face the sins of its past, and that people cannot feel secure in their own communities, until individuals who persecuted others are brought to justice.

Milosevic has a deplorable record in cooperating with the Tribunal. He has continually scorned his obligations to the United Nations to turn over war criminals to the Tribunal for prosecution, citing constitutional constraints. Consequently, indicted war criminals—including Ratko Mladic, who is responsible for the massacre of hundreds of people during the Bosnian war, and the so-called Vukovar three who were indicted for the murder of 260 unarmed men during the 1991 attack on that Croatian city—reportedly live freely in Serbia.

He denied officials from the Tribunal access to Kosovo to investigate alleged crimes in the village of Racak, after 40 people were found dead, their mutilated bodies dumped in a ravine. Milosevic tried to claim that the victims—children, women and old men—were combatants and shot in a confrontation with Serbian police. To lend his story credence, Milosevic instead allowed a so-called independent forensic team from Belarus—itself caught in

the Stalinist past—and a group of Finns to analyze the corpses.

Milosevic's tactic backfired. The forensic team found that the victims were unarmed civilians, executed in an organized massacre. Some of these Kosovars ''were forced to kneel before being sprayed with bullets,'' as the Washington Post reported it.

Those who master-minded and perpetrated the massacres in Racak must face justice. Our Congress has already made very clear our view that Slobodan Milosevic is a war criminal and should be indicted and tried by the International Tribunal.

Mr. President, United States policy toward Belgrade is and must be much more than the use of air strikes. The legislation before us today will help Secretary Albright's efforts to bring lasting peace, democracy and prosperity to Serbia and Montenegro, as well as to Kosovo and the rest of the Balkans, by helping democracy and freedom prevail over a brutal dictator.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. FEINGOLD, and Mr. MOYNIHAN):

S. 721. A bill to allow media coverage of court proceedings.

LEGISLATION TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS

Mr. GRASSLEY. Mr. President, along with Senator SCHUMER and others, today I am introducing legislation that would make it easier for every American taxpayer to see what goes on in the federal courts that they fund. The bill, which would allow the photographing, electronic recording, broadcasting, and televising of Federal court proceedings, is needed to address the growing public cynicism over this branch of government.

Fostering a public that is well-informed about the law, including penalties and offenses, will, in turn, foster a healthy judiciary. As Thomas Jefferson said, ''[t]he execution of the laws is more important than the making of them.'' Because federal court decisions are far-reaching and often final, it is critical that judges operate in a manner that invites broad observation.

In addition, allowing cameras in the federal courtrooms is consistent with the founding fathers' intent that trials be held before as many people as choose to attend. Also, the First Amendment requires that court proceedings be open to the public, and by extension, the news media. The public's right to observe them first-hand is hardly less important. Put differently, the Supreme Court has said, ''what transpires in the courtroom is public property.''

In 1994 the Federal Judicial Center conducted a pilot program that studied the effect of cameras in a select number of federal courts. Their findings supported the use of electronic media coverage and found, ''small or no effects of camera presence on participants in the proceedings, courtroom decorum, or the administration of justice.'' In addition to this three year study in the federal courts, we are fortunate to be able to draw upon the experience of state courts. A committee in New York established to study the effect of cameras in courtrooms concluded, ''Audio-visual coverage of court proceedings serves an important educational function, and promotes public scrutiny of the judicial system. The program had minimal, if any, adverse effects.'' 15 states specifically studied the educational benefits deriving from camera access and all of them determined that camera coverage contributed to greater public understanding of the judicial system.

The use of state courts as a testing ground for this legislation as well as the Federal pilot program make this very well trod ground. We can be extremely confident that this is the next logical step and the well documented benefits far outweigh the ''minimal or no detrimental effects''. Yet, despite the strong evidence of the successful use of cameras in state courtrooms, we are going the extra mile to make sure this works in federal courtrooms by adding a 3 year sunset provision to our bill. This will give us a reasonable amount of time to determine how the process is working and whether it should be permanent.

The two leading arguments against cameras in federal courtrooms are easily countered. First, there is a fear that courtrooms will deteriorate into the carnival-like atmosphere of the O.J. Simpson trial. However, the O.J. Simpson case is obviously an exceptional and isolated instance. Not every court case is or need be like the Simpson case. It is this image of court proceedings that this bill is designed to dispel. Furthermore, even the minimal effects of a camera in a trial setting do not apply to an appellate hearing that has no jury and rarely requires witnesses.

The second argument against greater public access to court proceedings is the legitimate concern for the witnesses' safety when they are required to testify. This concern has merit and is therefore addressed in our bill. Technological advances make it possible to disguise the face and voice of witnesses upon request, thus not compromising their safety.

Allowing greater public access to federal court proceedings will help Americans fulfill their duty as citizens of a democratic nation to educate themselves on the workings of their government, and their right to observe and oversee the fundamental and critical role of the judiciary. The evidence compiled by 48 states and a federal study clearly supports this bill, the Constitution demands this bill, and the American people deserve this bill.

For all these reasons, I urge others to join me and my colleagues in supporting our attempt to provide greater public access and accountability of our federal courts.

Mr. LEAHY. Mr. President, I am pleased to join Senators GRASSLEY and SCHUMER in sponsoring the ''Sunshine in the Courtroom Act.''

Our democracy works best when our citizens are fully informed. That is why I have supported efforts during my time in the Senate to promote the goal of opening the proceedings of all three branches of our government. We continue to make progress in this area. Except for rare closed sessions, the proceedings of Congress and its Committees are open to the public, and carried live on cable networks. In addition, more Members and Committees are using the Internet and Web sites to make their work available to broader audiences.

The work of Executive Branch agencies is also open for public scrutiny through the Freedom of Information Act, among other mechanisms. The FOIA has served the country well in maintaining the right of Americans to know what their government is doing—or not doing. As President Johnson said in 1966, when he signed the Freedom of Information Act into law:

> This legislation springs from one of our most essential principles: A democracy works best when the people have all the information that the security of the Nation permits.

The work of the third, Judicial Branch, of government is also open to the public. Proceedings in federal courtrooms around this country are open to the public, and our distinguished jurists publish extensive opinions explaining the reasons for their judgments and decisions.

Forty-eight states, including Vermont, permit cameras in the courts. This legislation simply continues this tradition of openness on the federal level.

This bill permits presiding appellate and district court judges to allow cameras in the courtroom; they are not required to do so. At the same time, it protects non-party witnesses by giving them the right to have their voices and images obscured during their testimony. Finally, the bill authorizes the Judicial Conference of the United States to promulgate advisory guidelines for use by presiding judges in determining the management and administration of photographing, recording, broadcasting or televising the proceedings. The authority for cameras in federal district courts sunsets in three years.

In 1994, the Judicial Conference concluded that the time was not ripe to permit cameras in the federal courts, and rejected a recommendation of the Court Administration and Case Management Committee to authorize the

photographing, recording, and broadcasting of civil proceedings in federal trial and appellate courts. A majority of the Conference were concerned about the intimidating effect of cameras on some witnesses and jurors.

The New York Times opined at that time, on September 22, 1994, that ''the court system needs to reconsider its total ban on cameras, and Congress should consider making its own rules for cameras in the Federal courts.''

I am sensitive to the concerns of the Conference, but believe this legislation grants to the presiding judge the authority to evaluate the effect of a camera on particular proceedings and witnesses, and decide accordingly on whether to permit the camera into the courtroom. A blanket prohibition on cameras is an unnecessary limitation on the discretion of the presiding judge.

Allowing a wider public than just those who are able to make time to visit a courtroom to see and hear judicial proceedings will allow Americans to evaluate for themselves the quality of justice in this country, and deepen their understanding of the work that goes on in our courtrooms. This legislation is a step in making our courtrooms and the justice meted out there more widely available for public scrutiny. The time is long overdue for federal courts to allow cameras on their proceedings.

By Mr. INHOFE (for himself, Mr. MURKOWSKI, Mr. BURNS, Mr. GRASSLEY, Mr. BREAUX, Mr. CRAPO, Mr. STEVENS and Mr. FRIST):

S. 722. A bill to provide for the immediate application of certain orders relating to the amendment, modification, suspension, or revocation of certificates under chapter 447 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

EMERGENCY REVOCATION ACT

• Mr. INHOFE. Mr. President, I have been involved in the aviation industry for over forty years. In that time, I have logged roughly 8,000 flight hours and have had my share of flight challenges in all sorts of weather and conditions. For instance, in 1980 during a humanitarian mission to Dominica, I led ten airplanes through hurricane David to deliver medical supplies to the island. As recently as 1991 I piloted a Cessna 414 around the world reenacting the same flight of Wiley Post sixty years earlier. I mention this to establish my credentials as someone who is an experienced pilot. As such, I have a great respect for the important job that the Federal Aviation Administration (FAA) does to make our air system the safest and best in the world. Notwithstanding my admiration for the job that the FAA does, I believe there are some areas of FAA enforcement that need to be examined. One such area is the FAA's use of ''emergency revocation''.

After talking with certificate holders and based on my own observations, I believe the FAA unfairly uses this necessary power to prematurely revoke certificates when the circumstances do not support such drastic action. In a revocation action, brought on an emergency basis, the certificate holder loses use of his certificate immediately, without an intermediary review by an impartial third party. The result is that the certificate holder is grounded and in most cases out of work until the issue is adjudicated.

Simply put, I believe the FAA unfairly uses this necessary power to prematurely revoke certificates when the circumstances do not support such drastic action. A more reasonable approach when safety is not an issue, would be to adjudicate the revocation on a non-emergency basis allowing the certificate holder continued use of the certificate.

In no way do I want to suggest that the FAA should not have emergency revocation powers. I believe it is critical to safety that FAA have the ability to ground unsafe airmen or other certificate holders; however, I also believe that the FAA must be judicious in its use of this extraordinary power. A review of recent emergency cases clearly demonstrates a pattern by which the FAA uses their emergency powers as standard procedure rather than an extraordinary measure. Perhaps the most visible case has been Bob Hoover.

Bob is a highly regarded and accomplished aerobatic pilot. In 1992, his medical certificate was revoked based on alleged questions regarding his cognitive abilities. After getting a clean bill of health from four separate sets of doctors (just one of the many tests cost Bob $1,700) and over the continuing objections of the federal air surgeon (who never examined Bob personally) his medical certificate was reinstated only after then Administrator David Henson intervened. Unfortunately, Bob is not out of the woods yet. His medical certificate expires each year. Unlike most airmen who can renew their medical certificate with a routine application and exam, Bob has to furnish the FAA with a report of a neurological evaluation every twelve months.

Bob Hoover's experience is just one of many. I have visited with other pilots who have had their licenses revoked on an emergency basis. Pilots such as Ted Stewart who has been an American Airlines pilot for more than 12 years and is presently a Boeing 767 Captain. Until January 1995, Ted had no complaints registered against him or his flying. In January 1995 the FAA suspended his examining authority as part of a larger FAA effort to respond to a problem of falsified ratings. The full National Transportation Safety Board (NTSB) exonerated Ted in July 1995. In June 1996, he received a second revocation. One of the charges in this second revocation involved falsification of records for a Flight Instructor Certificate with Multiengined rating and his Air Transport Pilot (ATP) certificate dating back to 1979. Remember, an emergency revocation means you lose your certificate immediately, so in most cases this means the certificate holder loses his source of income. Fortunately in Ted's case, his employer put him on a desk job while the issue was adjudicated.

Like most, I have questioned how an alleged 17½ year old violation in the Stewart case could constitute an emergency; especially, since Ted had not been cited for any cause in the intervening years. Nonetheless, the FAA vigorously pursued this action. On August 30, 1996, the NTSB issued its decision in this second revocation and found for Ted. A couple of comments in the Stewart decision bear closer examination. First, the board notes that ''The administrator's loss in the earlier case appears to have prompted further investigation of respondent . . .'' I find this rather troubling that an impartial third party appears to be suggesting that the FAA has a vendetta against Ted Stewart. This is further emphasized with a footnote in which the Board notes:

> [We,] of course, [are] not authorized to review the Administrator's exercise of his power to take emergency certificate action . . . We are constrained to register in this matter, however, our opinion that where, as here, no legitimate reason is cited or appears for not consolidating all alleged violations into one proceeding, subjecting an airman in the space of a year to two emergency revocations, and thus to the financial and other burdens associated with an additional 60-day grounding without prior notice and hearing, constitutes an abusive and unprincipled discharge of an extraordinary power.

Another example is Raymond A. Williamson who was a pilot for Coca-Cola Bottling Company. Like Ted Stewart, he was accused of being part of a ''ring'' of pilots who falsified type records for ''vintage'' aircraft.

As in all of the cases I have reviewed, Mr. Williamson biggest concern is that the FAA investigation and subsequent revocation came out of the blue. In November 1994, he was notified by his employer (Coca-Cola) that FAA inspectors had accused him of giving ''illegal'' check rides in company owned aircraft. He was fired. In June 1995, he received an Emergency Order of Revocation. In over 30 years as an active pilot, he had never had an accident, incident, or violation. Nor had he ever been ''counseled'' by the FAA for any action or irregularities as a pilot, flight instructor, FAA designated pilot examiner.

In May 1996, FAA proposed to return all his certificates and ratings, except his flight instructor certificate. As in

the Ted Stewart case, it would appear that FAA found no real reason to pursue an ''emergency'' revocation.

I obviously cannot read the collective minds of the NTSB, but I believe a reasonable person would conclude that in the Ted Stewart case the Board, believes as I do, that there is an abuse of emergency revocation powers by the FAA.

This is borne out further by the fact that since 1989, emergency cases as a total of all enforcement actions heard by the NTSB has more than doubled. In 1989 the NTSB heard 1,107 enforcement cases. Of those, 66 were emergency revocation cases or 5.96 percent. In 1995, the NTSB heard 509 total enforcement cases, of those 160 were emergency revocation cases or 31.43 percent. I believe it is clear that the FAA has begun to use an exceptional power as a standard practice.

At my request, the General Accounting Office (GAO) did a study of emergency revocation actions taken by the FAA between 1990 and 1997. The most troubling result of the GAO study is that during time frame studied, 50 percent of the emergency renovations were issued four months to two years after the violation occurred. In only 4% of the cases was the emergency revocation issued within ten days or less of the actual violation. In fact, the median time lapse between the violation and the emergency order was a little over four months (132 days).

Clearly, at issue is ''what constitutes an emergency?'' After working with industry representatives, I believe we have come up with a balanced and prudent approach to answer that question. Today I, along with Senators MURKOWSKI, BURNS, GRASSLEY, BREAUX, STEVENS, CRAPO and FRIST am introducing a bill which will provide a certificate holder the option of requesting a hearing before the NTSB within 48 hours of receiving an emergency revocation to determine whether or not a true emergency exists. The board will have to decide within five days of the request if an emergency exists. During the board's deliberation, the certificate will be suspended. Should the board decide an emergency does not exist, the certificate holder will be able to use his certificate while the issue is adjudicated. Should the board decide an emergency does exist, the certificate will continue to be suspended while the issue is adjudicated.

Not surprisingly, Mr. President the FAA opposes this language. They also opposed changes to the civil penalties program where they served as the judge and jury in civil penalty actions against airmen. Fortunately, we were able to change that so that airmen can now appeal a civil penalty case to the NTSB. This has worked very well because the NTSB has a clear understanding of the issues.

This bill is supported by the Air Line Pilots Association, International; the Air Transport Association; the Allied Pilots Association, Aircraft Owners and Pilots Association; the Experimental Aircraft Association; National Air Carrier Association; National Air Transportation Association; National Business Aircraft Association; the NTSB Bar Association; and the Regional Airline Association.

In closing, this bill will provide due process to certificate holders where now none exists, without compromising aviation safety. This is a reasonable and prudent response to an increasing problem for certificate holders. I hope our colleagues will support our efforts in this regard.●

By Mr. INHOFE:

S. 723. A bill to provide regulatory amnesty for defendants who are unable to comply with federal enforceable requirements because of factors related to a Y2K system failure; to the Committee on Governmental Affairs.

Y2K REGULATORY AMNESTY ACT OF 1999

● Mr. INHOFE. Mr. President, I am pleased to rise today to introduce Y2K Regulatory Amnesty Act of 1999. I believe this is a timely piece of legislation considering the current debate over the Year 2000 issue. Senators BENNETT, DODD, HATCH, FEINSTEIN, and MCCAIN have been working diligently on Year 2000 issues for quite some time. I applaud them for their efforts in dealing with such a unique and complex issue.

However, as I have watched their progress and listened to their reports, I have noticed one significant omission in their discussions. Virtually nothing has been said about the potential regulatory nightmare that regulated entities could face as a result of a Y2K disruption. While the debate has been centered on getting government and businesses ready for the date change, very little has been said about how the government will actually deal with the private sector's problems associated with the year 2000. The last thing we need is for Regulatory Agencies to view a Y2K problem as an opportunity for a fine.

As a result, I began to ask several regulated communities about their concerns over regulatory penalties as a result of a Y2K disruption. Surprisingly, many had not yet begun to think about the potential for regulatory problems. Instead, they have been focusing on becoming Y2K complaint, which is what they should be doing. However, one question remains; how will the federal government react to regulatory noncompliance due to a Y2K systems disruption?

In response to that unanswered question, I am introducing the Y2K Regulatory Amnesty Act. My legislation will create a ''Y2K upset'', which is defined as an exception in which there is unintentional and temporary noncompliance beyond the reasonable control of the party. It will provide regulated communities with an affirmative defense from punitive actions from the federal government should they encounter a Y2K systems disruption.

My legislation does not create a ''free pass'' for entities to violate federal regulations. A ''Y2K upset'' is strictly defined and can only be invoked if the entity has made all possible efforts to become Y2K complaint and meets other stringent requirements. Additionally, if the noncompliance would result in an immediate or imminent threat to public health, the defense is not applicable. For those individuals who do attempt to use this defense frivolously or fraudulently, there will be severe criminal penalties.

Let me give you an example of how this provision will work. Assume that a small, local flower shop is run by a simple 3-computer network. The flower shop uses its computer network to manage payroll, accounts payable/receivable, and to track orders from customers. In an effort to become Y2K complaint, the flower shop hires an outside consultant to examine his network for signs of the Y2K bug and solve any problems that exist. This process costs the flower shop just over $1,000 but is well worth the investment considering the shop wants to be in business in January 2000.

On January 1, 2000, flower shop finds that its payroll software is failing to operate. The shop owner contacts the software manufacturer, the computer manufacturer, and his consultant in order to find a solution. From the outset, the shop owner knows this delay means that he will be unable to calculate how much he owes the IRS in payroll taxes—not to mention, they will be late. For that small business owner that means a hefty penalty on top of the hassle and lost business the failure caused in the first place.

Under my legislation, this small business owner would not be facing IRS penalties. The flower shop will still have to pay the taxes, but they won't be hit with a fine for a computer problem outside of their control.

This is just one example of how this legislation would assist businesses as they attempt to become compliant. However, this legislation would also help many others. I have heard from several schools in my state that fear that if they lose federally required reporting information, they may face losses in federal funding. I have also heard from small, rural telephone cooperatives who fear that even a short-term Y2K-related systems disruption could result in significant FCC fines and penalties. The list is exhaustive. Virtually, anyone regulated by the federal government faces the unanswered question as to how the federal government will handle a Y2K systems disruption.

There is also an added benefit to this legislation. Because this defense would

only apply to those who have made good faith efforts to become compliant, it will serve as an added incentive for everyone to fix their Y2K problems upfront.

Some people will say this legislation is unnecessary. However, I believe it is prudent to define how the federal government will approach Y2K systems disruptions in a regulatory context. But, more importantly, I believe we need to establish the rules of the game in advance so that everyone is operating from the same page.

In closing, I would urge each of my colleagues to become a cosponsor of the Y2K Regulatory Amnesty Act and join with me in working to remediate the potential regulatory problems associated with the coming date change.

Mr. President, I ask that the full text of the bill be inserted in the RECORD.

The bill follows:

S. 723

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 ''Y2K Regulatory Amnesty Act of 1999''.

SEC. 2. DEFINITIONS.

In this Act:

(1) Y2K FAILURE.—The term ''Y2K failure'' means any failure by any device or system (including any computer system and any microchip or integrated circuit embedded in another device or product), or any software, firmware, or other set or collection of processing instructions, however constructed, in processing, calculating, comparing, sequencing, displaying, storing, transmitting, or receiving date-related data, including—

(A) the failure to accurately administer or account for transitions or comparisons from, into, and between the 20th and 21st centuries, and between 1999 and 2000; or

(B) the failure to recognize or accurately process any specific date, and the failure accurately to account for the status of the year 2000 as a leap year.

(2) Y2K UPSET.—The term ''Y2K upset''—

(A) means an exceptional incident involving temporary noncompliance with applicable federally enforceable requirements because of factors related to a Y2K failure that are beyond the reasonable control of the defendant charged with compliance; and

(B) does not include—

(i) noncompliance with applicable federally enforceable requirements that constitutes or would create an imminent threat to public health or safety;

(ii) noncompliance to the extent caused by operational error or negligence;

(iii) lack of reasonable preventative maintenance; or

(iv) lack of preparedness for Y2K.

SEC. 3. CONDITIONS NECESSARY FOR A DEMONSTRATION OF A Y2K UPSET.

A defendant who wishes to establish the affirmative defense of Y2K upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that—

(1) the defendant previously made a good faith effort to effectively remediate Y2K problems;

(2) a Y2K upset occurred as a result of a Y2K system failure or other Y2K emergency;

(3) noncompliance with the applicable federally enforceable requirement was unavoidable in the face of a Y2K emergency or was intended to prevent the disruption of critical functions or services that could result in the harm of life or property;

(4) upon identification of noncompliance the defendant invoking the defense began immediate actions to remediate any violation of federally enforceable requirements; and

(5) the defendant submitted notice to the appropriate Federal regulatory authority of a Y2K upset within 72 hours from the time that it became aware of the upset.

SEC. 4. GRANT OF A Y2K UPSET.

Subject to the other provisions of this Act, the Y2K upset defense shall be a complete defense to any action brought as a result of noncompliance with federally enforceable requirements for any defendant who establishes by a preponderance of the evidence that the conditions set forth in section 3 are met.

SEC. 5. LENGTH OF Y2K UPSET.

The maximum allowable length of the Y2K upset shall be not more than 30 days beginning on the date of the upset unless granted specific relief by the appropriate regulatory authority.

SEC. 6. VIOLATION OF A Y2K UPSET.

Fraudulent use of the Y2K upset defense provided for in this Act shall be subject to penalties provided in section 1001 of title 18, United States Code.●

By Mr. INHOFE (for himself and Mr. SESSIONS):

S. 724. A bill to amend the Safe Drinking Water Act to clarify that underground injection does not include certain activities, and for other purposes; to the Committee on Environment and Public Works.

HYDRAULIC FRACTURING LEGISLATION

● Mr. INHOFE. Mr. President, I rise today to introduce a bill with my colleagues from Alabama, Senator Sessions, that will help our domestic oil and gas industry by reducing one of the many regulatory burdens that they must comply with.

Last year, I was informed of a case in Alabama in which the EPA was sued over their policy regarding underground injection and specifically, ''hydraulic fracturing''. This procedure is used in cases where product, such as gas is located in a tight geological formation such as a coalbed. A hole is drilled into that area and a fluid consisting of water, gel and sand is pumped down the wellbore into the formation creating a fracture zone. The gel and water are extracted during the initial production stage of the well while the sand is left to prop open the cracks in the formation.

When Congress originally passed the safe drinking water act (SDWA) in 1974, they intentionally left the underground protection control (UIC) program to the states. That act stated: ''the Administrator . . . may not prescribe requirements which interfere with or impede (injection activities associated with oil and gas production) unless such requirements are essential to assure that underground sources of drinking water will not be endangered by such injection.'' That concept was re-affirmed in 1980 when a provision was enacted specifically to recognize the adequacy of state programs, none of which required permitting for hydraulic fracturing in the construction or maintenance of oil and gas production wells.

So, when the lawsuit was filed in Alabama, and the court ruled in favor of the environmental organization that filed the suit, I was shocked. It seemed clear to me that the intent of the law was to leave the regulation of this procedure to the states. I have neither heard nor seen anything that would lead me to the conclusion that there is any contamination of drinking water because of hydraulic fracturing. In fact, I believe the EPA agrees with me. Let me read a letter from Carol Browner, the Administrator of the EPA, to Mr. David A. Ludder, General Council for the Legal Environmental Assistance Foundation, Inc (LEAF), the group that sued EPA over this procedure.

There is no evidence that the hydraulic fracturing at issue has resulted in any contamination or endangerment of underground sources of drinking water. Repeated testing, conducted between May of 1989 and March of 1993, of the drinking water well which was the subject of this petition failed to show any chemicals that would indicate the presence of fracturing fluids.

That statement seems pretty straight forward and implies to me that EPA would be willing to work with us to solve this problem. Unfortunately, that is not the case. Senator Sessions and I, with assistance from Senator Chafee, have received nothing but stalling tactics. In late January, we drafted this language and sent it over to EPA hoping that we could resolve this issue quickly to provide relief to our producers. Unfortunately, they were not willing to work with us.

So here we are introducing a bill that is simple and solves the problem. This bill is short and to the point. In less than two pages we clarify that hydraulic fracturing is not underground injection and re-affirm that the administrator has the ability to determine what is regulated as underground injection, which is simply a clarification of an ability the administrator already possesses.

It is my hope that EPA will work with us as this bill moves through committee and come up with a solution that will allow our oil and gas guys to get back to work and get EPA to focus on issues which may pose a more immediate threat.●

Mr. SESSIONS. Mr. President, I rise today to introduce a bill along with my colleague Senator INHOFE, which makes a technical correction to the Safe Drinking Water Act. This bill will end a frivolous lawsuit, clarify the intent of Congress and allow our State regulators and the Environmental Protection Agency to focus on protecting underground drinking water.

This bill clarifies the Safe Drinking Water Act by exempting hydraulic fracturing from the definition of underground injection. Hydraulic fracturing is a process used in the production of coalbed methane. This process uses high pressure water, carbon dioxide and sand to create microscopic fractures in coal seams to release and extract methane, oil and gas. Most states in which hydraulic fracturing is used, including my own state of Alabama, have in place regulations to ensure hydraulic fracturing continues to be a technique used in a safe manner. This technique has been used safely by coalbed methane, oil and gas producers for over fifteen years and has never been attributed to causing even a single case of contamination to an underground drinking water source.

On May 3rd of 1994, the Legal Environmental Assistance Foundation (LEAF) submitted a Petition for Promulgation of a Rule to withdraw the EPA's approval for the state of Alabama's Underground Injection Control (UIC) program. LEAF cited a case in Alabama of alleged drinking well contamination to justify its lawsuit. The EPA carefully reviewed this petition and on May 5th of 1995 the Administrator of the EPA, Carol Browner wrote to LEAF and stated ''based on that review, I have determined that Alabama's implementation of the UIC program is consistent with the requirements of the Safe Drinking Water Act''. Administrator Browner continued ''There is no evidence that the hydraulic fracturing at issue has resulted in any contamination or endangerment of underground sources of drinking water''. I ask unanimous consent that a complete copy of the text of that letter be inserted into the RECORD.

The PRESIDING OFFICER. Without objection, so ordered.

(See exhibit 1.)

Mr. SESSIONS: This single case in Alabama which initiated the LEAF lawsuit was investigated by three regulatory agencies; the State Oil and Gas Board of Alabama, the Alabama Department of Environmental Management and the U.S. Environmental Protection Agency. None of the three regulatory agencies could find any contamination attributable to hydraulic fracturing activities or levels of any contaminate exceeding Safe Drinking Water Act standards. In fact, a nationwide search for cases of contamination attributed to hydraulic fracturing was conducted by the Environmental Protection Agency and the Ground Water Protection Council. Not a single case of contamination was discovered.

As a result of the baseless lawsuit brought by the Legal Environmental Assistance Foundation, the EPA has begun the process of stripping away the authority of the State of Alabama to implement its Underground Injection Control program. Both the EPA and the state of Alabama must now spend precious resources, which could otherwise be used to address real drinking water problems, to establish federal regulations for a technique which poses no environmental threat. The impact of this action will undoubtably be felt by the people in Alabama and across the nation who are threatened by and in many cases, experiencing the effects of ground water contamination as regulating agencies waste their resources to address this non-problem.

I urge my colleagues to join us in passing this technical fix to the Safe Drinking Water Act.

EXHIBIT 1

ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, May 5, 1995.

David A. Ludder, Esq.,
General Counsel, Legal Environmental Assistance Foundation, Inc., Tallahassee, FL.

DEAR MR. LUDDER: The Environmental Protection Agency (EPA) has received and carefully reviewed your May 3, 1994, Petition for Promulgation of a Rule Withdrawing Approval of Alabama's Underground Injection Control (UIC) Program. Based on that review, I have determined that Alabama's implementation of its UIC Program is consistent with the requirements of the Safe Drinking Water Act (42 U.S.C. §300h, *et seq.*) and EPA's UIC regulations (40 CFR Part 145). EPA does not regulate—and does not believe it is legally required to regulate—the hydraulic fracturing of methane gas production wells under its UIC Program.

There is no evidence that the hydraulic fracturing at issue has resulted in any contamination or endangerment of underground sources of drinking water (USDW). Repeated testing, conducted between May of 1989 and March of 1993, of the drinking water well which was the subject of this petition failed to show any chemicals that would indicate the presence of fracturing fluids. The well was also sampled for drinking water quality and no constituents exceeding drinking water standards were detected. Moreover, given the horizontal and vertical distance between the drinking water well and the closest methane gas production wells, the possibility of contamination or endangerment of USDWs in the area is extremely remote. Hydraulic fracturing is closely regulated by the Alabama State Oil and Gas Board, which requires that operators obtain authorization prior to all fracturing activities.

Accordingly, I have decided to deny your petition. Enclosed you will find a detailed response to each contention in your petition, which further explains the basis for this denial.

Sincerely,

CAROL M. BROWNER,
Administrator.

By Ms. SNOWE (for herself and Mr. MCCAIN):

S. 725. A bill to preserve and protect coral reefs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE CORAL REEF CONSERVATION ACT OF 1999

Ms. SNOWE. Mr. President, I rise today to introduce the Coral Reef Conservation Act of 1999. I am pleased that Senator MCCAIN, Chairman of the Commerce, Science, and Transportation Committee, is joining me as a cosponsor in this effort to protect, sustain, and restore the health of coral reef ecosystems.

Coral reefs are among the world's most biologically diverse and productive ecosystems. Reefs serve as essential habitat for many marine organisms, enhancing commercial fisheries and stimulating tourism. They provide protection to coastal areas from storm surges and erosion, and offer many untold potential benefits such as new pharmaceuticals, some of which are presently being identified, developed, and tested. Unfortunately, coral reef ecosystems are in decline.

In 1998, coral reefs around the world appear to have suffered the most extensive and severe bleaching damage and subsequent mortality in modern times. Reefs in at least 60 countries were affected, and in some areas, more than 70 percent of the corals died off. These impacts have been attributed to the warmest ocean temperatures in 600 years. In addition to these impacts, however, it is estimated that 58 percent of the world's reefs are threatened by human activity such as inappropriate coastal development, destructive fishing practices, and other forms of overexploitation.

As a result of these stressors, coral reef habitat has been damaged and destroyed. Diseases of coral and reef-based organisms are expanding rapidly. Most of the diseases being tracked have only recently been discovered and are not widely understood. These serious problems highlight the need for more research to unravel the complex interactive effects between natural and human-induced stressors on coral reefs, and for more conservation and management activities.

The United States is not immune to these problems. Large coral reef systems exist in Florida, Hawaii, Texas, and various U.S. territories in the Caribbean and the Pacific. These reefs produce significant economic benefits for surrounding communities. In Florida, for example, the reefs contribute approximately 1.6 billion dollars annually to the state economy. But despite these clear benefits, U.S. reefs suffer from some of the same problems that affect reefs in other parts of the world.

Mr. President, this bill authorizes $3,800,000 in each of fiscal years 2000, 2001, and 2002 for a Coral Reef Conservation Program in the National Oceanic and Atmospheric Administration to provide conservation and research grants to states, U.S. territories, and qualified non-governmental institutions. Eligible conservation projects will focus on the promotion of sustainable development and work to ensure the effective, long-term conservation of coral reefs. Potential research projects will address use conflicts and develop sound scientific information on the condition of and threats to coral reef ecosystems.

The bill also authorizes NOAA to enter into an agreement with a qualified non-governmental organization to create a trust fund that will match private contributions to federal contributions and provide additional funding for worthy conservation and research projects. Through this mechanism, federal dollars can be used to leverage more dollars from the private sector for grants.

In addition, this bill authorizes $200,000 for each of fiscal years 2000, 2001, and 2002 for emergency assistance, which would be be provided through grants to address unforeseen or disaster-related problems pertaining to coral reefs.

Based on early reports, the repercussions of the 1998 mass bleaching and mortality events will be far-reaching in time and economic impact. This development, along with the continuing pressures from other sources, demonstrates the need for an increase in the effort to protect our coral reefs. The legislation I am introducing today provides a reasonable, cooperative vehicle to address these concerns.

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. 725

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 ''Coral Reef Conservation Act of 1999''.

SEC. 2. PURPOSES.

The purposes of this title are:

(1) to preserve, sustain, and restore the health of coral reef ecosystems;

(2) to assist in the conservation and protection of coral reefs by supporting conservation programs;

(3) to provide financial resources for those programs; and

(4) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation projects.

SEC. 3. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(2) CORAL.—The term ''coral'' means species of the phylum Cnidaria, including—

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), Alcyanacea (soft corals), and Coenothecalia (blue coral), of the class Anthozoa; and

(B) all species of the order Hydrocorallina (fire corals and hydrocorals), of the class Hydrozoa.

(3) CORAL REEF.—The term ''coral reef'' means those species (including reef plants), habitats, and other natural resources associated with any reefs or shoals composed primarily of corals within all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., Federal, State, territorial, or commonwealth waters), including in the south Atlantic, Caribbean, Gulf of Mexico, and Pacific Ocean.

(4) CORALS AND CORAL PRODUCTS.—The term ''corals and coral products'' means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (2).

(5) CONSERVATION.—The term ''conservation'' means the use of methods and procedures necessary to preserve or sustain corals and species associated with coral reefs as diverse, viable, and self-perpetuating coral reefs, including all activities associated with resource management, such as assessment, conservation, protection, restoration, sustainable use, and management of habitat; habitat monitoring; assistance in the development of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); law enforcement; conflict resolution initiatives; and community outreach and education.

(6) ORGANIZATION.—The term ''organization'' means any qualified non-profit organization that promotes coral reef conservation.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 4. CORAL REEF CONSERVATION PROGRAM.

(a) GRANTS.—The Secretary, through the Administrator and subject to the availability of funds, shall provide grants of financial assistance for projects for the conservation of coral reefs, hereafter called coral conservation projects, for proposals approved by the Administrator in accordance with this section.

(b) MATCHING REQUIREMENTS.—

(1) Except as provided in paragraph (2), Federal funds for any coral conservation project under this section may not exceed 50 percent of the total cost of such project. For purposes of this paragraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(2) The Administrator may waive all or part of the matching requirement under paragraph (1) if—

(A) the project costs are $25,000 or less; or

(B) the Administrator determines that no reasonable means are available through which applicant can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

(c) ELIGIBILITY.—Any relevant natural resource management authority of a State or territory of the United States or other government authority with jurisdiction over coral reefs or whose activities directly or indirectly affect coral reefs, or educational or non-governmental institutions with demonstrated expertise in the conservation of coral reefs, may submit to the Administrator a coral conservation proposal submitted under subsection (e) of this section.

(d) GEOGRAPHIC AND BIOLOGICAL DIVERSITY.—The Administrator shall ensure that funding for grants awarded under subsection (b) of this section during a fiscal year are distributed in the following manner—

(1) no less than 40 percent of funds available shall be awarded for coral conservation projects in the Pacific Ocean;

(2) no less than 40 percent of the funds available shall be awarded for coral conservation projects in the Atlantic Ocean, Gulf of Mexico, and the Caribbean Sea; and

(3) remaining funds shall be awarded for projects that address emerging priorities or threats, including international priorities or threats, identified by the Administrator in consultation with the Coral Reef Task Force under subsection (i).

(e) PROJECT PROPOSALS.—Each proposal for a grant under this section shall include the following:

(1) The name of the individual or entity responsible for conducting the project.

(2) A succinct statement of the purposes of the project.

(3) A description of the qualifications of the individuals who will conduct the project.

(4) An estimate of the funds and time required to complete the project.

(5) Evidence of support of the project by appropriate representatives of States or territories of the United States or other government jurisdictions in which the project will be conducted.

(6) Information regarding the source and amount of matching funding available to the applicant, as appropriate.

(7) A description of how the project meets one or more of the criteria in subsection (g) of this section.

(8) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for funding under this title.

(f) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Administrator shall review each final coral conservation project proposal to determine if it meets the criteria set forth in subsection (g).

(2) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 3 months after receiving a final project proposal under this section, the Administrator shall—

(A) request written comments on the proposal from each State or territorial agency of the United States or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary, with jurisdiction or management authority over coral reefs or coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally-established priorities;

(B) for projects costing more than $25,000, provide for the regional, merit-based peer review of the proposal and require standardized documentation of that peer review;

(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

(D) provide written notification of that approval or disapproval to the person who submitted the proposal, and each of those States, territories, and other government jurisdictions.

(g) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent that the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and ensure effective, long-term conservation of coral reef;

(2) addressing the conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products;

(3) enhancing compliance with laws that prohibit or regulate the taking of corals, species associated with coral reefs, and coral products or regulate the use and management of coral reef ecosystems;

(4) developing sound scientific information on the condition of coral reef ecosystems or the threats to such ecosystems;

(5) promoting cooperative projects on coral reef conservation that involve affected local communities, non-governmental organizations, or others in the private sector; or

(6) increasing public knowledge and awareness of coral reef ecosystems and issues regarding their long-term conservation.

(h) PROJECT REPORTING.—Each grantee under this section shall provide periodic reports, as specified by the Administrator. Each report shall include all information required by the Secretary for evaluating the progress and success of the project.

(i) CORAL REEF TASK FORCE.—The Administrator may consult with the Coral Reef Task Force established under Executive Order 13089 (June 11, 1998), to obtain guidance in establishing coral conservation project priorities under this section.

(j) IMPLEMENTATION GUIDELINES.—Within 90 days after the date of enactment of this Act, the Administrator shall promulgate necessary guidelines for implementing this section. In developing those guidelines, the Administrator shall consult with regional and local entities involved in setting priorities for conservation of coral reefs.

SEC. 5. CORAL REEF CONSERVATION FUND.

(a) FUND.—The Administrator may enter into an agreement with an organization authorizing such organization to receive, hold and administer funds received pursuant to this section. The organization shall invest, reinvest and otherwise administer the funds and maintain such funds and any interest or revenues earned in a separate interest bearing account, hereafter referred to as the Fund, established by such organization solely to support partnerships between the public and private sectors that further the purposes of this title.

(b) AUTHORIZATION TO SOLICIT DONATIONS.—Consistent with 16 U.S.C. 3703, and pursuant to the agreement entered into under subsection (a) of this section, an organization may accept, receive, solicit, hold administer and use any gift or donation to further the purposes of this title. Such funds shall be deposited and maintained in the Fund established by an organization under subsection (a) of this section.

(c) REVIEW OF PERFORMANCE.—The Administrator shall conduct a continuing review of the grant program administered by an organization under this section. Each review shall include a written assessment concerning the extent to which that organization has implemented the goals and requirements of this section.

(d) ADMINISTRATION.—Under the agreement entered into pursuant to subsection (a) of this section, the Administrator may transfer funds appropriated to carry out this Act to an organization. Amounts received by an organization under this subsection may be used for matching, in whole or in part, contributions (whether in currency, services, or property) made to the organization by private persons and State and local government agencies.

SEC. 6. EMERGENCY ASSISTANCE.

The Administrator may make grants to any State, local or territorial government agency with jurisdiction over coral reefs for emergencies to address unforeseen or disaster related circumstance pertaining to coral reefs or coral reef ecosystems.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) There are authorized to be appropriated to the Secretary $3,800,000 for each of fiscal years 2000, 2001, and 2002 for grants under section 4, which may remain available until expended.

(2) There are authorized to be appropriated to the Secretary $200,000 for each of fiscal years 2000, 2001, and 2002 for emergency assistance under section 6.

(b) USE OF AMOUNTS APPROPRIATED.—Not more than 5 percent of the amounts appropriated under subsection (a) may be used by the Secretary, through the Administrator, for administration of this title.

(c) LIMITATION.—Only amounts appropriated to implement this title are subject to its requirements.

● Mr. MCCAIN. Mr. President, I rise today in support of the Coral Reef Conservation Act of 1999. The bill that I have sponsored, along with Senator SNOWE, the Chair of the Commerce Committee's Subcommittee on Oceans and Fisheries, represents strong and balanced environmental policy. I wish to thank Senator SNOWE for her leadership in this area. This bill is a positive step forward to improve the conditions of our coral reefs and the many types of life that live in and among these reefs.

The bill is designed to build partnerships with local and State entities to facilitate coral reef conservation. It creates a competitive matching-grant program which would provide funding for local and State governments and qualified non-profit organizations which have experience in coral reef monitoring, research, conservation, and public education projects. The bill requires that federal funds provide no more than 50 percent of the cost of the project. However, it also helps local communities that do not have the ability to raise sufficient matching funds. Therefore, the matching requirement may be waived for qualified proposals under $25,000.

Under the bill that Senator SNOWE and I have introduced today, the matching-grant program will maximize funding for important coral reef conservation projects. Our coral reefs are certainly in need of this type of funding. Indeed, coral reefs are the foundation of one of the Earth's most productive and diverse ecosystems, providing food and shelter for at least one million different types of animals, plants and other sea life. Coastal communities realize the benefit of coral reefs through enhanced fisheries, coastal protection, tourism, and the development of medicines used to fight cancer and produce antibiotics and pain relievers. Unfortunately, in 1998, coral reefs suffered some of the most extensive damage ever recorded. What caused so much damage? There are no certain answers. Record-breaking ocean temperatures and a severe El Nino event are the most likely culprits. What we do know is that these global events triggered massive die-offs of coral reefs through a process known as coral ''bleaching''. In essence, bleaching occurs when coral reefs are exposed to environmental stress, including elevated sea temperatures. This results in the loss of an essential food source, so the coral—a living creature—may starve to death. This coral reef bleaching makes the identification of the most injured reefs fairly obvious. The difficult task then becomes what can be done to prevent such a loss in the future and what, if anything, can be done to revive already damaged reefs?

I think this bill is a very good starting point. With this legislation, Senator SNOWE and I will put in place a way to provide responsible and effective funding for coral reef conservation, monitoring, research, and public education. One half of our country's population lives and works in a coastal community. This bill is good for the environment and good for the many Americans who depend on the ocean for their livelihoods. I urge my colleagues to support this bill.●

By Mr. CAMPBELL (for himself and Mr. TORRICELLI):

S. 726. A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement departments; to the Committee on the Judiciary.

OFFICER DALE CLAXTON BULLET RESISTANT POLICE PROTECTIVE EQUIPMENT ACT OF 1999

Mr. CAMPBELL. Mr. President, today I am introducing legislation to help our nation's state and local law enforcement officers acquire the bullet resistant equipment they need to protect themselves from would-be killers.

I am joined today by my colleague, Senator TORRICELLI, as an original cosponsor of this legislation.

This bill, the ''Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999,'' is based on S. 2253, which I introduced in the 105th Congress. This bill is named in memory of Dale Claxton, a Cortez, Colorado, police officer who was fatally shot through the windshield of his patrol car last year. A bullet resistant windshield could have saved his life.

Unfortunately, incidents like this are far from isolated. All across our nation law enforcement officers, whether in hot pursuit, driving through dangerous neighborhoods, or pulled over on the side of the road behind an automobile, are at risk of being shot through their windshields. We must do what we can to prevent these kinds of tragedies as better, lighter and more affordable types of bullet resistant glass and other equipment become available. For the purposes of this bill I use the technically more accurate term ''bullet resistant'' instead of the more commonplace ''bullet proof'' since, even though we all wish they could be, few things are truly ''bullet proof.''

While I served as a deputy sheriff in Sacramento County, California, I became personally aware of the inherent

dangers law enforcement officers encounter each day on the front lines. Now that I serve as a U.S. senator here in Washington, DC, I believe we should do what we can to help our law enforcement officers protect themselves as they risk their lives while protecting the American people from violent criminals.

One important way we can do this is to help them acquire bullet resistant glass and armored panels for patrol cars, hand held bullet resistant shields and other life saving bullet resistant equipment. This assistance is especially crucial for small local jurisdictions that often lack the funds needed to provide their officers with the life saving bullet resistant equipment they need.

The Officer Dale Claxton bill builds upon the successes of the Bulletproof Vest Partnership Grant Act, S. 1605, which I introduced in the 105th Congress and the president signed into law last June. This program provides matching grants to state and local law enforcement agencies to help them purchase body armor for their officers. This bill builds upon this worthy program by expanding it to help them acquire additional types of bullet resistant equipment.

The bill I introduce today has four main components. The first part authorizes continued funding for the current Bulletproof Vest Partnership Grant Act program at $25 million per year.

The second and central part of this legislation authorizes a new $40 million matching grant program to help state, local, tribal and other small law enforcement agencies acquire bullet resistant equipment such as bullet resistant glass and armored panels for patrol cars, hand held bullet resistant shields and other life saving equipment.

The third component of this bill, as promoted by Senator TORRICELLI, would authorize a $25 million matching grant program for the purchase of video cameras for use in law enforcement vehicles.

These three matching grants are authorized for fiscal years 2000 through 2002 and would be allocated by the Bureau of Justice Assistance according to a formula that ensures fair distribution for all states, local communities, tribes and U.S. territories. To help ensure that these matching grants get to the jurisdictions that need them the most the bureau is directed to make at least half of the funds available to those smaller jurisdictions whose budgets are the most financially constrained.

The final key part of this bill provides the Justice Department's National Institute of Justice (NIJ) with $3 million over 3 years to conduct an expedited research and development program to speed up the deployment of new bullet resistant technologies and equipment. The development of new bullet resistant materials in the next few years could be as revolutionary in the next few years as Kevlar was for body armor in the 1970s. Exciting new technologies such as bonded acrylic, polymers, polycarbons, aluminized material and transparent ceramics promise to provide for lighter, more versatile and hopefully less expensive bullet resistant equipment.

The Officer Dale Claxton bill also directs the NIJ to inventory existing technologies in the private sector, in surplus military property, and in use by other countries and to evaluate, develop standards, establish testing guidelines, and promote technology transfer.

Under the bill, the Institute would give priority in testing and feasibility studies to law enforcement partnerships developed in coordination with existing High Intensity Drug Trafficking Areas (HIDTAs).

Our nation's state, local and tribal law enforcement officers regularly put their lives in harm's way and deserve to have access to the bullet resistant equipment they need. The Officer Dale Claxton bill will both get life saving bullet resistant equipment deployed into the field where it is needed and accelerate the development of new life-saving bullet resistant technologies. I urge my colleagues to support passage of this bill.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 726

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 ''Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) Officer Dale Claxton of the Cortez, Colorado, Police Department was shot and killed by bullets that passed through the windshield of his police car after he stopped a stolen truck, and his life may have been saved if his police car had been equipped with bullet resistant equipment;

(2) the number of law enforcement officers who are killed in the line of duty would significantly decrease if every law enforcement officer in the United States had access to additional bullet resistant equipment;

(3) according to studies, between 1985 and 1994, 709 law enforcement officers in the United States were feloniously killed in the line of duty;

(4) the Federal Bureau of Investigation estimates that the risk of fatality to law enforcement officers while not wearing bullet resistant equipment, such as an armor vest, is 14 times higher than for officers wearing an armor vest;

(5) according to studies, between 1985 and 1994, bullet-resistant materials helped save the lives of more than 2,000 law enforcement officers in the United States; and

(6) the Executive Committee for Indian Country Law Enforcement Improvements reports that violent crime in Indian country has risen sharply, despite a decrease in the national crime rate, and has concluded that there is a ''public safety crisis in Indian country''.

(b) PURPOSE.—The purpose of this Act is to save lives of law enforcement officers by helping State, local, and tribal law enforcement agencies provide officers with bullet resistant equipment and video cameras.

SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT BULLET RESISTANT EQUIPMENT.

(a) IN GENERAL.—Part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) by striking the part designation and part heading and inserting the following:

"PART Y—MATCHING GRANT PROGRAMS FOR LAW ENFORCEMENT

"Subpart A—Grant Program For Armor Vests";

(2) by striking ''this part'' each place that term appears and inserting ''this subpart''; and

(3) by adding at the end the following:

"Subpart B—Grant Program For Bullet Resistant Equipment

"SEC. 2511. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—the Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase bullet resistant equipment for use by State, local, and tribal law enforcement officers.

''(b) USES OF FUNDS.—Grants awarded under this section shall be—

''(1) distributed directly to the State, unit of local government, or Indian tribe, and

''(2) used for the purchase of bullet resistant equipment for law enforcement officers in the jurisdiction of the grantee.

''(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this subpart, the Director of the Bureau of Justice Assistance may give preferential consideration, if feasible, to an application from a jurisdiction that—

''(1) has the greatest need for bullet resistant equipment based on the percentage of law enforcement officers in the department who do not have access to a vest;

''(2) has a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation; or

''(3) has not received a block grant under the Local Law Enforcement Block Grant program described inder the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119).

''(d) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.50 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated .25 percent.

''(e) MAXIMUM AMOUNT.—A qualifying State, unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants under this section, except that a State, together with the grantees within the State may not receive more than

20 percent of the total amount appropriated in each fiscal year for grants under this section.

''(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent. Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

''(g) ALLOCATION OF FUNDS.—At least half of the funds available under this subpart shall be awarded to units of local government with fewer than 100,000 residents.

''SEC. 2512. APPLICATIONS.

''(a) IN GENERAL.—To request a grant under this subpart, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director of the Bureau of Justice Assitance in such form and containing such information as the Director may reasonably require.

''(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this subpart, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

''(c) ELIGIBILITY.—A unit of local government that receives funding under the Local Law Enforcement Block Grant program (described under the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 104–119)) during a fiscal year in which it submits an application under this subpart shall not be eligible for a grant under this subpart unless the chief executive officer of such unit of local government certifies and provides an explanation to the Director that the unit of local government considered or will consider using funding received under the block grant program for any or all of the costs relating to the purchase of bullet resistant equipment, but did not, or does not expect to use such funds for such purpose.

''SEC. 2513. DEFINITIONS.

''In this subpart—

''(1) the term 'equipment' means windshield glass, car panels, shields, and protective gear;

''(2) the term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands;

''(3) the term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level;

''(4) the term 'Indian tribe' has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)); and

''(5) the term 'law enforcement officer' means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders.

''Subpart C—Grant Program For Video Cameras

''SEC. 2521. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase video cameras for use by State, local, and tribal law enforcement agencies in law enforcement vehicles.

''(b) USES OF FUNDS.—Grants awarded under this section shall be—

''(1) distributed directly to the State, unit of local government, or Indian tribe; and

''(2) used for the purchase of video cameras for law enforcement vehicles in the jurisdiction of the grantee.

''(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this subpart, the Director of the Bureau of Justice Assistance may give preferential consideration, if feasible, to an application from a jurisdiction that—

''(1) has the greatest need for video cameras, based on the percentage of law enforcement officers in the department do not have access to a law enforcement vehicle equipped with a video camera;

''(2) has a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation; or

''(3) has not received a block grant under the Local Law Enforcement Block Grant program described under the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119).

(d) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.50 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated 0.25 percent.

''(e) MAXIMUM AMOUNT.—A qualifying State, unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants under this section, except that a State, together with the grantees within the State may not receive more than 20 percent of the total amount appropriated in each fiscal year for grants under this section.

''(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent. Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

''(g) ALLOCATION OF FUNDS.—At least half of the funds available under this subpart shall be awarded to units of local government with fewer than 100,000 residents.

''SEC. 2522. APPLICATIONS.

''(a) IN GENERAL.—To request a grant under this subpart, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director of the Bureau of Justice Assistance in such form and containing such information as the Director may reasonably require.

''(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this subpart, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

''(c) ELIGIBILITY.—A unit of local government that receives funding under the Local Law Enforcement Block Grant program (described under the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119)) during a fiscal year in which it submits an application under this subpart shall not be eligible for a grant under this subpart unless the chief executive officer of such unit of local government certifies and provides an explanation to the Director that the unit of local government considered or will consider using funding received under the block grant program for any or all of the costs relating to the purchase of video cameras, but did not, or does not expect to use such funds for such purpose.

''SEC. 2523. DEFINITIONS.

''In this subpart—

''(1) the term 'Indian tribe' has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

''(2) the term 'law enforcement officer' means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders;

''(3) the term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands; and

''(4) the term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level.''.

(b) AUTHORIATION OF APPROPRIATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (23) and inserting the following:

''(23) There are authorized to be appropriated to carry out part Y—

''(A) $25,000,000 for each of fiscal years 2000 through 2002 for grants under subpart A of that part;

''(B) $40,000,000 for each of fiscal years 2000 through 2002 for grants under subpart B of that part; and

''(C) $25,000,000 for each of fiscal years 2000 through 2002 for grants under subpart C of that part.''.

SEC. 4. SENSE OF THE CONGRESS.

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

SEC. 5. TECHNOLOGY DEVELOPMENT.

Section 202 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722) is amended by adding at the end the following:

''(e) BULLET RESISTANT TECHNOLOGY DEVELOPMENT.—

''(1) IN GENERAL.—The institute is authorized to—

''(A) conduct research and otherwise work to develop new bullet resistant technologies (i.e., acrylic, polymers, aluminized material, and transparent ceramics) for use in police equipment (including windshield glass, car panels, shields, and protective gear);

''(B) inventory bullet resistant technologies used in the private sector, in surplus military property, and by foreign countries;

''(C) promulgate relevant standards for, and conduct technical and operational testing and evaluation of, bullet resistant technology and equipment, and otherwise facilitate the use of that technology in police equipment.

''(2) PRIORITY.—In carrying out this subsection, the Institute shall give priority in testing and engineering surveys to law enforcement partnerships developed in coordination with High Intensity Drug Trafficking Areas.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $3,000,000 for fiscal years 2000 through 2002.''.

By Mr. CAMPBELL (for himself and Mr. HATCH):

S. 727. A bill to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits; to the Committee on the Judiciary.

LAW ENFORCEMENT PROTECTION ACT OF 1999

Mr. CAMPBELL. Mr. President, today I introduce a bill to authorize States to recognize each other's concealed weapons laws and exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms. This legislation is designed to support the rights of States and to facilitate the right of law-abiding citizens as well as law enforcement officers to protect themselves, their families, and their property. I am pleased to be joined by the chairman of the Judiciary Committee, Senator HATCH as an original cosponsor of this legislation.

The language of this bill is based on my bill, S. 837, in the 105th Congress and is similar to a provision in S. 3, the Omnibus Crime Control Act of 1997, introduced by Senator HATCH. In light of the importance of this provision to law-abiding gunowners and law enforcement officers, I am introducing this freestanding bill today for the Senate's consideration and prompt action.

This bill allows States to enter into agreements, known as ''compacts,'' to recognize the concealed weapons laws of those States included in the compacts. This is not a Federal mandate; it is strictly voluntary for those States interested in this approach. States would also be allowed to include provisions which best meet their needs, such as special provisions for law enforcement personnel.

This legislation would allow anyone possessing a valid permit to carry a concealed firearm in their respective State to also carry it in another State, provided that the States have entered into a compact agreement which recognizes the host State's right-to-carry laws. This is needed if you want to protect the security individuals enjoy in their own State when they travel or simply cross State lines to avoid a crazy quilt of differing laws.

Currently, a Federal standard governs the conduct of nonresidents in those States that do not have a right-to-carry statute. Many of us in this body have always strived to protect the interests of States and communities by allowing them to make important decisions on how their affairs should be conducted. We are taking to the floor almost every day to talk about mandating certain things to the States. This bill would allow States to decide for themselves.

Specifically, the bill allows that the law of each State govern conduct within that State where the State has a right-to-carry statute, and States determine through a compact agreement which out-of-State right-to-carry statute will be recognized.

To date, 31 States have passed legislation making it legal to carry concealed weapons. These State laws enable citizens of those States to exercise their right to protect themselves, their families, and their property.

The second major provision of this bill would allow qualified current and former law enforcement officers who are carrying appropriate written identification of that status to be exempt from State laws that prohibit the carrying of concealed weapons. This provision sets forth a checklist of stringent criteria that law enforcement officers must meet in order to qualify for this exemption status. Exempting qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed weapons, I believe, would add additional forces to our law enforcement community in our unwavering fight against crime.

I ask unanimous consent that the bill be printed in the RECORD.

Mr. President, I urge my colleagues to support this bill.

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

S. 727

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 ''Law Enforcement Protection Act of 1999''.

SEC. 2. EXEMPTION OF QUALIFIED CURRENT AND FORMER LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

''§ 926B. Carrying of concealed firearms by qualified current and former law enforcement officers

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or any political subdivision of a State, an individual may carry a concealed firearm if that individual is—

''(1) a qualified law enforcement officer or a qualified former law enforcement officer; and

''(2) carrying appropriate written identification.

''(b) EFFECT ON OTHER LAWS.—

''(1) COMMON CARRIERS.—Nothing in this section shall be construed to exempt from section 46505(B)(1) of title 49—

''(A) a qualified law enforcement officer who does not meet the requirements of section 46505(D) of title 49; or

''(B) a qualified former law enforcement officer.

''(2) FEDERAL LAWS.—Nothing in this section shall be construed to supersede or limit any Federal law or regulation prohibiting or restricting the possession of a firearm on any Federal property, installation, building, base, or park.

''(3) STATE LAWS.—Nothing in this section shall be construed to supersede or limit the laws of any State that—

''(A) grant rights to carry a concealed firearm that are broader than the rights granted under this section;

''(B) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(C) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(4) DEFINITIONS.—In this section:

''(A) APPROPRIATE WRITTEN IDENTIFICATION.—The term 'appropriate written identification' means, with respect to an individual, a document that—

''(i) was issued to the individual by the public agency with which the individual serves or served as a qualified law enforcement officer; and

''(ii) identifies the holder of the document as a current or former officer, agent, or employee of the agency.

''(B) QUALIFIED LAW ENFORCEMENT OFFICER.—The term 'qualified law enforcement officer' means an individual who—

''(i) is presently authorized by law to engage in or supervise the prevention, detection, or investigation of any violation of criminal law;

''(ii) is authorized by the agency to carry a firearm in the course of duty;

''(iii) meets any requirements established by the agency with respect to firearms; and

''(iv) is not the subject of a disciplinary action by the agency that prevents the carrying of a firearm.

''(C) QUALIFIED FORMER LAW ENFORCEMENT OFFICER.—The term 'qualified former law enforcement officer' means, an individual who is—

''(i) retired from service with a public agency, other than for reasons of mental disability;

''(ii) immediately before such retirement, was a qualified law enforcement officer with that public agency;

''(iii) has a nonforfeitable right to benefits under the retirement plan of the agency;

''(iv) was not separated from service with a public agency due to a disciplinary action by the agency that prevented the carrying of a firearm;

''(v) meets the requirements established by the State in which the individual resides with respect to—

''(I) training in the use of firearms; and

''(II) carrying a concealed weapon; and

''(vi) is not prohibited by Federal law from receiving a firearm.

''(D) FIREARM.—The term 'firearm' means, any firearm that has, or of which any component has, traveled in interstate or foreign commerce.''.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926A the following:

''926B. Carrying of concealed firearms by qualified current and former law enforcement officers.''.

SEC. 3. AUTHORIZATION TO ENTER INTO INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given to any 2 or more States—

(1) to enter into compacts or agreements for cooperative effort in enabling individuals to carry concealed weapons as dictated by laws of the State within which the owner of the weapon resides and is authorized to carry a concealed weapon; and

(2) to establish agencies or guidelines as they may determine to be appropriate for making effective such agreements and compacts.

(b) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal this section is hereby expressly reserved by Congress.

By Mr. CAMPBELL:

S. 728. A bill to amend chapter 44 of title 18, United States Code, to increase the maximum term of imprisonment for offenses involving stolen firearms; to the Committee on the Judiciary.

STOLEN GUN PENALTY ENHANCEMENT ACT OF 1999

Mr. CAMPBELL. Mr. President, many crimes in our country are being committed with stolen guns. The extent of this problem is reflected in a number of recent studies and news reports. Therefore, today I am introducing the Stolen Gun Penalty Enhancement Act of 1999 to increase the maximum prison sentences for violating existing stolen gun laws.

Reports indicate that almost half a million guns are stolen each year. As of March 1995 there were over 2 million reports in the stolen gun file of the FBI's National Crime Information Center including 7,700 reports of stolen machine guns and submachine guns. In a 9 year period between 1985 and 1994, the FBI received an annual average of over 274,000 reports of stolen guns.

Studies conducted by the Bureau of Alcohol, Tobacco, and Firearms note that felons steal firearms to avoid background checks. A 1991 Bureau of Justice Statistics survey of State prison inmates notes that almost 10 percent had stolen a handgun, and over 10 percent of all inmates had traded or sold a stolen firearm.

This problem is especially alarming among young people. A Justice Department study of juvenile inmates in four states shows that over 50 percent of those inmates had stolen a gun. In the same study, gang members and drug sellers were more likely to have stolen a gun.

In my home State of Colorado, the Colorado Bureau of Investigation receives over 500 reports of stolen guns each month. As of this month, the Bureau has a total of 36,000 firearms on its unrecovered firearms list. It is estimated that one-third of these firearms are categorized as handguns.

All these studies and statistics show the extent of the problem of stolen guns. Therefore, the bill I am introducing today will increase the maximum prison sentences for violation of existing stolen gun laws.

Specifically, my bill increases the maximum penalty for violating four provisions of the firearms laws. Under title 18 of the U.S. Code, it is illegal to knowingly transport or ship a stolen firearm or stolen ammunition. It is also illegal to knowingly receive, possess, conceal, store, sell, or otherwise dispose of a stolen firearm or stolen ammunition.

The penalty for violating either of these provisions is a fine, a maximum term of imprisonment of 10 years, or both. My bill increases the maximum prison sentence to 15 years.

The third statutory provision makes it illegal to steal a firearm from a licensed dealer, importer, or manufacturer. For violating this provision, the maximum term of imprisonment would be increased to a maximum 15 years under by bill.

And the fourth provision makes it illegal to steal a firearm from any person, including a licensed firearm collector, with a maximum penalty of 10 years imprisonment. As with the other three provisions, my bill increases this maximum penalty to 15 years.

In addition to these amendments to title 18 of the U.S. Code, the bill I introduce today directs the United States Sentencing Commission to revise the Federal sentencing guidelines with respect to these firearms offenses.

Mr. President, I am a strong supporter of the rights of law-abiding gun owners. However, I firmly believe we need tough penalties for the illegal use of firearms.

The Stolen Gun Penalty Enhancement Act of 1999 will send a strong signal to criminals who are even thinking about stealing a firearm. I urge my colleagues to join in support of this legislation.

I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STOLEN FIREARMS.

(a) IN GENERAL.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''(i), (j),''; and

(B) by adding at the end the following:

''(7) Whoever knowingly violates subsection (i) or (j) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.'';

(2) in subsection (i)(1), by striking ''10 years'' and inserting ''15 years''; and

(3) in subsection (*l*), by striking ''10 years'' and inserting ''15 years''.

(b) SENTENCING COMMISSION.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to reflect the amendments made by subsection (a).

By Mr. CRAIG (for himself, Mr. MURKOWSKI, Mr. LOTT, Mr. STEVENS, Mr. BURNS, Mr. SMITH of Oregon, Mr. CRAPO, Mr. SHELBY, Mr. HAGEL and Mr. BENNETT):

S. 729. A bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land; to the Committee on Energy and Natural Resources.

THE NATIONAL MONUMENT PUBLIC PARTICIPATION ACT OF 1999

Mr. CRAIG. Mr. President, I rise today to introduce legislation that ensures the public will have a say in the management of our public lands. I am pleased that Senators MURKOWSKI, LOTT, STEVENS, BURNS, GORDON SMITH, CRAPO, SHELBY, HAGEL, and BENNETT are joining me as original cosponsors.

After President Clinton's proclamation of four years ago, declaring nearly two million acres of southern Utah a national monument, I introduced the Idaho Protection Act of 1999. That bill would have required that the public and the Congress be included before a national monument could be established in Idaho. When I introduced that bill, I was immediately approached by other Senators seeking the same protection for their state. This bill, The National Monument Public Participation Act, will provide that protection to all states.

The National Monument Public Participation Act amends the Antiquities Act to require the Secretaries of the Interior and Agriculture to provide an opportunity for public involvement prior to the designation of a national monument. It establishes procedures to give the public and local, State, and federal governments adequate notice and opportunity to comment on, and participate in, the formulation of plans for the declaration of national monuments on public lands.

Under the 1906 Antiquities Act, the President has the unilateral authority to create a national monument where none existed before. In fact, since 1906, the law has been used some 66 times to set lands aside. It is important to note that with very few exceptions, these declarations occurred before enactment of the National Environmental

Policy Act of 1969, which recognized the need for public involvement in such issues and mandated public comment periods before such decisions are made.

The most recent use of the Antiquities Act came on September 18, 1996, with Presidential Proclamation 6920, Establishment of the Grand Staircase-Escalante National Monument. Without including Utah's Governor, Senators, congressional delegation, the State legislature, county commissioners, or the people of Utah—President Clinton set off-limits forever approximately 1.7 million acres of Utah. What the President did in Utah, without public input, could also be done in Idaho or any other States where the federal government has a presence. That must not be allowed to happen.

My state of Idaho is 63 percent federal lands. Within Idaho's boundaries, we have one National Historic Park, one National Reserve, two National Recreation Areas, and five Wilderness Areas, just to name the major federally designated natural resource areas. This amounts to approximately 4.8 million acres, or to put things in perspective, the size of the state of New Jersey. Each of these designations has had public involvement and consent of Congress before being designated. As you can tell, the public process has worked in the past, in my state, and I believe it will continue to work in the future.

In Idaho, each of these National designations generated concerns among those affected by the designation, but with the public process, we were able to work through most of the concerns before the designation was made. Individuals who would be affected by the National designation had time to prepare, but Utah was not as fortunate. With the overnight designation of the Grand Staircase-Escalante National Monument, the local communities, and the State and federal agencies were left to pick up the pieces and work out all the ''details.''

The President's action in Utah has been a wake-up call to people across America.We all want to preserve what is best in our States, and I understand and support the need to protect valuable resources. That is why this bill will not, in any way, affect the ability of the federal government to make emergency withdrawals under the Federal Land Policy and Management Act of 1976 (FLPMA). If an area is truly worthy of a National Monument designation, Congress will make that designation during the time frame provided in FLPMA.

Our public lands are a national asset that we all treasure and enjoy. Westerners are especially proud of their public lands and have a stake in the management of these lands, but people everywhere also understand that much of their economic future is tied up in what happens on their public lands.

In the West, where public lands dominate the landscape, issues such as grazing, timber harvesting, water use, and recreation access have all come under attack by this administration seemingly bent upon kowtowing to a segment of our population that wants these uses kicked off our public lands.

Everyone wants public lands decisions to be made in an open and inclusive process. No one wants the President, acting alone, to unilaterally lock up enormous parts of any State. We certainly don't work that way in the West. There is a recognition that with common sense, a balance can be struck that allows jobs to grow and families to put down roots while at the same time protecting America's great natural resources.

In my view, the President's actions in Utah were beyond the pale, and for that reason—to protect others from suffering a similar fate I am introducing this bill. I ask unanimous consent that the text of the bill appear in the RECORD.

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

S. 729

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 ''National Monument Public Participation Act of 1999''.

SEC. 2. PURPOSE.

The purpose of this Act is to ensure that Congress and the public have the right and opportunity to participate in decisions to declare national monuments on Federal land.

SEC. 3. CLARIFICATION OF CONGRESSIONAL AND PUBLIC ROLES IN DECLARATION OF NATIONAL MONUMENTS.

The Act entitled ''An Act for the preservation of American antiquities'', approved June 8, 1906 (commonly known as the ''Antiquities Act of 1906'') (16 U.S.C. 431 et seq.), is amended by adding at the end the following:

''SEC. 5. CONGRESSIONAL AND PUBLIC ROLES IN NATIONAL MONUMENT DECLARATIONS.

''(a) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall promulgate regulations that establish procedures to ensure that Federal, State, and local governments and the public have the right to participate in the formulation of plans relating to the declaration of a national monument on Federal land on or after the date of enactment of this section, including procedures—

''(1) to provide the public with adequate notice and opportunity to comment on and participate in the declaration of a national monument on Federal land; and

''(2) for public hearings, when appropriate, on the declaration of a national monument on Federal land.

''(b) OTHER DUTIES.—Prior to making any recommendations for declaration of a national monument in an area, the Secretary of the Interior and the Secretary of Agriculture shall—

''(1) ensure, to the maximum extent practicable, compliance with all applicable Federal land management and environmental laws, including the completion of a programmatic environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(2) cause mineral surveys to be conducted by the Geological Survey to determine the mineral values, if any, that may be present in the area;

''(3) cause an assessment of the surface resource values of the land to be completed and made available by the appropriate agencies;

''(4) identify all existing rights held on Federal land contained within the area by type and acreage; and

''(5) identify all State and private land contained within the area.

''(c) RECOMMENDATIONS.—On completion of the reviews and mineral surveys required under subsection (b), the Secretary of the Interior or the Secretary of Agriculture shall submit to the President recommendations as to whether any area on Federal land warrants declaration as a national monument.

''(d) FEDERAL ACTION.—Any study or recommendation under this section shall be considered a federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(e) REPORTS.—Not later than 2 years after the receipt of a recommendation under subsection (c), the President shall—

''(1) advise the President of the Senate and the Speaker of the House of Representatives of the President's recommendation with respect to whether each area evaluated should be declared a national monument; and

''(2) provide a map and description of the boundaries of each area evaluated for declaration to the President of the Senate and the Speaker of the House of Representatives.

''(f) DECLARATION AFTER EFFECTIVE DATE.—A recommendation of the President for declaration of a national monument that is made after the effective date of this section shall become effective only if the declaration is approved by Act of Congress.''.

Mr. MURKOWSKI. Mr. President, I rise this afternoon in support of the National Monument Public Participation Act of 1999. This legislation puts the ''Public'' back into public land management and the ''Environment'' back into environmental protection.

Passage of this Act will insure that all the gains we have made over the past quarter century in creating an open participatory government which affords strong environmental protection for our public lands are protected.

For those of you who thought those battles were fought and ''won'' with the passage of National Environmental Protection Act in 1969, the Federal Land Policy Management Act in 1976, and the National Forest Management Act of 1976, I have bad news. There is one last battle to be fought.

Standing in this very Chamber on January 30, 1975, Senator Henry M. ''Scoop'' Jackson spoke to the passion Americans feel for their public lands. He said:

> The public lands of the United States have always provided the arena in which we American's have struggled to fulfill our dreams. Even today dreams of wealth, adventure, and escape are still being acted out on these far flung lands. These lands and the dreams—fulfilled and unfulfilled—which they foster are a part of our national destiny. They belong to all Americans.

Amazingly, there exists today ''legal'' authorities by which the President, without public process or Congressional approval and without any

environmental review, can create vast special management units. Special management units which can affect how millions of acres of our public lands are managed, what people can do on these lands, and what the future will be for surrounding communities.

This is a powerful trust to bestow upon anyone—even a President.

On September 12, 1996, the good people of Utah woke up to find themselves the most recent recipient of a philosophy that says: ''Trust us we're from the federal government, and we know what's best for you''. On that day, standing in the State of Arizona, the President invoked the 1906 Antiquities Act to create a 1.7 million acre Nation Monument in Southern Utah. By using this antiquated law the President was able to avoid this nation's environmental laws and ignore public participation laws. With one swipe of the pen, every shred of public input and environmental law promulgated in this country over the past quarter of a century was shoved into the trash heap of political expediency.

What happened in Utah is but the latest example of a small cadre of Administration officials deciding for all Americans how our public lands should be used. It is a classic example of a backroom deal, catering to special interests at the expense of the public. It is by no means the only one.

As a Senator from Alaska, I have a great deal of personal experience in this area. In 1978, President Jimmy Carter used this law to create ''17'' National Monuments in Alaska covering more than 55 million acres of land. This was followed in short order by this Secretary of the Interior Cecil Andrus who withdrew an additional 50 million acres. All this land was withdrawn from multiple uses without any input from the people of Alaska, the public, or the Congress of the United States. All this occurred while Congress was considering legislation affecting these lands, while Congress was conducting workshops throughout Alaska and holding hearings in Washington, DC to involve the public.

With over 100 million acres of withdrawn land held over Alaska's head like the sword of Damocles, we were forced to cut the best deal we could. Twenty years later the people of my state are still struggling to cope with the weight of these decisions. President Carter cut his deal for his special interests to avoid the public debate on legislation, just as President Clinton did with the Grand Staircase/Escalante.

I would not be here this afternoon if the public, and Congress were not systematically being denied a voice in the creation of National Monuments. I would not be here if environmental procedures were being followed. But the people of this nation are being denied the opportunity to speak, Congress is being denied its opportunity to participate, and environmental procedure are being ignored. The only voice we hear is that of the President. Without bothering to ask what we thought about it, he told the citizens of Utah and the rest of the country that he knew better than they what was best for them.

It has been a long time since anyone has had the right to make those kinds of unilateral public land use decisions for the American public. Since passage of the Forest Service Organic Act and the Federal Land Policy and Management Act in 1976 we have had a rock hard system of law on how public land use decisions are to be made. Embodied within these laws are public participation. Agencies propose an action, they present that action to the public, the public debates the issue, bad decisions can be appealed, the courts resolve disputes, and finally the management unit is created. Where was this public participation in the special use designation of 1.7 million acres of federal land in southern Utah?

Since the passage of the National Environmental Policy Act in 1969 activities which effect the environment are subject to strict environmental reviews. Does anyone believe there is no environmental threat posed by the creation of a national monument?

The economic and social consequences of this decision will have enormous and irrevocable impacts not only on the land immediately affected, but on surrounding lands and communities. All these effects on the human environment would have been evaluated under the land management statutes and the environmental procedural review. Where is the NEPA compliance documentation associated with this action?

The Constitutions explicitly provides that ''The Congress shall have the power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States.'' The creation of specialized public use designations such as National Parks and Wilderness Areas are debated within the Halls of Congress. These Debates provide for the financial and legal responsibilities which come with the creation of special management units. Where are the proceedings from those debates?

They simply do not exist because, in the heat of political expediency, the Administration determined that public process, environmental analyses, and Congressional deliberations were a waste of time.

Mr. President, either you believe in public process or you do not, you can't have it both ways. We can no longer trust the Administration to involve the public in major land use decisions and we can no longer tolerate the blanket evasion of the laws designed to protect our natural resources. The time has come for Congress to reassert its Constitutional responsibility under Article IV.

The legislation which Senator CRAIG and I offer today will require that any future designations of National Monuments to follow the public participation principals laid down in law over the past 25 years.

No poetic images, no flowery words, no smoke and mirrors, no special coverage on Good Morning America, just good old fashion public land management process.

Before these special land management units can be created, our legislation will require that agencies gather and analyze resource data affected by these land use decisions; that full public participation in the designation of the units takes place (with all appeal rights protected); that there be compliance with the National Environmental Policy Act; and that Congress review and approve final designation. No longer will an administration be able to side-step public participation and environmental reviews to further its political agenda and cater to special interest.

Nobody—not even the President—should be above the law. The National Monument Participation Act will make all future land use decisions a joint responsibility of the public through the Congress, that they elect. This legislation reasserts the Constitutional role of the Congress in public land decisions.

I do not question the need for National Monuments. If the national benefit can be demonstrated, then by all means a national monument should be created. But, if they are to serve the common good, they must be created under the same system of land management law that has managed the use of the public domain for the past 25 years and pursuant to the document that has governed this Nation for the past 225 years.

There has always been a sacred bond between the American people and the lands they hold in common ownership. No one—regardless of high station or political influence—has the right to impose his will over the means by which the destiny of those land is decided.

This legislation re-establishes that bond.

Mr. BURNS. Mr. President, I rise today to join a number of my colleagues in introducing The National Monument Participation Act of 1999. This bill would amend the Antiquities Act of 1906 to clearly establish the roles for public participation and Congressional involvement in declaring national monuments on federal lands. This bill requires specific processes and requirements to ensure that the public, local, state, and Federal government are both informed and involved in the formulation of any plans to declare national monuments on federal lands.

It requires that the public be actively involved in the formulation of any plans to declare a national monument. Considering the recent controversy surrounding the designation of monuments with the stroke of a pen rather than through open debate and assessment, it only makes sense to include the public in any future designation decisions. I remind my colleagues and the administration that we are managing our land resources for the people. This bill suggests that perhaps we should listen to them before drastically changing the management of our land resources.

Additionally, the legislation requires that the Secretary of the Interior and the Secretary of Agriculture perform an assessment of current land uses on the land proposed for designation. This is necessary to provide information about the impact of declaring any national monument before recommendations are made by the President. It makes absolutely no sense to pursue designation changes without learning what is at stake. What mineral interests are affected? Does it change traditional grazing uses? These are questions that will have to be answered before new monuments are designated.

The legislation also requires that we look at the impact a monument would have on state or private land holdings. Once again, common sense is needed. If the federal designation change affects state and private lands, Congress must be informed of these impacts before a decision is finally reached. It is irresponsible to make decisions without the proper information.

Finally, this legislation would require the President to submit his decision on these recommendations to the Congress for final review and approval. If we are going to change our designations and impact local communities, Congress must weigh in on the decision.

Public involvement in federal decision making is critical today to ensure that local citizens are involved in the decision changing how federal lands near their homes are used. This bill will mandate broader involvement to ensure the public and the legislative branch have an opportunity to participate in any plans to establish new national monuments on federal lands. In addition, this ensures the information is available for the public and ourselves to understand the impacts of any proposed declaration and make an informed decision.

Overall, I believe this bill establishes a clear set of roles and responsibilities for all parties involved in the declaration of new national monuments on federal lands to ensure that such decisions are made in a manner that respects the rights of both local communities and the interests of the nation as a whole. I encourage my colleagues to carefully examine this legislation and lend their support to its ultimate passage.

• Mr. CRAPO. Mr. President, I rise today as an original co-sponsor of the National Monument Public Participation Act of 1999. I commend my colleague, Senator CRAIG, for bringing forward this important measure and am pleased to offer it my support.

The National Monument Public Participation Act of 1999 will establish guidelines for public and local, State, and federal government involvement in the designation and planning of national monuments. Currently, under the 1906 Antiquities Act, the President has the authority to proclaim a national monument and determine its composition and scope without any prior or subsequent public involvement. Although this authority has rarely been invoked since the implementation of the National Environmental Policy Act of 1969, which mandates public comment periods prior to federal land management actions, the recent exercise of this authority by the current Administration has called attention to the need to revise the Antiquities Act. These proposed amendments to the Antiquities Act reflect the contemporary recognition that public involvement in federal land management decisions is both proper and beneficial.

This measure, beyond requiring the Secretaries of the Interior and Agriculture to include the public and the different levels of government in the decision to designate and form national monuments, also directs the Secretaries to research and make available information about the land to be designated. Factors such as the mineral values present and identification of existing rights held on federal lands within the area to be designated have an obvious bearing on the decision of whether designation is appropriate and, if it is, how it should be structured. An understanding of these factors should be a part of an inclusive decision-making process and, hence, it is appropriate to require that they be explored and publicly shared prior to the designation of a national monument.

The strongest protection, however, that the National Monument Public Participation Act of 1999 provides for public oversight of national monument designation is the requirement that any recommendation of the President for declaration of land as a national monument shall become effective only if so provided by an Act of Congress. By subjecting proposals for monument designations to congressional approval, this Act ensures that when national monuments are established they are truly supported, both nationally and by local communities. This Act provides an important level of protection for public involvement in land use issues and I am pleased to offer it my support.

By Mr. DURBIN:

S. 730. A bill to direct the Consumer Product Safety Commission to promulgate fire safety standards for cigarettes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FIRE SAFE CIGARETTE ACT OF 1999

Mr. DURBIN. Mr. President, I rise today to talk about the First Safe Cigarette Act of 1999. This legislation would solve a serious fire safety problem, namely, fires that are caused by a carelessly discarded cigarette.

The statistics regarding cigarette-related fires are truly startling. In 1996 there were 169,500 cigarette-related fires that resulted in 1,181 deaths, 2,931 injuries and $452 million in property damage. According to the National Fire Protection Association, one out of every four fire deaths in the United States in 1996 was attributed to tobacco products.

In my state of Illinois, cigarette-related fires have also caused too many senseless tragedies. In 1997, alone, there were more than 1,700 cigarette-related fires, of which more than 900 were in people's homes. These fires led to 109 injuries and 8 deaths. Also in 1997, smoking-related fires in Illinois led to property loss of more than $10.4 million. According to statistics from the U.S. Fire Administration, half of the known residential fire deaths in Illinois from 1993 to 1995 were from arson and careless smoking. During that three-year period, 69 deaths in Illinois were attributed to careless smoking.

A Technical Study Group (TSG) was created by the Federal Cigarette Safety Act in 1984 to investigate the technological and commercial feasibility of creating a self-extinguishing cigarette. This group was made up of representatives of government agencies, the cigarette industry, the furniture industry, public health organizations and fire safety organizations. The TSG produced two reports that concluded that it is technically feasible to reduce the ignition propensity of cigarettes.

The manufacture of less fire-prone cigarettes may require some advances in cigarette design and manufacturing technology, but the cigarette companies have demonstrated their capability to make cigarettes of reduced ignition propensity with no increase in tar, nicotine or carbon monoxide in the smoke. For example, six current commercial cigarettes have been tested which already have reduced ignition propensity. The technology is in place now to begin developing a performance standard for less fire prone cigarettes. Furthermore, the overall impact on other aspects of the United States society and economy will be minimal. Thus, it may be possible to solve this problem at costs that are much less than the potential benefits, which are saving lives and avoiding injuries and property damage.

The Fire Safe Cigarette Act would give the Consumer Product Safety

Commission the authority to promulgate a fire safety standard for cigarettes. Eighteen months after the legislation is enacted, the Consumer Product Safety Commission would issue a rule creating a safety standard for cigarettes. Thirty months after the legislation is enacted, the standards would become effective for the manufacture and importation of cigarettes.

Here are some examples of changes that could be made to cigarettes that would reduce the likelihood of fire ignition: reduced circumference or thinner cigarettes, making the paper less porous, changing the density of the tobacco in cigarettes, and eliminating or reducing the citrate added to the cigarette paper. Also, there is limited evidence suggesting that the presence of a filter may reduce ignition propensity. Again, there are cigarettes on the market right now that show some of these characteristics and are less likely to smolder and cause fires.

While the number of people killed each year by fires is dropping because of safety improvements and other factors, too many Americans are dying because of a product that could be less likely to catch fire if simple changes were made. I strongly believe that this issue demands immediate and swift action in order to prevent further deaths and injuries.

An industry that can afford to spend more than $4 billion in advertising every year cannot claim it would be too expensive to make these changes. It is not unreasonable to ask these companies to make their products less likely to burn down a house.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

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

S. 730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Fire Safe Cigarette Act of 1999''.

(b) FINDINGS.—Congress finds that—

(1) cigarette ignited fires are the leading cause of fire deaths in the United States,

(2) in 1996 cigarette ignited fires caused—

(A) 1,083 deaths;

(B) 2,809 civilian injuries; and

(C) $420,000,000 in property damage;

(3) each year, more than 100 children are killed from cigarette-related fires;

(4) the technical work necessary to achieve a cigarette fire safety standard has been accomplished under the Cigarette Safety Act of 1984 (15 U.S.C. 2054 note) and the Fire Safe Cigarette Act of 1990 (15 U.S.C. 2054 note);

(5) it is appropriate for Congress to require the establishment of a cigarette fire safety standard for the manufacture and importation of cigarettes;

(6) the most recent study by the Consumer Product Safety Commission found that the cost of the loss of human life and personal property from the absence of a cigarette fire safety standard is $6,000,000,000 a year; and

(7) it is appropriate that the regulatory expertise of the Consumer Product Safety Commission be used to implement a cigarette fire safety standard.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) CIGARETTE.—The term ''cigarette'' has the meaning given that term in section 3 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1332).

(3) STOCKPILING.—The term ''stockpiling'' means the manufacturing or importing of a cigarette during the period beginning on the date of promulgation of a rule under section 3(a) and ending on the effective date of that rule, at a rate greater than the rate at which cigarettes were manufactured or imported during the 1-year period immediately preceding the date of promulgation of that rule.

SEC. 3. CIGARETTE FIRE SAFETY STANDARD.

(a) IN GENERAL.—

(1) PROMULGATION OF CIGARETTE FIRE SAFETY STANDARD.—Not later than 18 months after the date of enactment of this Act, the Commission shall promulgate a rule that establishes a cigarette fire safety standard for cigarettes to reduce the risk of ignition presented by cigarettes.

(2) REQUIREMENTS.—In establishing the cigarette fire safety standard under paragraph (1), the Commission shall—

(A) consult with the Director of the National Institute of Standards and Technology and make use of such capabilities of the as the Commission considers necessary;

(B) seek the advice and expertise of the heads of other Federal agencies and State agencies engaged in fire safety; and

(C) take into account the final report to Congress made by the Commission and the Technical Study Group on Cigarette and Little Cigar Fire Safety established under section 3 of the Fire Safe Cigarette Act of 1990 (15 U.S.C. 2054 note), that includes a finding that cigarettes with a low ignition propensity were already on the market at the time of the preparation of the report.

(b) STOCKPILING.—The Commission shall include in the rule promulgated under subsection (a) a prohibition on the stockpiling of cigarettes covered by the rule.

(c) EFFECTIVE DATE OF RULE.—The rule promulgated under subsection (a) shall take effect not later than 30 months after the date of the enactment of this Act.

(d) PROCEDURE.—

(1) IN GENERAL.—The rule under subsection (a) shall be promulgated in accordance with section 553 of title 5, United States Code.

(2) CONSTRUCTION.—Except as provided in paragraph (1), no other provision of Federal law shall be construed to apply with respect to the promulgation of a rule under subsection (a), including—

(A) the Consumer Product Safety Act (15 U.S.C. 2051 et seq.);

(B) chapter 6 of title 5, United States Code;

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(D) the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121) and the amendments made by that Act.

(e) JUDICIAL REVIEW.—

(1) GENERAL RULE.—

(A) IN GENERAL.—Any person who is adversely affected by the rule promulgated under subsection (a) may, at any time before the 60th day after the Commission promulgates the rule, file a petition with the United States Court of Appeals for the District of Columbia Circuit or for any other circuit in which that person resides or has its principal place of business to obtain judicial review of the rule.

(B) PETITION.—Upon the filing of a petition under subparagraph (A), a copy of the petition shall be transmitted by the clerk of the court to the Secretary of Commerce. The Commission shall file in the court the record of the proceedings on which the Commission based the rule, in the same manner as is prescribed for the review of an order issued by an agency under section 2112 of title 28, United States Code.

(2) ADDITIONAL EVIDENCE.—

(A) IN GENERAL.—With respect to a petition filed under paragraph (1), the court may order additional evidence (and evidence in rebuttal thereof) to be taken before the Commission in a hearing or in such other manner, and upon such terms and conditions, as the court considers appropriate, if the petitioner—

(i) applies to the court for leave to adduce additional evidence; and

(ii) demonstrates, to the satisfaction of the court, that—

(I) such additional evidence is material; and

(II) there was no opportunity to adduce such evidence in the proceeding before the Commission.

(B) MODIFICATION.—With respect to the rule promulgated by the Commission under subsection (a), the Commission—

(i) may modify the findings of fact of the Commission, or make new findings, by reason of any additional evidence taken by a court under subparagraph (A); and

(ii) if the Commission makes a modification under clause (i), shall file with the court the modified or new findings, together with such recommendations as the Commission determines to be appropriate, for the modification of the rule, to be promulgated as a final rule under subsection (a).

(3) COURT JURISDICTION.—Upon the filing of a petition under paragraph (1), the court shall have jurisdiction to review the rule of the Commission, as modified under paragraph (2), in accordance with chapter 7 of title 5, United States Code.

(f) SMALL BUSINESS REVIEW.—Section 30 of the Small Business Act (15 U.S.C. 657) shall not apply with respect to—

(1) a cigarette fire safety standard promulgated by the Commission under subsection (a); or

(2) any agency action taken to enforce that standard.

SEC. 4. ENFORCEMENT.

(a) PROHIBITION.—No person may—

(1) manufacture or import a cigarette, unless the cigarette is in compliance with a cigarette fire safety standard promulgated under section 3(a); or

(2) fail to provide information as required under this Act.

(b) PENALTY.—A violation of subsection (a) shall be considered a violation of section 19 of the Consumer Product Safety Act (15 U.S.C. 2068).

SEC. 5. PREEMPTION.

(a) IN GENERAL.—This Act, including the cigarette fire safety standard promulgated under section 3(a), shall not be construed to preempt or otherwise affect in any manner any law of a State or political subdivision thereof that prescribes a fire safety standard for cigarettes that is more stringent than the standard promulgated under section 3(a).

(b) DEFENSES.—In any civil action for damages, compliance with the fire safety standard promulgated under section 3(a) may not be admitted as a defense.

By Mr. KENNEDY (for himself, Mr. JOHNSON, Mr. LEAHY, Mr. WELLSTONE, Mr. FEINGOLD, Mr. INOUYE, Mr. KERRY, and Mr. DODD):

S. 731. A bill to provide for substantial reductions in the price of prescription drugs for medicare beneficiaries; to the Committee on Finance.

THE PRESCRIPTION DRUG FAIRNESS FOR SENIORS ACT

Mr. KENNEDY. Mr. President, we are well on our way to doubling the budget of the National Institutes of Health. Scientists are discovering new cures and developing new therapies for previously incurable and untreatable illnesses on a regular basis. Breakthrough medications are modern medical miracles that allow people with previously crippling conditions to lead normal lives. Yet too many of our nation's elderly citizens are denied access to these life-saving and life-improving therapies because they lack basic coverage for prescription medications.

Today I am introducing the ''Prescription Drug Fairness for Seniors Act of 1999,'' the Senate companion bill to H.R. 664, introduced in the House last month by Representatives TOM ALLEN, JIM TURNER, MARION BERRY, HENRY WAXMAN, and sixty-one other House Members. This legislation responds to the need for affordable prescription drugs for senior citizens by requiring pharmaceutical companies to make the same discounts available to senior citizens that are offered to their most favored customers. Prescription drugs represent the largest single source of out-of-pocket costs for health services paid for by the elderly. The Prescription Drug Fairness Act will provide significant benefits to elderly citizens struggling to pay for the prescription drugs they need.

This Act represents one important way to improve senior citizens' access to affordable medications. Other steps are necessary as well to deal with the overall prescription drug crisis facing millions of elderly citizens. I plan to introduce legislation soon that will offer additional protections. Providing fair access to prescription drugs for senior citizens is a high priority, and I hope to see quick action by Congress on this critical issue this year.

Mr. President, I ask unanimous consent that the next 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. 731

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 ''Prescription Drug Fairness for Seniors Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Manufacturers of prescription drugs engage in price discrimination practices that compel many older Americans to pay substantially more for prescription drugs than the drug manufacturers' most favored customers, such as health insurers, health maintenance organizations, and the Federal Government.

(2) On average, older Americans who buy their own prescription drugs pay twice as much for prescription drugs as the drug manufacturers' most favored customers. In some cases, older Americans pay over 15 times more for prescription drugs than the most favored customers.

(3) The discriminatory pricing by major drug manufacturers sustains their annual profits of $20,000,000,000, but causes financial hardship and impairs the health and well-being of millions of older Americans. More than 1 in 8 older Americans are forced to choose between buying their food and buying their medicines.

(4) Most federally funded health care programs, including medicaid, the Veterans Health Administration, the Public Health Service, and the Indian Health Service, obtain prescription drugs for their beneficiaries at low prices. Medicare beneficiaries are denied this benefit and cannot obtain their prescription drugs at the favorable prices available to other federally funded health care programs.

(5) Implementation of the policy set forth in this Act is estimated to reduce prescription drug prices for medicare beneficiaries by more than 40 percent.

(6) In addition to substantially lowering the costs of prescription drugs for older Americans, implementation of the policy set forth in this Act will significantly improve the health and well-being of older Americans and lower the costs to the Federal taxpayer of the medicare program.

(7) Older Americans who are terminally ill and receiving hospice care services represent some of the most vulnerable individuals in our Nation. Making prescription drugs available to medicare beneficiaries under the care of medicare-certified hospices will assist in extending the benefits of lower prescription drug prices to those most vulnerable and in need.

(b) PURPOSE.—The purpose of this Act is to protect medicare beneficiaries from discriminatory pricing by drug manufacturers and to make prescription drugs available to medicare beneficiaries at substantially reduced prices.

SEC. 3. PARTICIPATING MANUFACTURERS.

(a) IN GENERAL.—Each participating manufacturer of a covered outpatient drug shall make available for purchase by each pharmacy such covered outpatient drug in the amount described in subsection (b) at the price described in subsection (c).

(b) DESCRIPTION OF AMOUNT OF DRUGS.—The amount of a covered outpatient drug that a participating manufacturer shall make available for purchase by a pharmacy is an amount equal to the aggregate amount of the covered outpatient drug sold or distributed by the pharmacy to medicare beneficiaries.

(c) DESCRIPTION OF PRICE.—The price at which a participating manufacturer shall make a covered outpatient drug available for purchase by a pharmacy is the price equal to the lower of the following:

(1) The lowest price paid for the covered outpatient drug by any agency or department of the United States.

(2) The manufacturer's best price for the covered outpatient drug, as defined in section 1927(c)(1)(C) of the Social Security Act (42 U.S.C. 1396r–8(c)(1)(C)).

SEC. 4. SPECIAL PROVISION WITH RESPECT TO HOSPICE PROGRAMS.

For purposes of determining the amount of a covered outpatient drug that a participating manufacturer shall make available for purchase by a pharmacy under section 3, there shall be included in the calculation of such amount the amount of the covered outpatient drug sold or distributed by a pharmacy to a hospice program. In calculating such amount, only amounts of the covered outpatient drug furnished to a medicare beneficiary enrolled in the hospice program shall be included.

SEC. 5. ADMINISTRATION.

The Secretary shall issue such regulations as may be necessary to implement this Act.

SEC. 6. REPORTS TO CONGRESS REGARDING EFFECTIVENESS OF ACT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall report to Congress regarding the effectiveness of this Act in—

(1) protecting medicare beneficiaries from discriminatory pricing by drug manufacturers; and

(2) making prescription drugs available to medicare beneficiaries at substantially reduced prices.

(b) CONSULTATION.—In preparing such reports, the Secretary shall consult with public health experts, affected industries, organizations representing consumers and older Americans, and other interested persons.

(c) RECOMMENDATIONS.—The Secretary shall include in such reports any recommendations that the Secretary considers appropriate for changes in this Act to further reduce the cost of covered outpatient drugs to medicare beneficiaries.

SEC. 7. DEFINITIONS.

In this Act:

(1) PARTICIPATING MANUFACTURER.—The term ''participating manufacturer'' means any manufacturer of drugs or biologicals that, on or after the date of enactment of this Act, enters into or renews a contract or agreement with the United States for the sale or distribution of covered outpatient drugs to the United States.

(2) COVERED OUTPATIENT DRUG.—The term ''covered outpatient drug'' has the meaning given that term in section 1927(k)(2) of the Social Security Act (42 U.S.C. 1396r–8(k)(2)).

(3) MEDICARE BENEFICIARY.—The term ''medicare beneficiary'' means an individual entitled to benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title, or both.

(4) HOSPICE PROGRAM.—The term ''hospice program'' has the meaning given that term under section 1861(dd)(2) of the Social Security Act (42 U.S.C. 1395x(dd)(2)).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 8. EFFECTIVE DATE.

The Secretary shall implement this Act as expeditiously as practicable and in a manner consistent with the obligations of the United States.

• Mr. JOHNSON. Mr. President, I am pleased to join my colleague, Senator EDWARD M. KENNEDY, today by introducing the ''Prescription Drug Fairness for Seniors Act of 1999''. Earlier this year, Representatives TOM ALLEN, JIM TURNER, MARION BARRY, AND HENRY WAXMAN were joined by sixty-one of

their colleagues when they introduced H.R. 664, ''The Prescription Drug Fairness For Seniors Act of 1999'' in the U.S. House of Representatives.

This legislation addresses the critical issue facing our older Americans—the cost of their prescription drugs. Studies have shown that older Americans spend almost three times as much of their income (21%) on health care than those under the age of 65 (8%), and more than three-quarters of Americans aged 65 and over are taking prescription drugs. Even more alarming is the fact that seniors and others who buy their own prescription drugs, are forced to pay over twice as much for their drugs as are the drug manufacturers' most favored customers, such as the federal government and large HMOs.

The ''Prescription Drug Fairness for Seniors Act'' will protect senior citizens from drug price discrimination and make prescription drugs available to Medicare beneficiaries at substantially reduced prices. The legislation achieves these goals by allowing pharmacies that serve Medicare beneficiaries to purchase prescription drugs at the low prices available under the Federal Supply Schedule, similar to the Veterans Administration, Public Health Service and Indian Health Service. Estimated to reduce prescription drug prices for seniors by over 40%, this bill will help those seniors who often times have to make devastating choices between buying food or medications. Choices that no human being should have to make.

Research and development of new drug therapies is an important and necessary tool towards improving a persons quality of life. But due to the high price tag that often accompanies the latest drug therapies, seniors are often left without access to these new therapies, and ultimately, in far too many instances, without access to medication at all. This legislation is an important step towa4rds restoring the access to affordable medications for our medicare beneficiaries. I look forward to working on this important issue in the months to come and hope that Congress will work swiftly in a bipartisan manner to enact legislation that will benefit millions of senior citizens across our nation.●

● Mr. FEINGOLD. Mr. President, I rise to joint my colleagues, Senators KENNEDY, JOHNSON, LEAHY, WELLSTONE, INOUYE, KERRY and others in introducing the Prescription Drug Fairness for Seniors Act.

Mr. President, the sky-rocketing cost of prescription drugs has long been among the top 2 or 3 issues my constituents in Wisconsin call and write to me about. The problem of expensive prescription drugs is particularly acute among Wisconsin senior citizens who live on fixed incomes. Nationally, prescription drugs are Senior Citizens' largest single out-of-pocket health care expenditure: the average Senior spends $100–$200 month on prescription drugs.

As you may know, Mr. President, last fall, a study by the House Government Reform and Oversight Committee found that the average price seniors pay for prescription drugs is twice as high as that enjoyed by favored customers—big purchasers such as HMOs and the federal government. The Committee's report found a price differential in one case was 1400%, meaning that the retail price a typical senior citizen was $27.05, while the favored customer was charged only $1.75.

To be sure, Mr. President, the Committee's report did find that Wisconsin had lower price differentials compared to other parts of the country, an 85% differential compared to a high of 123% in California. But I think my constituents would find that a pretty hollow distinction. There's no doubt in my mind that paying 85% more than others are charged for the same product is unfair, plain and simple.

Mr. President, as we all know, traditional Medicare does not cover prescription drugs. While some Medicare managed care plans offer a prescription drug benefit, few of those managed care plans operate in Wisconsin or in other largely rural states. So, while pharmaceutical companies give lower prices to favored customers who buy in bulk, small community pharmacies such as we have throughout Wisconsin lack this purchasing power, meaning that Seniors who purchase their prescription drugs at those small pharmacies get the high prices passed on to them.

Mr. President, I regularly get calls from Seniors on tight, fixed incomes who tell me that they have to choose between buying groceries and buying their prescription drugs. I would guess that many of my colleagues receive similar calls from their constituents. Calls like these, and the fact that prices are only getting higher as scientific advances develop new medications, tell me that we must take action to make prescription drugs more affordable to Seniors.

The legislation my colleagues and I are introducing today will require that pharmaceutical companies offer senior citizens the same discounts that they offer to their most favored customers. Through this legislation, we take an important step in making costly but vitally important prescription drugs more affordable to the Seniors who need them.●

By Mr. TORRICELLI:

S. 732. A bill to require the Inspector General of the Department of Defense to conduct an audit of purchases of military clothing and related items made during fiscal year 1998 by certain military installations of the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

BUY AMERICAN LEGISLATION

● Mr. TORRICELLI. Mr. President, I rise today to introduce legislation that will help ensure that American soldiers are using American made products. ''Buy American'' laws guarantee that our nation's military has access to a reliable domestic supply of uniforms, coats, and other apparel. This critical national security requirement has allowed U.S. garment manufacturers to consistently provide our armed forces with high-quality, durable clothing products made to exact military specifications.

Last year, I was deeply troubled to learn that an Inspector General audit found that 59 percent of government contracts at 12 military organizations failed to include the appropriate clause to implement Buy America laws. The results of this audit indicates a high likelihood that there have been widespread violations of these laws throughout the military.

In response to these findings, I have introduced legislation directing the Inspector General of the Department of Defense (DoD) to conduct an audit of fiscal year 1998 procurements of military clothing by four installations of the Army, Navy, Air Force, and Marine Corps. These audits will help determine whether contracting officers are complying with the law when they procure military clothing and related items.

Mr. President, the Buy American laws are an invaluable tool for ensuring our military readiness while supporting American jobs. Most of these jobs are created by small U.S. contractors. This legislation will provide an important follow-up audit to determine whether DoD is effectively enforcing the Buy American laws.

Mr. President, I ask at this time that the text of the bill be printed in the RECORD.

The bill follows:

S. 732

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUDIT OF PROCUREMENT OF MILITARY CLOTHING AND CLOTHING-RELATED ITEMS BY CERTAIN MILITARY INSTALLATIONS.

(a) AUDIT REQUIREMENT.—The Inspector General of the Department of Defense shall perform an audit of purchases of military clothing and clothing-related items in excess of the micro-purchase threshold that were made during fiscal year 1998 by certain military installations to determine the extent to which such installations procured military clothing and clothing-related items in violation of the Buy American Act (41 U.S.C. 10a et seq.) and section 9005 of Public Law 102–396 (10 U.S.C. 2241 note) during that fiscal year.

(b) INSTALLATIONS TO BE AUDITED.—The audit under subsection (a)—

(1) shall include an audit of the procurement of military clothing and clothing-related items by four military installations of each of the Army, Navy, Air Force, and Marine Corps; and

(2) shall be limited to military installations in the United States or the possessions of the United States.

(c) DEFINITION.—As used in subsection (a), the term ''micro-purchase threshold'' has the meaning provided by 32(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 428(f)).

(d) REPORT.—Not later than September 30, 2000, the Inspector General of the Department of Defense shall submit to Congress a report on the results of the audit performed under subsection (a).●

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 733. A bill to enact the Passaic River Basin Flood Management Program; to the Committee on Environment and Public Works.

PROTECTION AND IMPROVEMENT OF THE PASSAIC RIVER BASIN

● Mr. TORRICELLI. Mr. President, I rise today, with Senator LAUTENBERG, to introduce a bill to create a comprehensive flood management plan for the Passaic River Basin.

In 1990, Congress, with my support, authorized a plan to create a 21-mile long tunnel, which would have stretched from Wayne to Newark Bay to divert flood water from the Pompton and Passaic Rivers in New Jersey. At the time it was believed that the tunnel was the best method to end recurring floods that caused deaths and property losses for the region's 2.5 million residents.

Flooding has plagued the Passaic River Basin since colonial times. The State of New Jersey attempted to present solutions to the public as early as 1870 with no success. After major floods in 1902 and 1903, a series of engineering studies were completed but never implemented. In 1936, the Corps of Engineers were directed by Congress to solve the flooding problems. Since that time (63 years), several proposals have been presented only to be rejected. Flooding in the Passaic River Basin, in 1993, caused $15 million in damage. The last major flooding, in 1984, killed three people, caused 9,400 evacuations and $425 million in damage.

Ten years ago, I supported the tunnel plan. I believed that it was the best possible answer for the region. I understood the plan for the tunnel to be environmentally and economically sound, and the most protective option for the public's health. It promised to create jobs for the region and solve the persistent flooding within the Passaic River Basin, which encompasses 132 towns in 10 counties.

It has now become clear that this project is no longer viable and does not enjoy the support of the state or most of the surrounding communities. So last year, along with so many other of my fellow New Jerseyans, I came to the realization that the flood tunnel was not the answer for the Passaic. At a cost of $1.8 billion, the plan was too expensive. As a matter of engineering, it was too complex. As a matter of environmental protection, it was too uncertain. More importantly, after countless hearings, counties and municipalities within the Passaic River Basin rejected the current plan.

It will be far less costly and more environmentally sound to control the flooding by shoring up the banks of the Passaic and Ramapo Rivers and purchasing properties in the flood zone so the river's natural wetlands may rebound. We should also fund plans to reduce flooding from combined sewer overflow systems in the state's older, larger cities, which dump raw sewage into waterways during heavy rainfall. Our plan would be more cost effective and more environmentally acceptable than the flood tunnel.

The proposed Passaic River Basin Flood Management Program selects a qualified acquisition and hazard mitigation plan as the preferred alternative for flood control in the Passaic River Basin, superseding the Passaic River flood tunnel.

The plan calls for acquiring freshwater wetlands in the State of New Jersey and lands in the Highlands Province of the States of New Jersey and New York to prevent increased flooding. In key sections of the floodplain of the Central Passaic River Basin structures would be acquired, demolished, removed or floodproofed. The plan also calls for the acquisition of river front land from Little Falls to Newark Bay along the Passaic River Basin. The plan would also authorize assistance in the implementation of remedial actions for the combined sewer overflows in the lower Passaic River Basin from the Great Falls to Newark Bay. Finally, it established an Oversight Committee for the implementation of the Program, and reaffirms authorization for completion of Joseph G. Minish Passaic River Waterfront Park and Historic Area, New Jersey.

The original legislation that created the tunnel, the Water Resources Development Act of 1990, also authorized many other very important projects for the Passaic River Basin region. The Streambank project called for the construction of environmental and other restoration measures, including bulkheads, recreation, greenbelt, and scenic overlook facilities. The Wetlands Bank program developed initiatives to restore, acquire, preserve, study, and enhance wetlands.

I want to make clear that our interest in this legislation is only to replace construction of the tunnel with a more environmentally and economically appropriate plan. I still support, and will continue to support, those sections of the Water Resources Development Act of 1990 that address issues other than the flood tunnel. Programs, such as the Streambank project and the Wetlands Bank, remain important building blocks for creating an effective flood management plan for the Passaic River Basin.●

By Mr. MURKOWSKI (for himself and Mr. REID):

S. 734. A bill entitled the ''National Discovery Trails Act of 1999''; to the Committee on Energy and Natural Resources.

NATIONAL DISCOVERY TRAILS ACT OF 1999

● Mr. MURKOWSKI. Mr. President, trails are one of America's most popular recreational resources. Millions of Americans hike, ski, jog, bike, ride horses, drive snow machines and all-terrain vehicles, observe nature, commute, and relax on trails throughout the country. A variety of trails are provided nationwide, including urban bike paths, bridle paths, community green ways, historic trails, motorized trails, and long distance hiking trails.

The American Discovery Trail, or ADT, will be established by this legislation. The ADT is being proposed as a continuous, coast to coast trail to link the nation's principal north-south trails and east-west historic trails with shorter local and regional trails into a nationwide network.

By establishing a system of Discovery Trails, this new category will recognize that using and enjoying trails close to home is equally as important as traversing remote wilderness trails. Long-distance trails are used mostly by people living close to the trail and by week-end'ers. Backpacking excursions are normally a few days to a couple of weeks. For example, of the estimated four million users of the Appalachian Trail each year, only about 100 to 150 walk the entire trail annually. This will be true of the American Discovery Trail as well, especially because of it proximity to urban locations throughout the country.

The ADT, the first of the Discovery Trails, will connect six of the national scenic trails, 10 of the national historic trails, 23 of the national recreational trails and hundreds of other local and regional trails. Until now, the element that has been missing in order to create a national system of ''connected'' trails is that the existing trails for the most part are not connected.

The ADT is about access. The trail will connect people to large cities, small towns and urban areas and to mountains, forest, desert and natural areas by incorporating local, regional and national trails together.

What makes the ADT so exciting is the way it has already brought people together. More than 100 organizations along the trail's 6,000 miles support the effort. Each state the trail passes through already has a volunteer coordinator who leads an active ADT committee. This strong grassroots effort, along with financial support from Backpacker magazine, Eco USA, The Coleman Company and others have helped take the ADT from dream to reality.

Only one more very important step on the trail needs to be taken. Congress needs to authorize the trail as part of our National Trails System.

The American Discovery Trail begins (or ends) with your two feet in the Pacific Ocean at Point Reyes National Seashore, just north of San Francisco. Next are Berkeley and Sacramento before the climb to the Pacific Crest National Scenic Trail and Lake Tahoe, in the middle of the Sierra Nevada Mountains.

Nevada will offer Historic Virginia City, home of the Comstock Lode, the Pony Express National Historic Trail, Great Basin National Park with Lehman Caves and Wheeler Peak.

Utah will provide National Forests and Parks along with spectacular red rock country, until you get to Colorado and Colorado National Monument and its 20,445 acres of sandstone monoliths and canyons. Then there's Grand Mesa over Scofield Pass, and Crested Butte, in the heart of ski country as you follow the Colorado and Continental Divide Trails into Evergreen.

At Denver the ADT divides and becomes the Northern and Southern Midwest routes. The Northern Midwest Route winds through Nebraska, Iowa, Illinois, Indiana and Ohio. The Southern Midwest Route leaves Colorado and the Air Force Academy and follows the tracks and wagon wheel ruts of thousands of early pioneers through Kansas and Missouri as well as settlements and historic places in Illinois, Indiana, Kentucky until the trail joins the Northern route in Cincinnati.

West Virginia is next, then Maryland to the C&O Canal into Washington D.C. The Trail passes the Mall, the White House, the Capitol, and then heads on to Annapolis. Finally, in Delaware, the ADT reaches its eastern terminus at Cape Henlopen State Park and the Atlantic Ocean.

Between the Pacific and Atlantic Oceans one will experience some of the most spectacular scenery in the world, thousands of historic sites, lakes, rivers and streams of every size. The trail offers an opportunity to discover America from small towns, to rural countryside, to large metropolitan areas,

When the President signs this legislation into law, a twelve year effort will have been achieved—the American Discovery Trail will have become a reality. The more people who use it, the better.●

By Mr. KENNEDY (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. SCHUMER):

S. 735. A bill to protect children from firearms violence; to the Committee on the Judiciary.

CHILDREN'S GUN VIOLENCE PREVENTION ACT OF 1999

Mr. KENNEDY. Mr. President, it is a privilege to join Senator BOXER, Senator DURBIN, and Senator SCHUMER in introducing the Children's Gun violence Prevention Act of 1999.

The continuing epidemic of gun violence involving children demands action by Congress. The School tragedies in Arkansas, Pennsylvania, Oregon, Kentucky, and Mississippi in the last year are still very much in the nation's mind and on the nation's conscience. We deplore the senseless injury and loss of life, the families torn apart, and the communities in fear.

Sadly and tragically, the horrific shootings of last year do not tell the whole story. The fact is: We are losing 13 children every day in this country to gunshot wounds. Think about that—13 children die every single day because of guns. We must do more—much more—to prevent this senseless loss of children's lives.

We require aspirin bottles to be child-proof. We know how to make handguns child-proof too—and it is long past time we did so.

The legislation we propose today is an important step in meeting our responsibility for the safety of children. We can take common sense, reasonable steps to keep children safer from gun violence by developing and using cutting-edge technology and by educating families and communities about preventing gun violence involving children.

This legislation will help all of us to deal more responsibly with this festering crisis. Under this proposal, gun owners must take responsibility for securing their guns, so that children cannot use them. Gun dealers must be more vigilant in not selling guns and ammunition to children. Child-proof safety locks must be used. Other child safety features for guns must be developed.

America does more today to regulate the safety of toy guns than real guns—and it is a national disgrace. Practical steps can clearly be taken to protect children more effectively from guns, and to achieve greater responsibility by parents, gun manufacturers and gun dealers. This legislation calls for such steps—and it deserves to be enacted this year by this Congress.

I urge the Senate to act quickly on this important legislation, and I look forward to working with my colleagues to bring it to a vote. I ask unanimous consent that a more detailed description of the bill may be printed in the RECORD.

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

SUMMARY OF THE CHILDREN'S GUN VIOLENCE PREVENTION ACT

TITLE I: THE CHILDREN'S FIREARM SAFETY ACT

The bill establishes, after 18 months, new safety standards on the manufacture and importation of handguns, requiring a child-resistant trigger, a child resistant safety lock, a magazine safety, a manual safety, and satisfactory compliance with a drop test.

The bill authorizes the Consumer Product Safety Commission to study, test, and evaluate various technologies and means of making guns more child-resistant, and to report to Congress within 12 months on its findings.

TITLE II: CHILDREN'S FIREARM AGE LIMIT

The bill prohibits the sale of an assault weapon to anyone under the age of 18, and increases the criminal penalties for selling a gun to a juvenile.

TITLE III: RESPONSIBILITIES OF FIREARMS DEALERS

The bill requires the automatic revocation of the license of any dealer found to have willfully sold a gun to a juvenile.

It requires two forms of identification, including one government issued, for purchasers under the age of 24.

It requires gun store owners to implement minimum safety and security standards to prevent the theft of firearms.

TITLE IV: CHILDREN'S FIREARM ACCESS PREVENTION

The bill imposes fines on a gun owner of up to $10,000 if a child gains access to a loaded firearm, and criminal penalties of up to one year in prison if the gun is used in an act of violence.

TITLE V: CHILDREN'S FIREARM INJURY SURVEILLANCE

The bill authorizes $25 million over five years to be used for the creation and implementation of a children's firearm surveillance system by the Injury Prevention Center of the Centers for Disease Control and Prevention.

TITLE VI: CHILDREN'S GUN VIOLENCE PREVENTION EDUCATION

The bill creates an education program with the help of parent-teacher organizations, local law enforcement, and community-based organizations. The program will teach children what to do if they hear that a classmate has brought a gun to school, or if they are faced with a violent situation.

TITLE VII: CHILDREN'S FIREARM TRACKING

The bill expands the Youth Crime Gun Interdiction Initiative and creates a grant program for local law enforcement agencies for the tracing of guns used in juvenile crime.

By Mr. CHAFEE (for himself and Mrs. FEINSTEIN):

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; to the Committee on Finance.

FAMILY PLANNING STATE FLEXIBILITY ACT

Mr. CHAFEE. Mr. President, I am pleased today to join Senator FEINSTEIN in introducing the Family Planning State Flexibility Act, legislation to give states the option to expand their family planning coverage under Medicaid.

Family planning reduces the rate of unintended pregnancies and abortions by providing women with the knowledge and supplies necessary to time their pregnancies to protect their health and the health of their children. The importance of family planning is clear. According to a study recently published in the New England Journal

of Medicine women who wait 18 to 23 months after delivery before conceiving their next child lower the risk of adverse perinatal outcomes, including low birth weight, pre-term birth and small size for gestational age. In addition, women who wait less than six months between pregnancies are 40% more likely to have premature newborns and 30% to 40% more likely to have small babies.

In addition to improving health outcomes for childbearing women and their children, family planning is cost effective. Studies have found that for every $1 of public funds invested in family planning, $3 are saved in pregnancy and other related costs. This is particularly important for the Medicaid Program, which currently pays for 38% of all births in this country.

Recognizing that family planning is a vital service to women, a 1972 amendment to the Medicaid statute mandated inclusion of family planning services and supplies to women who are eligible for the program. Each state is free to determine the specific services and supplies provided. It is important to note that abortions are not considered a family planner service. Congress further noted the importance of family planning services by requiring the federal government to reimburse states for 90% of their family planning expenditures.

Eligible women are either those with children who have income below a threshold set by the state or those who are pregnant and have incomes up to 133% of poverty. States currently have the option to raise the income limit for pregnant women to 185% of poverty. Women who qualify for Medicaid due to pregnancy are currently eligible for family planning services for six months after delivery.

Recognizing the importance of family planning beyond the six month post-partum period, many states have applied for waivers to extend their coverage period or to include additional groups of women in the program. Thirteen states are currently operating under family planning waivers. Unfortunately, the waiver process can be extremely cumbersome and time consuming, which may discourage states from applying.

Our bill would allow states to expand their family planning coverage to women who earn up to 185% of poverty without having to spend the time and resources going through the waiver application process. States which are currently operating under waivers allowing for coverage of women who have higher incomes would continue using their current limit.

Family planning reduces unwanted pregnancies and abortions, improves the health of women and their children, reduces welfare dependency and is cost effective. I am very proud of this legislation which would provide these vital services to increased numbers of low-income women. I ask unanimous consent that the legislation and a congressional rationale be printed in the RECORD.

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

S. 737

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 ''Family Planning State Flexibility Act of 1999''.

SEC. 2. STATE OPTION TO PROVIDE FAMILY PLANNING SERVICES AND SUPPLIES TO WOMEN WITH INCOMES THAT DO NOT EXCEED A STATE'S INCOME ELIGIBILITY LEVEL FOR MEDICAL ASSISTANCE.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) by redesignating section 1935 as section 1936; and

(2) by inserting after section 1934 the following:

STATE OPTION TO PROVIDE FAMILY PLANNING SERVICES AND SUPPLIES TO CERTAIN WOMEN

''SEC. 1935. (a) IN GENERAL.—Subject to subsections (b) and (c), a State may elect (through a State plan amendment) to make medical assistance described in section 1905(a)(4)(C) available to any woman whose family income does not exceed the greater of—

''(1) 185 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved; or

''(2) the eligibility income level (expressed as a percent of such poverty line) that has been specified under a waiver authorized by the Secretary or under section 1902(r)(2)), as of October 1, 1999, for a woman to be eligible for medical assistance under the State plan.

''(b) COMPARABILITY.—Medical assistance described in section 1905(a)(4)(C) that is made available under a State plan amendment under subsection (a) shall not be less in amount, duration, or scope than the medical assistance described in that section that is made available to any other individual under the State plan.

''(c) MAINTENANCE OF EFFORT.—No payment shall be made under section 1903(a)(5) for medical assistance made available under a State plan amendment under subsection (a) unless the State demonstrates to the satisfaction of the Secretary that, with respect to a fiscal year, the State share of funds expended for such fiscal year for all Federally funded programs under which the State provides or makes available family planning services is not less than the level of the State share expended for such programs during fiscal year 2000.

''(d) OPTION TO EXTEND COVERAGE DURING A POST-ELIGIBILITY PERIOD.—

''(1) INITIAL PERIOD.—A State plan amendment made under subsection (a) may provide that any woman who was receiving medical assistance described in section 1905(a)(4)(C) as a result of such amendment, and who becomes ineligible for such assistance because of hours of, or income from, employment, may remain eligible for such medical assistance through the end of the 6-month period that begins on the first day she becomes so ineligible.

''(2) ADDITIONAL EXTENSION.—A State plan amendment made under subsection (a) may provide that any women who has received medical assistance described in section 1905(a)(4)(C) during the entire 6-month period described in paragraph (1) may be extended coverage for such assistance for a succeeding 6-month period.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to medical assistance provided on and after October 1, 1999.

SEC. 3. STATE OPTION TO EXTEND THE POSTPARTUM PERIOD FOR PROVISION OF FAMILY PLANNING SERVICES AND SUPPLIES.

(a) IN GENERAL.—Section 1902(e)(5) of the Social Security Act (42 U.S.C. 1396a(e)(5)) is amended—

(1) by striking ''eligible under the plan, as though'' and inserting ''eligible under the plan—

''(A) as though'';

(2) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(B) for medical assistance described in section 1905(a)(4)(C) for so long as the family income of such woman does not exceed the maximum income level established by the State for the woman to be eligible for medical assistance under the State plan (as a result of pregnancy or otherwise).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to medical assistance provided on and after October 1, 1999.

RATIONALE

Congress finds that:

Each year in the United States, 3 million pregnancies, or half of all pregnancies, are unintended;

Contraceptives for both sexes are effective in reducing rates of unintended pregnancy. 85 percent of sexually active women who do not use any form of contraception will become pregnant in any single year, while just 3–6 percent of women taking birth control pills will become pregnant;

Contraceptives also help families to space their births, improving the mothers' health and reducing rates of infant mortality and low birthweight;

By helping to plan pregnancies, contraceptives help parents participate in the workforce and support themselves and their families;

By reducing rates of unintended pregnancy, contraceptives help reduce the need for abortion;

Family planning is cost effective: for every $1 invested in family planning, $3 are saved in pregnancy and other related costs;

Many low-income individuals in need of family planning do not qualify for Medicaid because they fail to meet stringent eligibility requirements;

Medicaid currently pays for 38 percent of all births in this country;

Medicaid provides family planning to many low-income women for only 60 days following a delivery, risking unintended pregnancies that jeopardize the health of women and their children;

In light of the significant health risks to women and children resulting from very short intervals between births, the Institute of Medicine recommends that Medicaid coverage of family planning should be extended to two years following a birth.

Currently, states can only extend Medicaid family planning services to larger populations of low-income individuals by applying to the federal government for a waiver,

which can be a cumbersome and time consuming process;

Under current law, states have the option to cover pregnant women up to 185% of the federal poverty level without a waiver, but states must get a waiver to provide family planning services to women with the same income who are trying to prevent pregnancy. Non-pregnant women should be put on parity with pregnant women with regard to coverage of family planning services.

• Mrs. FEINSTEIN. Mr. President, today I am introducing a bill with Senator CHAFEE to enable states to extend family planning services without getting a federal waiver from the U.S. Department of Health and Human Services.

Under our bill, states could do two things they cannot do under current law without the waiver of federal rules:

(1) States could expand by income level coverage for family planning services to ''near-poor'' women, women whose incomes are slightly above the currently allowed levels; and

(2) States could provide family planning for more than 60 days after a woman delivers a baby.

Our bill will enable states to automatically take these two steps without getting a federal waiver.

Every year in this country, there are 3 million pregnancies, half of which are unintended. To a poor woman, struggling to find a job, keep a job, or provide for the children she already has, an unplanned pregnancy can be devastating. In an effort to reduce unintended pregnancies, Medicaid provides a higher federal matching rate (90 percent, instead of the roughly 50 percent, in federal funds) for family planning services. This bill can further enhance these goals by preventing pregnancies and by helping women plan their pregnancies.

In addition, family planning saves money. Ironically, under current law, the group of women whom this bill covers become eligible for Medicaid once they are pregnant, so Medicaid then pays for their prenatal care, their delivery and 60 days of family planning following delivery. Medicaid pays for 38 percent of all births in the United States. Studies show that for every $1.00 invested in family planning, $3.00 are saved in pregnancy and health-related costs. Recognizing the value of expanding family planning services, 13 states have received waivers to make the expansions and California has applied for one.

It is my hope that the bill we introduce today can improve the health of women and their children by reducing unwanted pregnancies, welfare dependency, the incidence of abortion, the incidence of low-birth weight babies and the incidence of infant mortality. I urge my colleagues to support this legislation.•

By Mr. MURKOWSKI (for himself and Mr. CAMPBELL):

S. 739. A bill to amend the American Indian Trust Fund Management Reform Act to direct the Secretary of the Interior to contract with qualified financial institutions for the investment of certain trust funds, and for other purposes; to the Committee on Indian Affairs.

AMENDMENT TO INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994

Mr. MURKOWSKI. Mr. President, I rise today to introduce an amendment to the Indian Trust Fund Management Reform Act of 1994 to provide Indian Tribal Trust fund beneficiaries the option of having their trust funds managed according to their wishes, which could add measurably to the value of their trust funds. For individual Indian trust fund beneficiaries, the legislation would allow them to earn greater returns through government-regulated trust departments than allowed by current law.

This bill is an outgrowth of a joint hearing held March 3rd of this year by the Senate Committees on Indian Affairs and Energy & Natural Resources to investigate the Department of Interior's efforts to reform the trust management systems for individual Indians and Indian Tribes.

The Secretary of the Interior, on behalf of the U.S. government, acts as the trustee for some 1,500 tribal trust funds for 338 Indian tribes with assets of $2.6 billion. He performs a similar service for 300,000 individual Indian accounts totaling some $500 million. For well over 100 years, these accounts have been in severe disarray, and in my mind, recent reform efforts under the Indian Trust Fund Management Act show few tangible signs of improvement.

Funds are unaccounted for, paperwork is missing, and Indians are uncertain about the accuracy of the amounts reported in their trust accounts. Recent newspaper reports tell of an ongoing inability or unwillingness on the part of the Departments of the Interior and Treasury to comply with requests from the U.S. District Court to produce documents relating to a small number of trust accounts. The Chairman of the Senate Committee on Indian Affairs, Senator BEN NIGHTHORSE CAMPBELL, has shown an unflagging commitment to ensure that the Indian trust fund debacle is cleaned up and put upon a sound footing for the Indian beneficiaries whose only sin has been to trust the word of the Federal Government.

While I look forward to working with Chairman CAMPBELL on his efforts to compel the Department of the Interior to institute the reforms necessary to come to grips with the ongoing problems of the Indian trust fund management, this bill is not designed to tackle that daunting task.

This will would grant Indian Tribes the option of having their funds treated the same way trust beneficiaries' funds are treated by prudent bank trust departments throughout this nation. Presently, federal law prohibits the Office of Trust Management from investing Indian trust funds in anything other than government-guaranteed instruments. This severely limits the rate of return Indians receive, to the point that they receive the lowest rate of return of any trust beneficiaries in the country.

Virtually all other trust funds in the country are managed under the ''prudent investor'' rule, which, when coupled with government regulation of trust departments, ensures that trust funds are managed conservatively but wisely for the long term best interests of the trust beneficiary.

The express prohibition against investment of Indian trust funds in all but government-guaranteed instruments has a dual effect on America's first—and poorest—residents. First, it restricts the growth of their trust funds. Second, it means that Indian trust funds will not be available for investment in Indian Country.

Under my proposal, the Secretary of the Interior, working with the Comptroller of the Currency, would contract with qualified financial institutions that are regulated by a federal bank regulatory agency for the investment of funds managed for Indian Tribes and individuals. Tribes would still have the option of keeping their money in government-guaranteed low-yield instruments if they so choose.

Those funds invested with government-regulated trust institutions would be managed according to the prudent investor rules governing all other trusts throughout the country. The U.S. government would still act as the guarantor of those funds through its regulatory and enforcement mechanisms. Because stated balances of trust funds may not be accurate due to historical mismanagement, the legislation is intended to ensure that if Indian trust funds are managed by private financial institutions, possible claims against the government for accurate balances are not extinguished.

Moreover, the Secretary would be directed, in the selection of a qualified financial institution, to comply with the Buy-Indian Act (25 U.S.C. 47). This would mean that if qualified Indian-owned financial institutions were properly regulated and certified, investment of Indian trust funds could act as investment capital for expanding economic opportunities in Indian country.

It is my hope that through the successful implementation of this legislation, we will see Indian people finally getting a fair return on their dollars, which might very well be generated from new enterprises via investments of their own monies. The American dream should not be allowed to be continued to be denied to the First Americans.

Mr. President, the Secretary of the Interior, is not an investment banker. There are a variety of things that the federal government does not do well, and the management of trust funds is one of them. We have financial institutions that are regulated and who have the experience of managing large trust funds. We have a large body of law governing the fiduciary responsibility of trustees. It is long past time for the Secretary to focus on the accounting of receipts and let those who know something about investments handle the actual management of these trust funds. The present situation simply perpetuates the cycle of dependence for too many tribes and denies them the same reasonable expectation of return that all non-Indian trust beneficiaries have a right to expect.

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. 739

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

That the American Indian Trust Fund Management Reform Act (108 Stat. 4239, 25 U.S.C. 4041), as amended, is further amended by adding a new Title V as follows:

TITLE V—INVESTMENT OF FUNDS—TRIBAL OPTIONS

SEC. 501. TRIBAL OPTIONS.

(a) Within one year from the date of enactment of this title, the Secretary, with the advice and assistance of the Comptroller of the Currency, shall contract with qualified financial institutions that are regulated by a federal bank regulatory agency for the investment of all funds presently managed in trust status for Indian tribes and individual Indians by the United States, unless:

(1) the tribe whose money is held in trust requests in writing that the funds continue to be invested by the Department of the Interior, or

(2) contracting of the particular fund would be inconsistent with the United States' trust responsibility or would contravene any provision of law specifically related to that particular fund.

(b) The Secretary shall afford a tribe an opportunity to designate in writing a qualified financial institution to manage its funds. Unless a tribe designates a specific institution, the Secretary shall comply with the provisions of the Buy-Indian Act (25 U.S.C. 47) in the selection of a qualified financial institution pursuant to this title.

(c) Any contract entered into pursuant to this section shall, at a minimum, include provisions acceptable to the Secretary that will:

(1) direct that all funds are invested in a manner consistent with the requirements of the prudent investor rule applicable to the financial institution, the fiduciary responsibility of the institution, and the trust responsibility of the Secretary;

(2) within the requirements of paragraph (1), permit tribes to direct the financial institution regarding the kinds of instruments for investment;

(3) subject to the provisions of paragraphs (1) and (2), encourage the investment of funds in ways that directly benefit the affected tribe and Indian community;

(4) require that the financial institution be liable for any financial losses incurred by the trust beneficiary as a result of its failure to comply with the terms of its contract, the investment instructions provided by the tribe, its general fiduciary obligation, or the prudent investor rule;

(5) insure that the financial institution carry sufficient insurance or other surety satisfactory to the Secretary to compensate the trust beneficiary in connection with any liability and the Secretary in the event of a subrogation under subsection (d);

(6) allow the financial institution to recover its reasonable costs incurred in investing trust funds in investment instruments that are 100% guaranteed by the United States and be compensated for investing trust funds in other investment instruments by charging a commercially reasonable fee, approved by the Secretary, that shall be deducted from the corpus of the trust funds in the same manner as for private investors.

(d) No provision of this title, nor any action taken pursuant thereto, shall in any way diminish the trust responsibility of the United States for any funds presently managed in trust status or to the tribes or individual Indians who are the beneficial owners of such funds. The Secretary shall remain responsible for any losses incurred by a trust beneficiary for which a financial institution is liable under paragraph (c)(4) but shall be entitled to subrogation of any claim to the extent the beneficiary receives compensation from the United States.

(e) Any amounts transferred shall not result in the closure of the account in question and the Secretary shall be obligated to continue efforts to determine whether the account balance is accurate, including efforts to identify and secure documentation supporting such accounting balance.

Mr. CAMPBELL. Mr. President, today I am pleased to join my colleague Senator MURKOWSKI as an original co-sponsor of legislation to amend the American Indian Trust Fund Management Reform Act of 1994. This is the first step in reforming the way Indian trust funds are managed and invested for the benefit of the Indian tribes and their citizens.

On March 3, 1999, the Committee on Indian Affairs and the Committee on Energy and Natural Resources held a joint hearing on trust fund management practices in the Department of the Interior.

We held the hearing because the Secretary of the Interior issued an order in January that I believe undermined the authority of the Special Trustee for American Indians and violated the spirit and letter of the 1994 Act.

Nothing at the hearing changed my mind. As a result, I proposed an amendment to the FY 1999 Supplemental Appropriations bill to suspend the implementation of this order while we sort out the legitimacy and effectiveness of ongoing trust management reforms within the Department. This should be done through legislation and congressional oversight, not secretarial orders drafted with no tribal input.

Today's bill is the next step. It will enable Congress, Indian tribes, and the Administration to begin the difficult task of undoing 100 years of mismanagement and neglect by the United States.

Most Americans are unfamiliar with this issue so let me describe what we are talking about. Beginning in 1849, the federal government, as trustee for the tribes, built a system to identify and track Indian land holdings, land leases, income from those leases, and other Indian assets, and created ''trust funds'' to be managed for the benefit of their Indian beneficiaries.

Over the years, the United States has failed to keep track of the funds and the documents supporting the funds. In addition, the Department is prevented by law from investing these funds in anything other than U.S.-guaranteed investments which bring returns much lower than what is possible in the open market. For these reasons, the trustee has failed to adequately maintain this system and to maximize returns on investment, with Indians as the predictable losers once again. These facts raise the question of whether the federal government is the appropriate place for these accounts.

The money in these accounts, or that is supposed to be in these trust fund accounts, is Indian money that has been entrusted to the United States. It is not federal money. There are billions of dollars at stake: in 1997, the Department's Tribal Reconciliation Project stated that it was unable to reconcile some $2.4 billion in tribal funds.

For Indians that means they have no access to the money and do not receive the benefit from their own money.

There are at least three major aspects to the problem. First, efforts by the Department to identify and gather all documentation to determine accurate trust fund balances; second, the efforts to put in place new computers and management systems; and third, the need to provide Indian tribes with the flexibility to maximize the return on fund investments in the interim as the first two initiatives continue.

This legislation is aimed at the third of these problems. As the Committees work to fix the mistakes of the past, we can give tribes the flexibility and freedom to invest their money in the financial instruments they choose. This legislation will allow Indian tribes the option to leave their funds with the Department for management and investment or to transfer the funds to qualified financial institutions, including Indian-owned banks, in order to receive competitive returns on investment.

The bill will direct the Secretary of Interior to consult with the nation's top banker, the Comptroller of the Currency, in negotiating contracts with federally-approved financial institutions for the investment of funds now managed by the United States.

Let me be clear: tribes are not required to move their accounts into the private market. It is an option.

This bill does not represent a ''surrender'' in the efforts to find the missing funds and documents. In fact, just the opposite. Under the bill, the Secretary is obligated to continue to search for documents that will give a more accurate account balance to the tribes.

That brings up another troubling issue—the possibility that some documents will never be found. It is bad enough that some have been permanently lost due to neglect. But a story in today's Washington Times raises the possibility that, even worse, some documents may have been purposely destroyed. The story says that the plaintiffs suing the government over trust funds mismanagement have given the judge affidavits accusing Interior Department officials of destroying trust fund documents to conceal them from the court.

If this is true, it would be the worst violation of the trust responsibility in decades.

I should point out that this bill is the first, not the last, word on our efforts to clean up the trust funds mess and to give Indians the chance to take risks, generate higher rates of returns, and bring economic opportunities where none now exist. Also, this bill is subject to change. I welcome input from Indian Country as we work to perfect it.

As Chairman of the Committee on Indian Affairs, I am committed to working with and assisting the tribes in the many reforms that are necessary to bring increased hope and opportunities to their communities.

I urge my colleagues to join Senator MURKOWSKI and me in bringing real reform and real change to Indian trust funds management. After 150 years, it's about time we think and act boldly to bring this sad chapter in American history to a close.

Mr. President, I ask unanimous consent that a Washington Times article be printed in the RECORD.

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

[From the Washington Times, Mar. 25, 1999]

INTERIOR OFFICIALS ACCUSED OF DESTROYING INDIAN RECORDS

(By Jerry Seper)

Interior Department officials who told a federal judge they could not find records describing the department's oversight of American Indian trust funds have been accused in sworn affidavits of destroying the documents to conceal then from the court.

U.S. District Judge Royce C. Lamberth, who held Interior Secretary Bruce Babbitt in contempt last month for not turning over the records in a lawsuit, ordered hearings on the accusations yesterday after being told Tuesday the documents had been deliberately destroyed.

The suspected destruction was outlined in the affidavits given to the judge during a status hearing in a lawsuit brought by the Native American Rights Fund. The affidavits, brought by some of the many plaintiffs, were later ordered sealed pending yesterday's hearing, although that hearing—held in the judge's chambers—was scheduled to resume today.

The suit by the Rights Fund, which represents several Indian tribes involved in the trust fund, accuses the Interior and Treasury departments of mismanaging trust fund monies.

In November, Judge Lamberth ordered the departments to produce canceled checks and other documents showing the status of the trust fund, which involves more than 300,000 individual accounts and 2,000 tribal accounts. The departments oversee the receipt of money from land settlements, royalties and payments by companies that use Indian land.

The judge sought the records to allow attorneys for the Rights Fund to prepare for trial. The departments have never complied, giving the judge several reasons for the delay—including an Interior claim that some of the records were so tainted by rodent droppings in a New Mexico warehouse that to disturb them would put department officials at a health risk.

Interior officials have been unable to verify how much cash has been collected. An audit by the Arthur Andersen accounting firm said the Bureau of Indian Affairs cannot account for $2.4 billion in trust funds.

During a hearing March 3 before the Senate Indian Affairs Committee and the Senate Energy and Natural Resources Committee, Mr. Babbitt promised to correct the situation. ''You'll be the judge. I will do my best,'' Mr. Babbitt said when asked what he intended to do about mismanagement by the BIA.

Special trustee Paul Homan, assigned to oversee the fund, resigned in January. He said Mr. Babbitt stripped him of the authority he needed to do the job and that he was blocked by Interior officials who sought to undermine congressionally ordered reforms with continual rejections of his requests for money and manpower.

Mr. Homan said the department could ''no longer be trusted to keep and produce trust records.'' He urged the accounts be assigned to an independent agency.

Mr. Babbitt ordered a reorganization and requested more funding for next year. He also said a new accounting system was expected to be in place by the end of the year.

But acting special trustee Thomas Thompson said in a confidential memo last year that he was ''grateful'' he did not run the program. He outlined many concerns he had about an inability to implement the Trust Fund Management Reform Act of 1994. The act directs the department to oversee the fund and provide the necessary budget to do the job.

Mr. Thompson's memo was written before his appointment as Mr. Homan's successor. He has since told the Indian Affairs Committee that trust funds were being properly administered and that the program was sufficiently funded.

In a letter to Mr. Babbitt last week, Republication Sens. Ben Nighthorse Campbell of Colorado and Sen. Frank H. Murkowski of Alaska, chairman of the Energy and Natural Resources Committee, said they were concerned that Mr. Thompson appeared willing to endorse a process he had criticized.

''Before our committees, you vigorously testified about your commitment to clean up the trust fund fiasco,'' they wrote to Mr. Babbitt. ''We are not encouraged, however, when only hours after the hearing, your hand-picked acting trustee seems to reverse himself on an issue critical to the success of this effort.''

They said if the many problems Mr. Thompson's memo described had been corrected, Mr. Babbitt should list the improvements to the committees.

By Mr. CRAIG (for himself, Mr. CRAPO, Mr. BURNS, and Mr. GRAMS): S. 740. A bill to amend the Federal Power Act to improve the hydroelectric licensing process by granting the Federal Energy Regulatory Commission statutory authority to better coordinate participation by other agencies and entities, and for other purposes; to the Committee on Energy and Natural Resources.

HYDROELECTRIC LICENSING PROCESS IMPROVEMENT ACT OF 1999

Mr. CRAIG. Mr. President, the bill I introduce is the Hydroelectric Licensing Process Improvement Act of 1999. As its title suggests, the purpose of the bill is to improve the process by which non-federal hydroelectric projects are licensed by the Federal Energy Regulatory Commission.

I introduced a similar bill late in the 105th Congress after hearings on this issue in both the House and Senate. Hydropower represents ten percent of the energy produced in the United States, and approximately 85% of all renewable energy generation. This, Mr. President, is a significant portion of our nation's electricity, produced without air pollution or greenhouse gas emissions, and it is accomplished at relatively low cost.

The Commission for many years since its creation in 1920, controlled our nation's water power potential with uncompromising authority. However, since 1972, a number of environmental statutes, amendments to the Federal Power Act, Commission regulations, licensing and policy decisions, and several critical court decisions, has made the Commission's licensing process extremely costly, time consuming, and, at times, arbitrary. Indeed, the current Commission licensing program is burdened with mixed mandates and redundant bureaucracy and prone to gridlock and litigation.

Under current law, several federal agencies are required to set conditions for licenses without regard to the effects those conditions have on project economics, energy benefits, impacts on greenhouse gas emissions and values protected by other statutes and regulations. Far too often we have agencies fighting agencies and issuing inconsistent demands.

The consequent delays in processing hydropower applications result in significant business costs and lost capacity. For example, according to a September 1997 study of the U.S. Department of Energy, since 1987, of 52 peaking projects relicensed by the Commission, four projects increased capacity, and 48 decreased capacity. In simple terms, those 48 projects became less productive as a result of the relicensing process at the Commission than they were prior to relicensing. Ninety-two percent of the peaking projects since 1987 lost capacity.

In addition, faced with the uncertainties currently plaguing the relicensing process, some existing licensees are contemplating abandonment of their projects. This is of concern to the nation because two-thirds of all non-federal hydropower capacity is up for relicensing in the next fifteen years. By the year 2010, 220 projects will be subject to the relicensing process.

Publicly owned hydropower projects constitute nearly 50% of the total capacity that will be up for renewal. The problems resulting in lost capacity, coupled with the momentous changes occurring in the electricity industry and the increasing need for emissions free sources of power, all underscore the need for Congressional action to reform hydroelectric licensing.

Moreoever, the loss of a hydropower project means more than the loss of clean, efficient, renewable electric power. Hydropower projects provide drinking water, flood control, fish and wildlife habitat, irrigation, transportation, environmental enhancement funding and recreation benefits. Also, due to its unique load-following capability, peaking capacity and voltage stability attributes, hydropower plays a critical role in maintaining our nation's reliable electric service.

My bill, which is currently co-sponsored by fellow Idahoan Senator MIKE CRAPO, and Senators CONRAD BURNS and ROD GRAMS, will remedy the inefficient and complex Commission licensing process by ensuring that federal agencies involved in the process act in a timely and accountable manner.

My bill does not change or modify any existing environmental laws, nor remove regulatory authority from various agencies. It does not call for the repeal of mandatory conditioning authority of appropriate federal agencies. Rather, it requires participating agencies to consider, and be accountable for, the full effects of their actions before imposing mandatory conditions on a Commission issued license.

It is clear to me and many of my colleagues here in the Senate that hydropower is at risk. Clearly, one of the most important tasks for energy policymakers in the 21st Century is to develop an energy strategy that will ensure an adequate supply of reasonably priced, reliable energy to all American consumers in an environmentally responsible manner. The relicensing of non-federal hydropower can and should continue to be an important and viable element in this strategy.

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. 740

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 ''Hydroelectric Licensing Process Improvement Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) hydroelectric power is an irreplaceable source of clean, economic, renewable energy with the unique capability of supporting reliable electric service while maintaining environmental quality;

(2) hydroelectric power is the leading renewable energy resource of the United States;

(3) hydroelectric power projects provide multiple benefits to the United States, including recreation, irrigation, flood control, water supply, and fish and wildlife benefits;

(4) in the next 15 years, the bulk of all non-Federal hydroelectric power capacity in the United States is due to be relicensed by the Federal Energy Regulatory Commission;

(5) the process of licensing hydroelectric projects by the Commission—

(A) does not produce optimal decisions, because the agencies that participate in the process are not required to consider the full effects of their mandatory and recommended conditions on a license;

(B) is inefficient, in part because agencies do not always submit their mandatory and recommended conditions by a time certain;

(C) is burdened by uncoordinated environmental reviews and duplicative permitting authority; and

(D) is burdensome for all participants and too often results in litigation; and

(6) while the alternative licensing procedures available to applicants for hydroelectric project licenses provide important opportunities for the collaborative resolution of many of the issues in hydroelectric project licensing, those procedures are not appropriate in every case and cannot substitute for statutory reforms of the hydroelectric licensing process.

SEC. 3. PURPOSE.

The purpose of this Act is to achieve the objective of relicensing hydroelectric power projects to maintain high environmental standards while preserving low cost power by—

(1) requiring agencies to consider the full effects of their mandatory and recommended conditions on a hydroelectric power license and to document the consideration of a broad range of factors;

(2) requiring the Federal Energy Regulatory Commission to impose deadlines by which Federal agencies must submit proposed mandatory and recommended conditions to a license; and

(3) making other improvements in the licensing process.

SEC. 4. PROCESS FOR CONSIDERATION BY FEDERAL AGENCIES OF CONDITIONS TO LICENSES.

(a) IN GENERAL.—Part I of the Federal Power Act (16 U.S.C. 791a et seq.) is amended by adding at the end the following:

"SEC. 32. PROCESS FOR CONSIDERATION BY FEDERAL AGENCIES OF CONDITIONS TO LICENSES.

''(a) DEFINITIONS.—In this section:

''(1) CONDITION.—The term 'condition' means—

''(A) a condition to a license for a project on a Federal reservation determined by a consulting agency for the purpose of the first proviso of section 4(e); and

''(B) a prescription relating to the construction, maintenance, or operation of a fishway determined by a consulting agency for the purpose of the first sentence of section 18.

''(2) CONSULTING AGENCY.—The term 'consulting agency' means—

''(A) in relation to a condition described in paragraph (1)(A), the Federal agency with responsibility for supervising the reservation; and

''(B) in relation to a condition described in paragraph (1)(B), the Secretary of the Interior or the Secretary of Commerce, as appropriate.

''(b) FACTORS TO BE CONSIDERED.—

''(1) IN GENERAL.—In determining a condition, a consulting agency shall take into consideration—

''(A) the impacts of the condition on—

''(i) economic and power values;

''(ii) electric generation capacity and system reliability;

''(iii) air quality (including consideration of the impacts on greenhouse gas emissions); and

''(iv) drinking, flood control, irrigation, navigation, or recreation water supply;

''(B) compatibility with other conditions to be included in the license, including mandatory conditions of other agencies, when available; and

''(C) means to ensure that the condition addresses only direct project environmental impacts, and does so at the lowest project cost.

''(2) DOCUMENTATION.—

''(A) IN GENERAL.—In the course of the consideration of factors under paragraph (1) and before any review under subsection (e), a consulting agency shall create written documentation detailing, among other pertinent matters, all proposals made, comments received, facts considered, and analyses made regarding each of those factors sufficient to demonstrate that each of the factors was given full consideration in determining the condition to be submitted to the Commission.

''(B) SUBMISSION TO THE COMMISSION.—A consulting agency shall include the documentation under subparagraph (A) in its submission of a condition to the Commission.

''(c) SCIENTIFIC REVIEW.—

''(1) IN GENERAL.—Each condition determined by a consulting agency shall be subjected to appropriately substantiated scientific review.

''(2) DATA.—For the purpose of paragraph (1), a condition shall be considered to have been subjected to appropriately substantiated scientific review if the review—

''(A) was based on current empirical data or field-tested data; and

''(B) was subjected to peer review.

''(d) RELATIONSHIP TO IMPACTS ON FEDERAL RESERVATION.—In the case of a condition for the purpose of the first proviso of section

4(e), each condition determined by a consulting agency shall be directly and reasonably related to the impacts of the project within the Federal reservation.

''(e) ADMINISTRATIVE REVIEW.—

''(1) OPPORTUNITY FOR REVIEW.—Before submitting to the Commission a proposed condition, and at least 90 days before a license applicant is required to file a license application with the Commission, a consulting agency shall provide the proposed condition to the license applicant and offer the license applicant an opportunity to obtain expedited review before an administrative law judge or other independent reviewing body of—

''(A) the reasonableness of the proposed condition in light of the effect that implementation of the condition will have on the energy and economic values of a project; and

''(B) compliance by the consulting agency with the requirements of this section, including the requirement to consider the factors described in subsection (b)(1).

''(2) COMPLETION OF REVIEW.—

''(A) IN GENERAL.—A review under paragraph (1) shall be completed not more than 180 days after the license applicant notifies the consulting agency of the request for review.

''(B) FAILURE TO MAKE TIMELY COMPLETION OF REVIEW.—If review of a proposed condition is not completed within the time specified by subparagraph (A), the Commission may treat a condition submitted by the consulting agency as a recommendation is treated under section 10(j).

''(3) REMAND.—If the administrative law judge or reviewing body finds that a proposed condition is unreasonable or that the consulting agency failed to comply with any of the requirements of this section, the administrative law judge or reviewing body shall—

''(A) render a decision that—

''(i) explains the reasons for a finding that the condition is unreasonable and may make recommendations that the administrative law judge or reviewing body may have for the formulation of a condition that would not be found unreasonable; or

''(ii) explains the reasons for a finding that a requirement was not met and may describe any action that the consulting agency should take to meet the requirement; and

''(B) remand the matter to the consulting agency for further action.

''(4) SUBMISSION TO THE COMMISSION.—Following administrative review under this subsection, a consulting agency shall—

''(A) take such action as is necessary to—

''(i) withdraw the condition;

''(ii) formulate a condition that follows the recommendation of the administrative law judge or reviewing body; or

''(iii) otherwise comply with this section; and

''(B) include with its submission to the Commission of a proposed condition—

''(i) the record on administrative review; and

''(ii) documentation of any action taken following administrative review.

''(f) SUBMISSION OF FINAL CONDITION.—

''(1) IN GENERAL.—After an applicant files with the Commission an application for a license, the Commission shall set a date by which a consulting agency shall submit to the Commission a final condition.

''(2) LIMITATION.—Except as provided in paragraph (3), the date for submission of a final condition shall be not later than 1 year after the date on which the Commission gives the consulting agency notice that a license application is ready for environmental review.

''(3) DEFAULT.—If a consulting agency does not submit a final condition to a license by the date set under paragraph (1)—

''(A) the consulting agency shall not thereafter have authority to recommend or establish a condition to the license; and

''(B) the Commission may, but shall not be required to, recommend or establish an appropriate condition to the license that—

''(i) furthers the interest sought to be protected by the provision of law that authorizes the consulting agency to propose or establish a condition to the license; and

''(ii) conforms to the requirements of this Act.

''(4) EXTENSION.—The Commission may make 1 extension, of not more than 30 days, of a deadline set under paragraph (1).

''(g) ANALYSIS BY THE COMMISSION.—

''(1) ECONOMIC ANALYSIS.—The Commission shall conduct an economic analysis of each condition submitted by a consulting agency to determine whether the condition would render the project uneconomic.

''(2) CONSISTENCY WITH THIS SECTION.—In exercising authority under section 10(j)(2), the Commission shall consider whether any recommendation submitted under section 10(j)(1) is consistent with the purposes and requirements of subsections (b) and (c) of this section.

''(h) COMMISSION DETERMINATION ON EFFECT OF CONDITIONS.—When requested by a license applicant in a request for rehearing, the Commission shall make a written determination on whether a condition submitted by a consulting agency—

''(1) is in the public interest, as measured by the impact of the condition on the factors described in subsection (b)(1);

''(2) was subjected to scientific review in accordance with subsection (c);

''(3) relates to direct project impacts within the reservation, in the case of a condition for the first proviso of section 4(e);

''(4) is reasonable;

''(5) is supported by substantial evidence; and

''(6) is consistent with this Act and other terms and conditions to be included in the license.''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—

(1) SECTION 4.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended—

(A) in the first proviso of the first sentence by inserting after ''conditions'' the following: '', determined in accordance with section 32,''; and

(B) in the last sentence, by striking the period and inserting ''(including consideration of the impacts on greenhouse gas emissions).''.

(2) SECTION 18.—Section 18 of the Federal Power Act (16 U.S.C. 811) is amended in the first sentence by striking ''prescribed by the Secretary of Commerce'' and inserting ''prescribed, in accordance with section 32, by the Secretary of the Interior or the Secretary of Commerce, as appropriate''.

SEC. 5. COORDINATED ENVIRONMENTAL REVIEW PROCESS.

Part I of the Federal Power Act (16 U.S.C. 791a et seq.) (as amended by section 3) is amended by adding at the end the following:

''SEC. 33. COORDINATED ENVIRONMENTAL REVIEW PROCESS.

''(a) LEAD AGENCY RESPONSIBILITY.—The Commission, as the lead agency for environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for projects licensed under this part, shall conduct a single consolidated environmental review—

''(1) for each such project; or

''(2) if appropriate, for multiple projects located in the same area

''(b) CONSULTING AGENCIES.—In connection with the formulation of a condition in accordance with section 32, a consulting agency shall not perform any environmental review in addition to any environmental review performed by the Commission in connection with the action to which the condition relates.

''(c) DEADLINES.—

''(1) IN GENERAL.—The Commission shall set a deadline for the submission of comments by Federal, State, and local government agencies in connection with the preparation of any environmental impact statement or environmental assessment required for a project.

''(2) CONSIDERATIONS.—In setting a deadline under paragraph (1), the Commission shall take into consideration—

''(A) the need of the license applicant for a prompt and reasonable decision;

''(B) the resources of interested Federal, State, and local government agencies; and

''(C) applicable statutory requirements.''.

SEC. 6. STUDY OF SMALL HYDROELECTRIC PROJECTS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Commerce of the House of Representatives a study of the feasibility of establishing a separate licensing procedure for small hydroelectric projects.

(b) DEFINITION OF SMALL HYDROELECTRIC PROJECT.—The Commission may by regulation define the term ''small hydroelectric project'' for the purpose of subsection (a), except that the term shall include at a minimum a hydroelectric project that has a generating capacity of 5 megawatts or less.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. HATCH, Mr. BREAUX, Mr. JEFFORDS, Mr. KERREY, Mr. ROBB, Mr. MACK, Mr. BOND, Mr. CHAFEE, Mr. THOMPSON, Mr. BINGAMAN and Mr. MURKOWSKI):

S. 741. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

PENSION COVERAGE AND PORTABILITY ACT

• Mr. GRAHAM. Mr. President, I rise today along with Senators GRASSLEY, BAUCUS, HATCH, BREAUX, JEFFORDS, KERREY, MACK, ROBB, MURKOWSKI, CHAFEE, THOMPSON, BOND, and BINGAMAN to introduce the Pension Coverage and Portability Act. I am honored to be here today, in a bipartisan group, and especially with my colleague Senator CHARLES GRASSLEY, who has put a tremendous effort into crafting many parts of this bill. He and I recognize that for our nation to solve what will be one of this generation's greatest challenges, building retirement security for today's workers, we need to move in a common sense, bipartisan fashion.

Many of the original cosponsors of this bill were key in crafting sections of this legislation over the last three years. Senator GRASSLEY's efforts here have expanded fairness for women and

families, and focuses on the benefits of retirement education.

Senator BAUCUS has brought the ideas that expand pension coverage and ease the administrative burdens on America's small businesses.

Portability, so important as we become a more mobile society, received the attention of Senator JEFFORDS.

All businesses will have the hard work of Senator HATCH to thank for many of the regulatory relief, and administrative simplification elements of this bill.

Senator BREAUX focused on the ''big picture'' of retirement security by authoring the ESOP provisions.

And finally, Senators KERREY and ROBB provided valuable new input that helped shape this legislation.

Throughout the process of putting this bill together, our main task has been to listen. We have listened at town hall meetings, at the Retirement Security Summit I held last year in Tampa, and a Women's Summit I held in Orlando last April. I am also planning another Retirement Security Summit in Jacksonville this May to continue the dialogue on this important issue.

The ideas have come from pension actuaries, tax attorneys, Cabinet leaders, and some of the best ideas, from everyday people.

With reason, some of the public debate recently has focused on President Clinton's mantra ''Save Social Security First.'' And we all agree, on both sides of the aisle, that we need to ensure that social security is as viable for my nine grandchildren as it was for my parents and will be for me.

However, social security is only one part of the picture. Pensions and personal savings will make up an ever increasing part of retirement security. So when Congress takes action to ensure the future of social security, we are only addressing one-third of the problem.

Social Security may play less of a role for each generation. We must develop personal savings, and we must have years of work pay off in workers vesting in pensions.

Our bill will help hard working Americans build personal retirement savings through their employers, through 401(k)s, through payroll deduction IRAs, and through higher limits on savings.

Employers and workers both win. Employers get simpler pension systems with less administrative burden, and more loyal employees. And workers build secure retirement and watch savings accumulate over years of work.

We need to be able to offer business owners and their workers: uncumbersome portability, administrative simplicity, and the confidence that their plans are secure and well funded.

To achieve this goal, we focused on six areas: simplification, portability, expanded coverage for small business, pension security and enforcement, women's equity issues, and expanding retirement planning and education opportunities.

The largest section of this legislation deals with expanded coverage for small business. It's the largest section because small businesses have the greatest difficulty achieving retirement security. 51 million American workers have no retirement plan, 21 million of these employees work in small businesses.

The problem: statistics indicate that only a small percentage of workers in firms of less than 100 employees have access to a retirement plan. We take a step forward in eliminating one of the first hurdles that a small business faces when it establishes a pension plan. On one hand, the federal government is encouraging these businesses to start pension plans, and then we turn around and charge the small business, at times, up to one thousand dollars to register their plan with the Internal Revenue Service.

The solution: eliminate this fee for small businesses. We need to encourage small businesses to start plans, not discourage them with high registration fees.

Another problem for small businesses and others is people postponing retirement decisions until a later date. Many young people in their 20's and 30's don't think they need to worry about retirement security ''right now,'' it's a decision that can wait for later.

Our solution to this is to encourage businesses to have ''opt out'' plans for retirement savings. Instead of the worker having to actively decide to participate and fill out paperwork, he or she is automatically participating unless they actively decide not to.

Another problem this legislation addresses: retirement security for women and families. Historically speaking, women live longer than men, therefore, need greater savings for retirement. Yet our pension and retirement laws do not reflect this. Women are more mobile than men, moving in and out of the workforce due to family responsibilities, thus they have less of a chance to vest. Fewer than 32% of all women retirees receive a pension. Currently two-thirds of working women are employed in sectors of the economy that are unlikely to have a retirement plan: service and retail, and small business.

In an effort to address one of the problems—preparing for a longer life expectancy, we realistically adjust upwards the age in which you must start withdrawing funds.

Under current law, you must start withdrawing money from retirement plans at age seventy-and-a-half. However, a woman at age seventy can still have three decades in retirement. I know, because I represent many of them in Florida. At the Retirement Summit I hosted in Tampa, Florida, several retirees mentioned that they wanted to keep this money in retirement savings for as long as possible. We raise the seventy-and-a-half age to seventy-five for mandatory minimum distributions.

Second, we say that $100,000 of any IRA will be exempt from minimum distribution rules. This accomplishes two important goals: simplifying the bureaucracy for thousands of Americans who have less than this balance, and protecting a vital nest egg for the last years of retirement so that long term care and other expenses can be covered.

Another problem addressed in this section of the legislation is the mobility of our workforce. On average, Americans will have 7 different employers during their career which means they are often not at any job long enough to vest into retirement benefits.

Our legislation offers a solution—shrinking the 5 year vesting cycle to a three year cycle. We believe this is more reflective of job tenure in the 1990's and on into the next century.

As I mentioned earlier, the current U.S. worker will have seven different employers. We have the possibility of a generation of American workers who will retire with many small accounts—creating a complex maze of statements and features, different for each account. This is a problem—pensions should be portable from job to job.

One solution to this problem—allow employees to roll one retirement account into another as they move from job to job so that when they retire, they will have one retirement account. It's easier to monitor, less complicated to keep track of, and builds a more secure retirement for the worker.

Portability is important, but we must also reduce the red tape. The main obstacle that companies face in establishing retirement programs is bureaucratic administrative burden. For example: for small plans, it costs $228 per person per year just to comply with all the forms, tests and regulations.

We have a common sense remedy to one of the most vexing problems in pension administration: figuring out how much money to contribute to the company's plan. It's a complex formula of facts, statistics and assumptions. We want to be able to say to plans that have no problem with underfunding: to help make these calculations, you can use the prior year's data to help make the proper contribution. You don't have to re-sort through the numbers each and every year. If your plan is sound, use reliable data from the previous year, and then verify when all the final details are available. Companies will be able to calculate, and then budget accordingly—and not wait until figures and rates out of their control are released by outside sources.

I have said time and time again today that Americans are not saving, but those who are oftentimes hit limits on the amounts they can save. The problem is that most of these limits were established more than 20 years ago. Currently, for example, in a 401(k) plan the IRS limits the amount an employee can contribute to $10,000 a year.

Our solution is to raise that limit to $12,000, along with raising many other limits that affect savings in order to build a more secure retirement for working Americans.

The building of retirement security will also take some education. One of the major reasons Americans do not prepare for retirement is that they don't understand what benefits are available and what benefits they are acquiring.

Our solution to this dilemma is regular and easy to read benefit statements from employers reminding workers early in their career of the importance of retirement savings. These statements would clarify what benefits workers are accruing. And from this information each American will more easily be able to determine the personal savings they need in order to build a sound retirement.

With the introduction of this legislation today it is my goal to ensure that each American who works hard for thirty or forty years has gotten every opportunity for a secure and comfortable retirement.

I thank my colleagues who have worked so hard with me on this measure, and ask for the support of those in this Chamber on this important legislation.●

Mr. GRASSLEY. Mr. President, I rise to join my colleague, Senator GRAHAM, to introduce bipartisan pension reform legislation. This legislation, the Pension Coverage and Portability Act, will go a long way toward improving the pension system in this country.

Ideally, pension benefits should compromise about a third of a retired worker's income. But pension benefits make up only about one-fifth of the income in elderly households. Obviously, workers are reaching retirement with too little income from an employer pension. Workers who are planning for their retirement will need more pension income to make up for a lower Social Security benefit and to fit with longer life expectancies. While we have seen a small increase in the number of workers who are expected to receive a pension in retirement, only one half of our workforce is covered by a pension plan.

There is a tremendous gap in pension coverage between small employers and large employers. Eighty-five percent of the companies with at least 100 workers offer pension coverage. Companies with less than 100 workers are much less likely to offer pension coverage. Only about 50 percent of the companies with less than 100 workers offer pension coverage. In order to close the gap in coverage between small and large employers, we need to understand the reasons small employers do not offer pension plans. Last year, the Employee Benefit Institute released a Small Employer Retirement Survey which was very instructive for legislators.

The survey identified the three main reasons employers gave for not offering a plan. The first reason is that small employer believe that employees prefer increased wages or other types of benefits. The second reason employers don't offer plans is the administrative cost. And the third most important reason for not offering a plan: uncertain revenue, which makes it difficult to commit to a plan.

Combine these barriers with the responsibilities of a small employer, and we can understand why coverage among small employers has not increased. Small employers who may just be starting out in business are already squeezing every penny. These employers are also people who open up to the business in the morning, talk to customers, do the marketing, pay the bills, and just do not know how they can take on the additional duties, responsibilities, and liabilities of sponsoring a pension plan.

I firmly believe that an increase in the number of people covered by pension plans will occur only when small employers have more substantial incentives to establish pension plans. The Pension Coverage and Portability Act contains provisions which will provide more flexibility for small employees, relief from burdensome rules and regulations, and a tax incentive to start new plans for their employees. One of the new top heavy provisions we have endorsed is an exemption from top heavy rules for employers who adopt the 401(k) safe harbor. This safe harbor takes effect this year. When the Treasury Department wrote the regulations and considered whether safe harbor plans should also have to satisfy the top heavy rules, they answered in the affirmative. As a result, a small employer would have to make a contribution of 7 percent of pay for each employee, a very costly proposition.

My colleagues and I also have included a provision which repeals user fees for new plan sponsors seeking determination letters from IRS. These fees can run from $100 to more than $1,000 depending on the type of plan. Given the need to promote retirement plan formation, we believe this ''rob Peter to pay Paul'' approach needs to be eliminated.

We have also looked at the lack of success of SIMPLE 401(k) plans. A survey by the Investment Company Institute found that SIMPLE IRAs have proven successful, with almost 340,000 workers participating in a plan. However, SIMPLE 401(k)s haven't enjoyed the same success. One reason may be that the limits on SIMPLE 401(k)s are tighter than for the IRAs. Our bill equalizes the compensation limits for these plans; in addition, we have increased the annual limit on SIMPLE to $8,000.

One of the more revolutionary proposals is the creation of a Salary Reduction SIMPLE with a limit of $4,000. Unlike other SIMPLEs, the employer makes no match or automatic contributions. The employer match is usually a strong incentive for a low-income employee to participate in a savings plan. We hope that small employers will look at this SIMPLE as a transition plan, in place for just a couple of years during the initial stage of business operation—then adopt a more expansive plan when the business is profitable.

A provision that was included in last year's legislation, the negative election trust or ''NET'' has been modified to address some practical administrative issues. What is the NET? Basically, it is a new type of safe harbor that would allow employers to automatically enroll employees in pension plans. Often, employees do not join the pension plan as soon as they begin employment with a new employer. If employees are left to their own devices, they may delay participating in the pension plan or even worse, never participate. This new safe harbor eases the nondiscrimination rules for employers who establish the NET if they achieve a participation rate of 70 percent.

The other targeted areas in the legislation include enhancing pension coverage for women. Women are more at risk of living in poverty as they age. They need more ways to save because of periodic departures from the workforce. To increase their saving capacity, we have included a proposal similar to legislation I sponsored earlier this year, S. 60, the Enhanced Savings Opportunities Act. Like S. 60, the proposal repeals the 25 percent of salary contribution limit on defined contribution plans. This limit has seriously impeded savings by women, as well as low- and mid-salary employees. Repealing the 25 percent cap in 415(c) is a simplifier, and will allow anyone covered by a defined contribution plan to benefit.

The bill also contains proposals which promote new opportunities to roll over accounts from an old employer to a new employer. The lack of portability among plans is one of the weak links in our current pension system. This new bill contains technical improvements which will help ease the implementation of portability among the different types of defined contribution plans.

Finally, I would like to point out a couple of other provisions in the bill. The first is the new requirement that plan sponsors automatically provide

benefit statements to their participants on a periodic basis. For defined contribution plans, the statement would be required annually. For defined benefit plans, a statement would be required every three years. However, employers who provide an annual notice to employees of the availability of a benefit statement would not be required to provide automatic benefit statements to all employees.

Providing clear and understandable benefit statements to pension plan participants would encourage people to think about how much money they can expect to receive in retirement. Further, a benefit statement will help people ensure that the information their employer maintains about them is accurate.

This provision joins other proposals in a section targeted at encouraging retirement education. Education can make a difference to workers. In fact, in companies which provide investment education, we know workers benefitted because many of them changed their investment allocations to more accurately reflect their investment horizons.

The bill also looks to simplify and repeal some of the legal requirements which threaten plan security and increase costs for employers who sponsor pension plans. For example, the legislation seeks to repeal the full-funding limit. This limit prevents employers from pre-funding their defined benefit plans based on projected benefits. Instead, employers are limited to an amount that would allow them to pay the accrued benefits if the plan terminated. This lower funding level threatens the ability of employers to pay benefits, especially as the Baby Boom begins to retire.

To reduce the burdens of plan compliance, the legislation includes a number of proposals intended to peel away at the layers of laws and regulations that add costs to plan administration but don't add many benefits.

This legislation joins other strong proposals now pending in the House and here in the Senate. This legislation includes provisions which reflect some of those same proposals. I want to commend the sponsors of those bills. Our legislation has a lot in common with these other pension bills and we need to push for fast and favorable consideration of this legislation.

We have a window of opportunity to act. The Baby Boomers are coming. The letters from AARP are starting to arrive in their mailboxes. The Social Security Administration is starting to stagger the delivery of benefit checks in preparation for their retirement. It is likely that future retirees will not be able to rely on all of the benefits now provided by Social Security. We can look to the pension system to pick up where Social Security leaves off, but we need to act.

I thank the other co-sponsors of this legislation for all of their work, and I encourage our colleagues to give strong consideration to co-sponsoring this bill. We already have a substantial number of Senate Finance Committee members, including BAUCUS, BREAUX, JEFFORDS, HATCH, KERREY, THOMPSON, MACK, CHAFEE, ROBB, and MURKOWSKI. I am also very pleased to have Senator BOND come aboard as a co-sponsor. As Chairman of the Small Business Committee, he is very aware of the problems we are trying to address in this legislation. We also have added Senator JEFF BINGAMAN as a co-sponsor.

I also want to recognize the groups that have worked with us over the last three years to develop this legislation. These organizations include: the Profit Sharing/401(k) Council, the Association of Private Pension & Welfare Plans, the ERISA Industry Council, and the Retirement Security Network which includes a large number of organizations who have all been important to our work.

With concerted, bipartisan action, we can improve the pension system. Pensions for today's workers will substantially improve the retirement outlook for millions of Americans. But we have some work to do if pensions are going to fulfill their promise.

By Mr. GRASSLEY (for himself and Mr. CONRAD):

S. 742. A bill to clarify the requirements for the accession to the World Trade Organization of the People's Republic of China; to the Committee on Finance.

LEGISLATION TO CLARIFY THE REQUIREMENTS FOR THE ACCESSION TO THE WORLD TRADE ORGANIZATION OF THE PEOPLE'S REPUBLIC OF CHINA

Mr. GRASSLEY. Mr. President, hearings on agricultural trade issues with the People's Republic of China that I chaired on March 15, 1999 in the International Trade Subcommittee of the Senate Committee on Finance highlighted the enormous significance to the United States of China's possible accession to the World Trade Organization.

As President Gerald Ford stated in a letter that I released during the hearing, ''The terms of any deal that we reach now with China about access to its markets may well determine the course of Sino-American economic relations for decades to come. If economic relations are not resolved constructively, there will be adverse developments diplomatically and politically between our two nations.''

We have just one opportunity to make sure that any market access agreement that we reach with China in the context of WTO accession talks gives the United States unrestricted entry to China's markets. That opportunity is now. And we can do that only if Congress asserts its constitutional responsibility to regulate foreign commerce and reviews any deal negotiated by the administration before China is admitted to the WTO.

It is for this reason that today I introduce legislation to clarify the requirements for the accession to the World Trade Organization of the People's Republic of China.

This legislation will do three things.

First, it clarifies the requirement in current law that the United States Trade Representative must consult with the Congress prior to casting a vote in favor of China's admission to the WTO. Under current law, the Administration could conceivably ''consult'' with the Congress minutes before casting a vote in the WTO Ministerial Conference or the WTO General Council to admit China. This bill says that Congress shall have at least 60 days to review all the relevant documents related to China's possible accession before a vote is taken.

Second, this legislation specifies the exact documents that the Administration must give to Congress for its review.

Finally, Congress shall have the opportunity to vote on China's admission to the WTO before China can be admitted.

This is an issue of historic importance, and enormous consequence. But unless the law is changed, I won't even have the chance to vote on whether the agreement negotiated for China's accession is good for Iowa, and good for America. My job in Congress is to make these tough decisions, not avoid them.

Mr. President, I believe that it would be the right thing for China to join the world trade community's official forum, and be subject to the discipline of multilateral trade rules. For fifty years, the WTO, and its predecessor, the General Agreement on Tariffs and Trade, has eliminated literally tens of thousands of tariff and non-tariff trade barriers. The result has been a dramatic increase in our collective prosperity, and a strengthening of world peace.

But China—or any other nation—should not be admitted to the WTO for political reasons. If the terms that we negotiate for China's accession are good terms, then China's accession will stand on its own merits. If the terms are not acceptable, if they don't guarantee unrestricted market access, then China should not be admitted. It's that simple.

I encourage all my colleagues to join me in this effort.

By Mr. HOLLINGS (for himself and Mr. HELMS):

S. 743, a bill to require prior congressional approval before the United States supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United

States from the World Trade Organization if China is accepted into the WTO without the support of the United States; to the Committee on Finance.

WORLD TRADE ORGANIZATION LEGISLATION

• Mr. HOLLINGS. Mr. President, for some time, many aspects of the U.S.-China relationship have concerned me. Since China's entrance into the WTO will be the most significant U.S.-China negotiation in the next several years, the contentious U.S.-China issues should be moving toward resolution before the conclusion of any agreement. Unfortunately, that is not currently the case. Most relevant to the WTO process is the exploding US-China trade deficit. In 1998, it reached a record $56.9 billion dollars. In fact, U.S. export to both Singapore ($15.6 billion) and Holland ($19 billion) were greater than exports to China ($14.2 billion). At the beginning of the decade, the deficit was a problematic but manageable $12.5 billion. Conversely, our large trading partners (the Europeans and Japan) have managed to maintain a relative trade balance with there Chinese counterparts. In fact, all of China's trade surplus is accounted for by the enormous imbalance with the United States.

Moreover, the continuing problems with Chinese human rights violations, espionage and possible technology transfers suggest that this is not the appropriate time for China to enter the WTO. Recently, the State Department released its annual human rights report concluding that the situation in China has degraded significantly over the past year. Additionally, we remain troubled by the allegations regarding the possible illegal transfer of technology to China, as well as lingering questions over Chinese espionage and involvement in U.S. elections. Any trade agreement with China would be premature before these issues are resolved.

Although none of these concerns are new, the Administration's efforts to resolve these issues have been unfortunately unsuccessful. Regrettably, in fact, the pace of the China WTO negotiations appears to have increased. As a result, we believe that this legislation is both appropriate and timely. Congress must review any agreement, and all of the surrounding negotiations to ensure that it reflects traditional American values while protecting American interest.•

By Mr. MURKOWSKI:

S. 744. A bill to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

UNIVERSITY OF ALASKA LAND GRANT ACT

Mr. MURKOWSKI. Mr. President, the University of Alaska (the University) is Alaska's oldest post-secondary school. The University was chartered prior to statehood and has played a vital role in educating Alaskans as well as students from around the world in the United States' only arctic and subarctic environment. Additionally, the University has served as an important cornerstone in Alaska's history. For example, the University housed the Alaska Constitutional Convention where the fathers of statehood carved out the rights and privileges guaranteed to Alaska's citizens. Further, the University of Alaska is proud of the fact that it began life as the Alaska Agricultural and Mining College. However, Mr. President, what makes the University of Alaska truly unique is the fact that it is the only land grant college in the Nation that is virtually landless.

As my colleagues know, one of the oldest and most respected ways of financing America's educational system has been the land grant system. Established in 1785, this practice gives land to schools and universities for their use in supporting their educational endeavors. In 1862, Congress passed the Morrill Act which created the land grant colleges and universities as a way to underwrite the cost of higher education to more and more Americans. These colleges and universities received land from the federal government for facility location and, more importantly, as a way to provide sustaining revenues to these educational institutions.

The University of Alaska received the smallest amount of land of any state, with the exception of Delaware, that has a land grant college. Even the land grant college in Rhode Island received more land from the federal government than has the University of Alaska. In a state the size of Alaska, we should logically have one of the best and most fully funded land grant colleges in the country. Unfortunately, without the land promised under the land grant allocation system and earlier legislation, the University is unable to share as one of the premier land grant colleges in the country.

Previous efforts in Congress were made to fix this problem. These efforts date back to 1915, less than 50 years after the passage of the Morrill Act, when Alaska's Delegate James Wickersham shepherded a measure through Congress that set aside potentially more than a quarter of a million acres, in the Tanana Valley outside of Fairbanks, for the support of an agricultural college and school of mines. Following the practice established in the lower 48 for other land grant colleges, Wickersham's bill set aside every Section 33 of the unsurveyed Tanana Valley for the Alaska Agricultural College and School of Mines. Alaska's educational future looked very bright.

Many Alaskans saw the opportunity to set up an endowment system similar to that established by the University of Washington in the downtown center of Seattle, where valuable University lands are leased and provide funding for the University of Washington which uses those revenues in turn to provide for its programs and facilities.

Mr. President, before that land could be transferred to the Alaska Agricultural College and School of Mines (renamed the University of Alaska in 1935), the land had to be surveyed in order to establish the exact acreage included in the reserved land. The sections reserved for education could not be transferred to the College until they had been delineated. According to records of the time, it was unlikely, given the incredibly slow speed of surveying, that the land could be completely surveyed before the 21st century. Surveying was and is an extraordinarily slow process in Alaska's remote and unpopulated terrain. In all, only 19 section 33's—approximately 11,211 acres—were ever transferred to the University. Of this amount, 2,250 were used for the original campus and the remainder was left to support educational opportunities.

Recognizing the difficulties of surveying in Alaska, subsequent legislation was passed in 1929 that simply granted land for the benefit of the University. This grant totaled approximately 100,000 acres and to this day comprises the bulk of the University's roughly 112,000 acres of land—less than one third of what it was originally promised. In 1958, the Alaska Statehood Act was passed which extinguished the original land grants for all lands that remained unsurveyed. Thus, the University was left with little land with which to support itself and thus is unable to completely fulfill its mission as a land grant college.

Mr. President, the legislation I am introducing today would redeem the promises made to the University in 1915 and put it on an even footing with the other land grant colleges in the United States. The bill provides the University with the land needed to support itself financially and offers it the chance to grow and continue to act as a responsible steward of the land and educator of our young people. The legislation also provides a concrete timetable under which the University must select its lands and the Secretary of the Interior must act upon those selections.

This legislation also contains significant restrictions on the land the University can select. The University cannot select land located within a Conservation System Unit. The University cannot select old growth timber lands in the Tongass National Forest. Finally, the University cannot select land validly conveyed to the State or an ANCSA corporation, or land used in connection with federal or military institutions.

Additionally, under my bill the University must relinquish extremely valuable inholdings in Alaska once it receives its state/federal selection awarded under Section 2, of this bill. Therefore, the result of this legislation will mean the relinquishment of prime University inholdings in such magnificent areas as the Alaska Peninsula & Maritime National Wildlife Refuge, the Kenai Fjords National Park, Wrangell St. Elias National Park and Preserve, and Denali Park and Preserve. So, Mr. President, not only does this bill uphold a decades old promise to the University of Alaska, it further protects Alaska's parks and refuges.

Specifically, this bill would grant the University 250,000 acres of federal land. Additionally, the University would be eligible to receive an additional 250K acres on a matching basis with the state for a total of 500K additional acres. This, obviously, would be done through the state legislative process involving the Governor, the Legislature, and the University's Board of Regents.

Mr. President, the state matching provision is an important component of this legislation. Most agree with the premise that the University was shorted land. However, some believe it is solely the responsibility of the federal government to compensate the University with land while others believe it is solely the responsibility of the state to grant the University land. The legislation I am introducing today offers a compromise giving both the state and the federal government the opportunity to contribute while at the same time providing the federal government with valuable inholdings in parks and refuges.

Finally, this bill contains a provision that incorporates a concept put forth by the Governor of Alaska. This provision directs the Secretary of the Interior to attempt to conclude an agreement with the University and the Governor of Alaska providing for sharing NPRA leasing revenues in lieu of land selections north of latitude 69 degrees North. The provision restricts any agreement regarding revenue sharing to prevent the University from obtaining more than ten percent of such annual revenues or more than nine million dollars each fiscal year. If an agreement is reached and provides for disposition of some portion of NPRA mineral leasing revenues to the University, the Secretary shall submit the proposed agreement to Congress for ratification. If the Secretary fails to reach an agreement within two years of enactment, or if Congress fails to ratify such agreement within three years from enactment, the University may select up to 92,000 of its 250,000 initial land grant from lands within NPRA north of latitude 69.

Therefore, this bill has been substantially changed from versions introduced in previous Congresses in two dramatic ways. First, in response to concerns from the Administration and environmental organizations the old growth areas of the Tongass National Forest are off limits for selection by the University. The only areas of the Tongass that could be selected by the University are those areas previously harvested. It is important that the University be allowed to select lands in this area as having the ability to study and manage as such areas are important tools for the University's School of Forestry.

The second substantial change to the bill, which was previously noted, is the revenue sharing component. This aspect provides an alternative means of providing for the needs of the University.

With the passage of this bill, the University of Alaska will finally be able to act fully as a land grant college. It will be able to select lands that can provide the University with a stable revenue source as well as provide responsible stewardship for the land.

This is an exciting time for the University of Alaska. The promise that was made more than 80 years ago could be fulfilled by passage of this legislation and Alaskans could look forward to a very bright future for the University of Alaska and those who receive an education there.

By Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. GRAMS, Mr. LEAHY, Mr. GRAHAM, Mr. BURNS, Mr. MCCAIN, Ms. SNOWE, Mr. DEWINE, Mr. JEFFORDS, Mr. GORTON, Mr. CRAIG, Mr. LEVIN, Mr. SCHUMER, Mrs. MURRAY, Mr. MURKOWSKI, Mr. MOYNIHAN, Mr. MACK, Mr. SMITH of Oregon, Mr. DORGAN, Mr. SANTORUM, Mr. COCHRAN, AND Mr. INOUYE):

S. 745. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system; to the Committee on the Judiciary.

BORDER IMPROVEMENT AND IMMIGRATION ACT OF 1999

Mr. ABRAHAM. Mr. President, I rise to introduce the Border Improvement and Immigration Act of 1999. I would like to express my thanks to Senators KENNEDY, GRAMS, LEAHY, GRAHAM, BURNS, MCCAIN, SNOWE, DEWINE, JEFFORDS, GORTON, CRAIG, LEVIN, SCHUMER, MURRAY, MURKOWSKI, MOYNIHAN, MACK, SMITH (OR), DORGAN, SANTORUM, COCHRAN, and INOUYE for being original cosponsors of this legislation. The legislation will correct an unfortunate provision—Section 110 of the 1996 Immigration Act. In correcting this provision, this legislation will prevent the Immigration and Naturalization Service from effectively shutting down our borders to trade and tourism. The legislation has wide support and appeal and is endorsed by the U.S. Chamber of Commerce, National Association of Manufacturers, American Trucking Association, American Hotel and Motel Association, Travel Industry Association of America, Border Trade Alliance, American Association of Exporters and Importers, National Automobile Transporters Association, Fresh Produce Association of the Americas, American Association of Port Authorities, International Mass Retail Association, American Immigration Lawyers Association, International Warehouse Logistics Association, National Tour Association, Passenger Vessel Association and the U.S. Hispanic Chamber of Commerce.

As a number of my colleagues are aware, Mr. President, in 1996 both the House and the Senate versions of the omnibus immigration bill contained differing provisions requiring collection of data on those entering and exiting the United States at certain airports. In conference, without any debate, a mandatory entry-exit system to capture the records of ''every alien'' was added to that legislation.

Representative SMITH and Senator Simpson, chairmen of the respective House and Senate Subcommittees responsible for 1996 legislation, have both agreed in an exchange of letters with the Canadian Ambassador that this provision, ''Section 110'' of the bill, was not intended to cover, for example, Canadians at the northern border. However, because of the term ''every alien,'' the INS has interpreted the law to require this program be implemented at all land borders, in addition to air and sea ports of entry. To the credit of the INS, it concedes that it cannot implement such a system.

Put simply, Mr. President, Section 110 is a mistake, and we must correct it. Failure to do so will cost American jobs. It will effectively close our borders to honest trade and tourism while harming our efforts to fight drugs, terrorism and illegal aliens. It must be eliminated.

We risk a great deal if we fail to act, Mr. President. Last year alone, exports to Canada generated more that 72,000 jobs in key manufacturing industries and more than $4.68 billion in value added for the state of Michigan alone. Our trade with Canada is the most extensive and profitable in the world. And last year more than 116 million people entered the United States by land from Canada.

The extent of our trade with Canada has caused us to develop an intricate web of interdependence that requires a substantially open border. With ''just in time'' delivery becoming the norm in our automobile assembly lines and throughout our manufacturing sector, a delivery of parts delayed by as little as 20 minutes can cause expensive assembly line shutdowns which our economy can ill afford.

But delay is exactly what we will see if Section 110 is not eliminated. Dan Stamper, President of the Detroit International Bridge Company, has testified that even a very efficient system, say one taking 30 seconds for each person to be recorded entering or leaving the country, would mean enormous delays. More than 30,000 crossings per day take place at Detroit's Ambassador Bridge. Even if we say that 7,500 Canadians cross each day, that means 2,250 minutes of additional processing time. But there are only 1,440 minutes in a day. Traffic would be backed up literally for miles. Significant problems would be experienced on the Southern border as well.

Assembly lines will shut down. Tourists will stay home. Americans will lose jobs.

And for what? Nothing the American people want. The two pilot programs set up by the INS to test implementation of Section 110, one in Texas and one in upstate New York, were both shut down due to fierce community opposition.

Moreover, time and manpower diverted to Section 110's impossible directive will take away from efforts to deal with other problems facing the INS and the Customs service—problems like drug interdiction, the fight against terrorism, and the fight against illegal immigration. Drugs, terrorism and illegal immigration are real problems requiring a real investment on our part. We can't afford to undermine these programs to pursue a policy we know is nothing more than a mistake.

This legislation would eliminate the mandated automated entry-exit system at land and sea ports of entries and replace it with a feasibility study, required within one year of the passage of the bill, to examine whether any system could ever be developed and at an acceptable cost to American taxpayers, employers, employees, and the nation as a whole.

The bill would also authorize significant additional resources at the Northern and Southern borders to fight drugs and terrorism, and to facilitate the entry of legitimate trade and commerce. The legislation authorizes for fiscal year 2000 and 2001 a net increase of 535 INS inspectors for the Southwest land border and 375 inspectors for the Northern land border, in order to open all primary lanes on the Southwest and Northern borders during peak hours and enhance investigative resources. It would add 100 canine enforcement vehicles to be used by INS for inspection and enforcement at U.S. land borders. And it would provide for a net increase of 40 intelligence analysts and additional resources to be distributed among border patrol sectors that have jurisdiction over major metropolitan drug or narcotics distribution and transportation centers to fight against drug smuggling and money-laundering.

For the U.S. Customs Service, the bill would authorize significant additional resources in technology and manpower for peak hours and investigations, including new technology and a net increase of 535 inspectors and 60 special agents for the Southwest border and 375 inspectors for the Northern border. In addition, the bill provides a net increase of 285 inspectors and canine enforcement officers to be distributed at large cargo facilities as needed to process and screen cargo and reduce commercial waiting times on U.S. land borders. It would also authorize a net increase of 360 special agents, 40 intelligence analysts, and additional resources to be distributed among offices that have jurisdiction over major metropolitan drug or narcotics distribution and transportation centers for intensification of efforts against drug smuggling and money-laundering organizations. The bill also provides for a net increase of 50 positions and additional resources to the Office of Internal Affairs to enhance investigative resources for anticorruption efforts.

Mr. President, this bill passed the U.S. Senate by unanimous consent last year, which helped lead to a significant success—a two and a half year delay in the mandate for implementing this system. The 30 month delay was based on a recognition that this program is unworkable. Unfortunately, it provided only a small reprieve that will expire at the beginning of the next Congress. We must build on our success achieved last year. It is time to act, to protect American jobs, to maintain our law enforcement priorities and to uphold common sense.

I want to thank again the many cosponsors of this legislation and 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. 745

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 ''Border Improvement and Immigration Act of 1999''.

SEC. 2. AMENDMENT OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.

(a) IN GENERAL.—Section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1221 note) is amended to read as follows:

''(a) SYSTEM.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than 2 years after the date of enactment of this Act, the Attorney General shall develop an automated entry and exit control system that will—

''(A) collect a record of departure for every alien departing the United States and match the record of departure with the record of the alien's arrival in the United States; and

''(B) enable the Attorney General to identify, through on-line searching procedures, lawfully admitted nonimmigrants who remain in the United States beyond the period authorized by the Attorney General.

''(2) EXCEPTION.—The system under paragraph (1) shall not collect a record of arrival or departure—

''(A) at a land border or seaport of the United States for any alien; or

''(B) for any alien for whom the documentary requirements in section 212(a)(7)(B) of the Immigration and Nationality Act have been waived by the Attorney General and the Secretary of State under section 212(d)(4)(B) of the Immigration and Nationality Act.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SEC. 3. REPORT ON AUTOMATED ENTRY-EXIT CONTROL SYSTEM.

(a) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives on the feasibility of developing and implementing an automated entry-exit control system that would collect a record of departure for every alien departing the United States and match the record of departure with the record of the alien's arrival in the United States, including departures and arrivals at the land borders and seaports of the United States.

(b) CONTENTS OF REPORT.—Such report shall—

(1) assess the costs and feasibility of various means of operating such an automated entry-exit control system, including exploring—

(A) how, if the automated entry-exit control system were limited to certain aliens arriving at airports, departure records of those aliens could be collected when they depart through a land border or seaport; and

(B) the feasibility of the Attorney General, in consultation with the Secretary of State, negotiating reciprocal agreements with the governments of contiguous countries to collect such information on behalf of the United States and share it in an acceptable automated format;

(2) consider the various means of developing such a system, including the use of pilot projects if appropriate, and assess which means would be most appropriate in which geographical regions;

(3) evaluate how such a system could be implemented without increasing border traffic congestion and border crossing delays and, if any such system would increase border crossing delays, evaluate to what extent such congestion or delays would increase; and

(4) estimate the length of time that would be required for any such system to be developed and implemented.

SEC. 4. ANNUAL REPORTS ON ENTRY-EXIT CONTROL AND USE OF ENTRY-EXIT CONTROL DATA.

(a) ANNUAL REPORTS ON IMPLEMENTATION OF ENTRY-EXIT CONTROL AT AIRPORTS.—Not later than 30 days after the end of each fiscal year until the fiscal year in which Attorney General certifies to Congress that the entry-exit control system required by section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by section 2 of this Act, has been developed, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report that—

(1) provides an accurate assessment of the status of the development of the entry-exit control system;

(2) includes a specific schedule for the development of the entry-exit control system that the Attorney General anticipates will be met; and

(3) includes a detailed estimate of the funding, if any, needed for the development of the entry-exit control system.

(b) ANNUAL REPORTS ON VISA OVERSTAYS IDENTIFIED THROUGH THE ENTRY-EXIT CONTROL SYSTEM.—Not later than June 30 of each year, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report that sets forth—

(1) the number of arrival records of aliens and the number of departure records of aliens that were collected during the preceding fiscal year under the entry-exit control system under section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as so amended, with a separate accounting of such numbers by country of nationality;

(2) the number of departure records of aliens that were successfully matched to records of such aliens' prior arrival in the United States, with a separate accounting of such numbers by country of nationality and by classification as immigrant or nonimmigrant; and

(3) the number of aliens who arrived as nonimmigrants, or as visitors under the visa waiver program under section 217 of the Immigration and Nationality Act, for whom no matching departure record has been obtained through the system, or through other means, as of the end of such aliens' authorized period of stay, with an accounting by country of nationality and approximate date of arrival in the United States.

(c) INCORPORATION INTO OTHER DATABASES.—Information regarding aliens who have remained in the United States beyond their authorized period of stay that is identified through the system referred to in subsection (a) shall be integrated into appropriate databases of the Immigration and Naturalization Service and the Department of State, including those used at ports-of-entry and at consular offices.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR BORDER CONTROL AND ENFORCEMENT ACTIVITIES OF THE IMMIGRATION AND NATURALIZATION SERVICE.

(a) AUTHORIZATION.—In order to enhance enforcement and inspection resources on the land borders of the United States, enhance investigative resources for anticorruption efforts and efforts against drug smuggling and money-laundering organizations, reduce commercial and passenger traffic waiting times, and open all primary lanes during peak hours at major land border ports of entry on the Southwest and Northern land borders of the United States, in addition to any other amounts appropriated, there are authorized to be appropriated for salaries, expenses, and equipment for the Immigration and Naturalization Service for purposes of carrying out this section—

(1) $119,604,000 for fiscal year 2000;

(2) $123,064,000 for fiscal year 2001; and

(3) such sums as may be necessary in each fiscal year thereafter.

(b) USE OF CERTAIN FISCAL YEAR 2000 FUNDS.—Of the amounts authorized to be appropriated under subsection (a)(1) for fiscal year 2000 for the Immigration and Naturalization Service, $19,090,000 shall be available until expended for acquisition and other expenses associated with implementation and full deployment of narcotics enforcement and other technology along the land borders of the United States, including—

(1) $11,000,000 for 5 mobile truck x-rays with transmission and backscatter imaging to be distributed to border patrol checkpoints and in secondary inspection areas of land border ports-of-entry;

(2) $200,000 for 10 ultrasonic container inspection units to be distributed to border patrol checkpoints and in secondary inspection areas of land border ports-of-entry;

(3) $240,000 for 10 Portable Treasury Enforcement Communications System (TECS) terminals to be distributed to border patrol checkpoints;

(4) $5,000,000 for 20 remote watch surveillance camera systems to be distributed to border patrol checkpoints and at secondary inspection areas of land border ports-of-entry;

(5) $180,000 for 36 AM radio ''Welcome to the United States'' stations located at permanent border patrol checkpoints and at secondary inspection areas of land border ports-of-entry;

(6) $875,000 for 36 spotter camera systems located at permanent border patrol checkpoints and at secondary inspection areas of land border ports-of-entry; and

(7) $1,600,000 for 40 narcotics vapor and particle detectors to be distributed to border patrol checkpoints and at secondary inspection areas of land border ports-of-entry.

(c) USE OF CERTAIN FUNDS AFTER FISCAL YEAR 2001.—Of the amounts authorized to be appropriated under paragraphs (2) and (3) of subsection (a) for the Immigration and Naturalization Service for fiscal year 2000 and each fiscal year thereafter, $4,773,000 shall be for the maintenance and support of the equipment and training of personnel to maintain and support the equipment described in subsection (b), based on an estimate of 25 percent of the cost of such equipment.

(d) USE OF FUNDS FOR NEW TECHNOLOGIES.—

(1) IN GENERAL.—The Attorney General may use the amounts authorized to be appropriated for equipment under this section for equipment other than the equipment specified in subsection (b) if such other equipment—

(A)(i) is technologically superior to the equipment specified in subsection (b); and

(ii) will achieve at least the same results at a cost that is the same or less than the equipment specified in subsection (b); or

(B) can be obtained at a lower cost than the equipment authorized in subsection (b).

(2) TRANSFER OF FUNDS.—Notwithstanding any other provision of this section, the Attorney General may reallocate an amount not to exceed 10 percent of the amount specified in paragraphs (1) through (7) of subsection (b) for any other equipment specified in subsection (b).

(e) PEAK HOURS AND INVESTIGATIVE RESOURCE ENHANCEMENT.—Of the amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) for the Immigration and Naturalization Service for fiscal years 1999 and 2000, $100,514,000 in fiscal year 2000 and $121,555,000 for fiscal year 2001 shall be for—

(1) a net increase of 535 inspectors for the Southwest land border and 375 inspectors for the Northern land border, in order to open all primary lanes on the Southwest and Northern borders during peak hours and enhance investigative resources;

(2) in order to enhance enforcement and reduce waiting times, a net increase of 100 inspectors and canine enforcement officers for border patrol checkpoints and ports-of-entry, as well as 100 canines and 5 canine trainers;

(3) 100 canine enforcement vehicles to be used by the Immigration and Naturalization Service for inspection and enforcement at the land borders of the United States;

(4) a net increase of 40 intelligence analysts and additional resources to be distributed among border patrol sectors that have jurisdiction over major metropolitan drug or narcotics distribution and transportation centers for intensification of efforts against drug smuggling and money-laundering organizations;

(5) a net increase of 68 positions and additional resources to the Office of the Inspector General of the Department of Justice to enhance investigative resources for anticorruption efforts; and

(6) the costs incurred as a result of the increase in personnel hired pursuant to this section.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR BORDER CONTROL AND ENFORCEMENT ACTIVITIES OF THE UNITED STATES CUSTOMS SERVICE.

(a) AUTHORIZATION.—In order to enhance border investigative resources on the land borders of the United States, enhance investigative resources for anticorruption efforts, intensify efforts against drug smuggling and money-laundering organizations, process cargo, reduce commercial and passenger traffic waiting times, and open all primary lanes during peak hours at certain ports on the Southwest and Northern borders, in addition to any other amount appropriated, there are authorized to be appropriated for salaries, expenses, and equipment for the United States Customs Service for purposes of carrying out this section—

(1) $161,248,584 for fiscal year 2000;

(2) $185,751,328 for fiscal year 2001; and

(3) such sums as may be necessary in each fiscal year thereafter.

(b) USE OF CERTAIN FISCAL YEAR 2000 FUNDS.—Of the amounts authorized to be appropriated under subsection (a)(1) for fiscal year 2000 for the United States Customs Service, $48,404,000 shall be available until expended for acquisition and other expenses associated with implementation and full deployment of narcotics enforcement and cargo processing technology along the land borders of the United States, including—

(1) $6,000,000 for 8 Vehicle and Container Inspection Systems (VACIS);

(2) $11,000,000 for 5 mobile truck x-rays with transmission and backscatter imaging;

(3) $12,000,000 for the upgrade of 8 fixed-site truck x-rays from the present energy level of 450,000 electron volts to 1,000,000 electron volts (1–MeV);

(4) $7,200,000 for 8 1–MeV pallet x-rays;

(5) $1,000,000 for 200 portable contraband detectors (busters) to be distributed among ports where the current allocations are inadequate;

(6) $600,000 for 50 contraband detection kits to be distributed among border ports based on traffic volume and need as identified by the Customs Service;

(7) $500,000 for 25 ultrasonic container inspection units to be distributed among ports receiving liquid-filled cargo and ports with a hazardous material inspection facility, based on need as identified by the Customs Service;

(8) $2,450,000 for 7 automated targeting systems;

(9) $360,000 for 30 rapid tire deflator systems to be distributed to those ports where port runners are a threat;

(10) $480,000 for 20 Portable Treasury Enforcement Communications System (TECS)

terminals to be moved among ports as needed;

(11) $1,000,000 for 20 remote watch surveillance camera systems at ports where there are suspicious activities at loading docks, vehicle queues, secondary inspection lanes, or areas where visual surveillance or observation is obscured, based on need as identified by the Customs Service;

(12) $1,254,000 for 57 weigh-in-motion sensors to be distributed among the ports on the Southwest border with the greatest volume of outbound traffic;

(13) $180,000 for 36 AM radio ''Welcome to the United States'' stations, with one station to be located at each border crossing point on the Southwest border;

(14) $1,040,000 for 260 inbound vehicle counters to be installed at every inbound vehicle lane on the Southwest border;

(15) $950,000 for 38 spotter camera systems to counter the surveillance of Customs inspection activities by persons outside the boundaries of ports where such surveillance activities are occurring;

(16) $390,000 for 60 inbound commercial truck transponders to be distributed to all ports of entry on the Southwest border;

(17) $1,600,000 for 40 narcotics vapor and particle detectors to be distributed to each border crossing on the Southwest border; and

(18) $400,000 for license plate reader automatic targeting software to be installed at each port on the Southwest border to target inbound vehicles.

(c) USE OF CERTAIN FUNDS AFTER FISCAL YEAR 2000.—Of the amounts authorized to be appropriated under paragraphs (2) and (3) of subsection (a) for the United States Customs Service for fiscal year 2001 and each fiscal year thereafter, $4,840,400 shall be for the maintenance and support of the equipment and training of personnel to maintain and support the equipment described in subsection (b), based on an estimate of 10 percent of the cost of such equipment.

(d) USE OF FUNDS FOR NEW TECHNOLOGIES.—

(1) IN GENERAL.—The Commissioner of Customs may use the amounts authorized to be appropriated for equipment under this section for equipment other than the equipment specified in subsection (b) if such other equipment—

(A)(i) is technologically superior to the equipment specified in subsection (b); and

(ii) will achieve at least the same results at a cost that is the same or less than the equipment specified in subsection (b); or

(B) can be obtained at a lower cost than the equipment authorized in paragraphs (1) through (18) of subsection (b).

(2) TRANSFER OF FUNDS.—Notwithstanding any other provision of this section, the Commissioner of Customs may reallocate an amount not to exceed 10 percent of the amount specified in paragraphs (1) through (18) of subsection (b) for any other equipment specified in such paragraphs.

(e) PEAK HOURS AND INVESTIGATIVE RESOURCE ENHANCEMENT.—Of the amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) for the United States Customs Service for fiscal years 1999 and 2000, $112,844,584 in fiscal year 2000 and $180,910,928 for fiscal year 2001 shall be for—

(1) a net increase of 535 inspectors and 60 special agents for the Southwest border and 375 inspectors for the Northern border, in order to open all primary lanes on the Southwest and Northern borders during peak hours and enhance investigative resources;

(2) a net increase of 285 inspectors and canine enforcement officers to be distributed at large cargo facilities as needed to process and screen cargo (including rail cargo) and reduce commercial waiting times on the land borders of the United States;

(3) a net increase of 360 special agents, 40 intelligence analysts, and additional resources to be distributed among offices that have jurisdiction over major metropolitan drug or narcotics distribution and transportation centers for intensification of efforts against drug smuggling and money-laundering organizations;

(4) a net increase of 50 positions and additional resources to the Office of Internal Affairs to enhance investigative resources for anticorruption efforts; and

(5) the costs incurred as a result of the increase in personnel hired pursuant to this section.

Mr. MCCAIN. Mr. President, I am pleased to be an original co-sponsor of the Border Improvement and Immigration Act of 1999. I co-sponsored identical legislation that passed the Senate during the 105th Congress but did not become law. It is my hope that the Senate will once again move quickly on this legislation so that we may properly address the concerns of the many Americans who would be adversely affected by the ill-timed implementation of the automated entry-exit border control system mandated by immigration legislation passed by the 104th Congress.

Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, codified as Public Law 104–208, required that the Attorney General develop within two years an automated entry-exit control system to allow for a better estimate of the number of visa overstayers in the United States. This system would be designed to collect records of arrival and departure for all aliens in the United States, thereby theoretically enabling the Attorney General to identify lawfully admitted non-immigrants who remain in this country beyond an authorized period.

I have long been sympathetic to the concern of border communities and businesses that implementation of Section 110 by the statutory deadline of September 30, 1998, would severely disrupt trade and travel across America's borders. The governors of Arizona, Texas, and New Mexico, the Border Trade Alliance, and numerous businesses operating in the border region have contacted me to express their reservations about the consequences of implementing such a system. Even Section 110's most adamant advocates concede that the Administration has neither budgeted for nor begun to put in place the physical and technological infrastructure required to activate a system capable of monitoring the arrival and departure of every alien entering and departing the United States.

It has been estimated that the amount of information to be recorded in the database of such an automated entry-exit system would be larger than that held by the Library of Congress, the largest physical repository of information in the world. Clearly, it would be disastrous to implement Section 110 before we are capable of making it work.

Given these reservations, I wrote Attorney General Janet Reno on January 14, 1998, to highlight the potentially harmful impact of the statutory deadline for implementation of Section 110 on Arizona's border communities. I also sponsored S. 1360, the Border Improvement and Immigration Act of 1998, to require a feasibility study of Section 110 before it is implemented. Ultimately, the 105th Congress addressed this issue in the Fiscal Year 1999 Omnibus Appropriations bill.

After learning that conferees to the bill were considering delaying implementation of the automated entry-exit system on the southwest border for only one year, while indefinitely delaying or even removing its applicability to the northern border, I initiated a letter with Senator KYL to the House and Senate conferees urging them to delay implementation of the program by 30 months for both borders. Ultimately, the conferees agreed to this 30-month delay. I was gratified that the final version of the FY 1999 Omnibus bill reflected our request not to discriminate against the southwest border by imposing a deadline for installation of an entry-exit system that could not realistically be met.

Like other provisions of the FY 1999 Omnibus Appropriations bill, however, this compromise on Section 110 was a quick fix, not a lasting solution. The language in the bill setting a new deadline for implementation of an automated entry-exit system was designed to prevent the Immigration and Naturalization Service from being in technical violation of the law by failing to carry out the mandate of Section 110 by the 1998 deadline. The extension of that deadline by 30 months provides Congress with the opportunity to more thoughtfully assess the long-term feasibility of an automated entry-exit system for all ports of entry into the United States.

The Border Improvement and Immigration Act of 1999 would indefinitely extend the deadline for implementation of Section 110 and require a detailed feasibility study to determine how and whether the requirement can ultimately be met. The legislation would also authorize substantial new resources for INS and Customs Service border enforcement activities. Specifically, it would authorize the expenditure of $588 million over the next two years to enhance border enforcement against illegal immigration and drug trafficking, as well as investigate corruption and money-laundering along the border; add 1,200 new INS inspectors, canine enforcement officers, intelligence analysts, and investigators to bolster enforcement against illegal aliens and narcotics trafficking; and

add 1,700 new Customs inspectors, special agents, intelligence analysts, and canine enforcement officers to man ports of entry and investigate criminal activity along the border.

The legislation would also provide the high-technology tools, including x-ray, ultrasonic, motion-detecting, remote-watch, and particle-detector sensors, that will enable INS and Customs officials to more effectively interdict narcotics and illegal immigrants. Finally, it would enhance investigative resources for border enforcement and anti-corruption efforts, intensify efforts against drug smuggling and money-laundering organizations, allow for more rapid cargo processing, and reduce commercial and passenger traffic waiting times at ports of entry.

As a founding member and Co-Chairman of the Senate Border Caucus, whose priorities include improving border enforcement and facilitating U.S. trade with Mexico, I believe this bill advances our national interest in better controlling our nation's borders without unduly hindering flows of cross-border trade and travel. The Border Improvement and Immigration Act of 1999 deserves this Congress' support.

Mr. GRAMS. Mr. President, I join Senator ABRAHAM, Chairman of the Judiciary Immigration Subcommittee, Mr. President. Minnesota and Michigan are two states which share a common border with Canada, and so I am proud to join my colleague, Senator ABRAHAM as co-sponsor of his bill to ensure Canada will continue to receive current treatment of its traveling citizens by requiring a feasibility study of Section 110 of the IIRIRA bill. There has been great concern, especially in Minnesota as to how the immigration law we passed in 1996 will affect the northern U.S. border. Right now the fear is the law is being misinterpreted by the Immigration and Naturalization Service.

Minnesota has about 817 miles of shared border with Canada and we share many interests with our northern neighbor—tourism, trade and family visits among the most prevalent. In the last few years, passage back and forth over the Minnesota/Canadian border has been more open and free flowing, especially since the North American Free Trade Agreement (NAFTA) went into effect. There were 116 million travelers entering the U.S. from Canada in 1996 over the land border. As our relationship with Canada is increasingly interwoven, we have sought a less restrictive access to each country.

The Immigration Bill of 1996 was intended to focus on illegal aliens entering this country from Mexico and living in the United States illegally. The new law states that ''every alien'' entering and leaving the United States would have to register at all the borders—land, sea and air. The Immigration and Naturalization Service was tasked with the effort to set up automated pilot sites along the border to discover the most effective way to implement this law, which was to become effective on September 30, 1998.

The INS was quietly going about establishing a pilot site on the New York State border when the reality sunk in. A flood of calls from constituents came into the offices of all of us serving Canadian border states. Canadian citizens and the Canadian government, also, registered opposition to this new restriction. It became quite clear that no one had considered how the new law affected Canada. Current law already waives the document requirement for most Canadian nationals, but still requires certain citizens to register at border crossings. That system has worked. There have been very few problems at the northern border with drug trafficking and illegal aliens.

In an effort to resolve this situation, I joined other Senators in a letter to INS Commissioner Meissner asking for her interpretation of this law. Other bills were introduced addressing this issue in the last Congress and action was taken extending the implementation of this Section until March 30, 2001.

However, today, we must make it very clear that Congress did not intend to impose additional documentary requirements on Canadian nationals; Senator ABRAHAM's bill will restore our intent.

This legislation will not precipitously open the flood gates for illegal aliens to pass through—it will still require those who currently need documentation to continue to produce it and remain registered in a new INS system. This will allow the INS to keep track of that category of non-immigrant entering our country to ensure they leave when their visas expire. Senator ABRAHAM's bill will not unfairly treat our friends on the Canadian side that have been deemed not to need documentation—they will still be able to pass freely back and forth across the border.

But this bill will enable us to avoid the huge traffic jams and confusion which would no doubt occur if every alien was to be registered in and out of the U.S. Such registration would discourage trade and visits to our country. It would delay shipments of important industrial equipment, auto parts, services and other shared ventures that have long thrived along the northern border. It will discourage the economic revival that northern Minnesotans are experiencing, helped by Canadian shoppers and tourists.

Mr. President, I do not believe Congress intended to create this new mandate. We sought to keep illegal aliens and illegal drugs out, not our trading partners and visiting consumers. Through the Abraham bill, we will still do that while keeping the door opened to our neighbors from the north. The bill is good foreign policy, good public policy and good economic policy. We all will benefit while retaining our ability to keep track of non-immigrants who enter our borders.

Mr. President, I thank Senator ABRAHAM for his leadership on this important matter. Many Minnesotans, through letters, calls and personal appeals, have showed their opposition to a potential crisis. This is, also, an unacceptable burden on our Canadian neighbors and those who depend upon their free access that effects the economics of all border states.

By Mr. LEVIN (for himself, Mr. THOMPSON, Mr. VOINOVICH, Mr. ROBB, Mr. ABRAHAM, Mr. ROCKEFELLER, Mr. ROTH, Mr. DASCHLE, Mr. STEVENS, Mr. MOYNIHAN, Mr. COCHRAN, Mr. BREAUX, Mr. FRIST, Mr. ENZI, Mr. GRAMS, Mr. GRASSLEY, and Mrs. LINCOLN):

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; to the Committee on Governmental Affairs.

THE REGULATORY IMPROVEMENT ACT

Mr. LEVIN. Mr. President, today I am introducing, along with Senator THOMPSON, the Regulatory Improvement Act of 1999. This is the same legislation we developed in the last Congress, and it includes the changes we agreed to last year with the Administration. This is the legislation the President has agreed to sign if we present it to him in this form. And I am hopeful we can get it to him this year and get these important processes enacted into law. Senator THOMPSON and I are pleased to be joined in this effort by Senators VOINOVICH, ROBB, ABRAHAM, ROCKEFELLER, ROTH, DASCHLE, STEVENS, MOYNIHAN, COCHRAN, BREAUX, FRIST, ENZI, GRAMS, GRASSLEY, and LINCOLN.

The Regulatory Improvement Act would put into law basic requirements for cost-benefit analysis and risk assessment of major rules and executive oversight of the rulemaking process.

Mr. President, I've fought for regulatory reform since 1979, the year I came to the Senate. As for an overall regulatory reform bill, I've supported such legislation since 1980, when the Senate first passed S. 1080, the Laxalt Leahy bill only to have it die later that year in the House. Those of us who believe in the benefits of regulation to protect health and safety have a particular responsibility to make sure that regulations are sensible and cost-effective. When they aren't, the regulatory process—which is so vital to our health and well being—comes under constant attack and the regulations which we count on to protect us fail to achieve the maximum effectiveness.

We miss the opportunity to do more with the resources we have. By requiring a regulatory process that is open and requires agencies to use good science and common sense, we immunize that process from attack and improve the quality of our regulations.

Based on the principles of better cost-benefit analysis and risk assessment, more flexibility for the regulated industries to reach legislative goals in a variety of ways, more cooperative efforts between government and industry and less ''us versus them'' attitudes, Senator THOMPSON and I, in cooperation with the Administration, have developed this bill.

Let me highlight some important features of this legislation.

The bill would put into statute requirements for cost-benefit analysis and risk assessment of major rules and executive oversight of the rulemaking process. It requires agencies to do a cost-benefit analysis when issuing rules that cost $100 million, or are otherwise designated by the Administrator of the Office of Information and Regulatory Affairs (OIRA) as having other significant impacts. The agency must determine whether the benefits of the rule justify its costs; whether the rule is more cost-effective, or provides greater net benefits, than other regulatory options considered by the agency; and whether the rule adopts a flexible regulatory option. If the agency determines that the rule does not do so, the agency is required to explain the reasons why it selected the rule, including any statutory provision that required the agency to select the rule.

We say right from the beginning, in the section on findings, that cost-benefit analysis and risk assessment are useful tools to help agencies issue reasonable regulations. However, as we explicitly state, they do not replace the need for good judgment and the agencies' consideration of social values in deciding when and how to regulate.

The bill requires an agency issuing a major rule to evaluate the benefits and costs of a ''reasonable number of reasonable alternatives reflecting the range of regulatory options that would achieve the objective of the statute as addressed by the rulemaking.'' The bill doesn't require an agency to look at all the possible alternatives, just a reasonable number; but it does require the agency to pick a selection of options that are available to it within the range of the rulemaking objective.

We define benefits very broadly. Nothing in this bill suggests that the only benefits assessed by an agency should be quantifiable. On the contrary, this bill explicitly recognizes that many important benefits may be nonquantifiable, and that agencies have the right and authority to fully consider such benefits when doing the cost-benefit analysis and when determining whether the benefits justify the costs.

If the rule involves a risk to health, safety or the environment, the bill requires the agency to do a quality risk assessment to analyze the benefits of the rule. All required risk assessments and cost-benefit analyses for rules costing $500 million would undergo independent peer review. During the cost-benefit analysis and risk assessment, the rulemaking agency is required to consider substitution risks—that is, risks that could be expected to result from the implementation of the regulatory option selected by the agency—and to compare the risk being regulated with other risks with which the public may be familiar.

The risk assessment requirement establishes basic elements for performing risk assessments, many of which will provide transparency for an agency's development of a rule, and it requires guidelines for such assessments to be issued by OIRA in consultation with the Office of Science and Technology Policy.

Peer review is required by this bill for both cost-benefit analyses and risk assessments, but only once per rule. Peer review is not required at both the proposed and final rule stages.

The cost-benefit analysis, cost-benefit determinations, and risk assessment are required to be included in the rulemaking record and to be considered by the court, to the extent relevant, only in determining whether the final rule is arbitrary and capricious. In addition, if the agency fails to perform the cost-benefit analysis, risk assessment or peer review, the court may remand or invalidate the rule, giving due regard to prejudicial error, and in any event shall order the agency to perform the missing assessment or analysis.

The bill codifies the review procedure now conducted by the Office of Information and Regulatory Affairs (OIRA) and requires public disclosure of OIRA's review process.

Finally, the bill requires the Director of OMB to contract for a study on the comparison of risks to human health, safety and the environment and a study to develop a common basis for risk communication with respect to carcinogens and noncarcinogens and the incorporation of risk assessments into cost-benefit analyses.

Mr. President, the cost-benefit analyses and risk assessments required by the bill are intended to be transparent to the public. Agencies should not hide the important information that forms the basis of their regulatory actions.

Another important provision of this bill is the one that requires the agency to make a reasonable determination whether the benefits of the rule justify the costs and whether the regulatory option selected by the agency is substantially likely to achieve the objective of the rulemaking in a more cost effective manner or with greater net benefits than the other regulatory options considered by the agency. This is not in any way a decisional criteria that the agency must meet. If, as the agency is free to do, it chooses a regulatory option where the benefits do not justify the costs or that is not more cost effective or does not provide greater net benefits than the other options, the agency is required to explain why it did what it did and list the factors that caused it to do so. Those factors could be a statute, a policy judgment, uncertainties in the data and the like. There is no added judicial scrutiny of a rule provided for or intended by this section. The final rule must still stand or fall based on whether the court finds that the rule is arbitrary or capricious in light of the whole rulemaking record. That is the current standard of judicial review.

The bill says that if an agency ''cannot'' make the determinations required by the bill, it has to say why it can't. Use of the word ''cannot'' does not mean that an agency rule can be overturned by a court for its failure to pick an option that would permit the agency to make the determinations required by the bill. The agency is free to use its discretion to regulate under the substantive statute, and there is no implication that such rule must meet the standards described in the determinations subsection. This legislation requires only that the agency be up front with the public as to just how cost-beneficial and cost-effective its regulatory proposal is.

Judicial review has been of great concern to those of us who want real regulatory reform without bottling up important regulations in the courts. There is no judicial review permitted of the cost-benefit analysis or risk assessment required by this bill outside of judicial review of the final rule. The analysis and assessment are included in the rulemaking record, but there is no judicial review of the content of those items or the procedural steps followed or not followed by the agency in the development the analysis or assessment. Only the total failure to actually do the cost-benefit analysis or risk assessment would allow the court to remand the rule to the agency.

Finally, as I noted, the bill reflects agreement with the Administration. Among the key aspects of that agreement are added clarification on the avoidance of a so-called ''supermandate;'' clarification of the provisions for peer review; and deletion of provisions that would have required periodic reviews of existing rules.

So those are some highlights. A hearing on the bill in the Governmental Affairs Committee is planned for April.

We are pleased that we have the support of the state and local government organizations, namely the National Governor's Association, the National League of Cities, the Council of State Governments, the National Conference

of State Legislatures, the U.S. Conference of Mayors, and the National Association of Counties, as well as dozens of business organizations, the school boards, state environmental directors, and leading experts and scholars across the country.

I feel strongly that this bill will improve the regulatory process, will build confidence in the regulatory programs that are so important to this society's well-being, and will result in better, more protective regulations because we will be directing our resources in more cost-effective ways.

I thank Senator THOMPSON and his staff, Paul Noe, for their persistent and hard work in keeping this effort going. I ask unanimous consent that the July 15, 1998, letter to me from Jacob Lew, Director of OMB, be included in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, July 15, 1998.

Hon. CARL LEVIN,
Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: Thank you for your letter of July 1, 1998, in which you respond to the views on S. 981 that we expressed in former OMB Director Frank Raines' letter of March 6, 1998.

President Clinton has been a strong supporter of responsible regulatory reform. In addition to signing into a law a number of important pieces of reform legislation, he and Vice President Gore are taking a wide range of administrative steps to improve the regulatory process. For example, under the guidance of Executive Order 12866, agencies are developing flexible performance standards and using market incentives whenever possible; are applying benefit-cost analysis to achieve objectives in the most cost-effective manner; and are reaching out to the affected parties, particularly our State and local partners, to understand better the intended and unintended consequences of a proposed regulatory action. Under the leadership of the Vice President's National Partnership for Reinventing Government, agencies are improving delivery of services, reducing red tape, and reforming practices to focus on customer service. The Administration's goal in these actions is to streamline and reduce the burden of government on its citizens, improve services, and restore the basic trust of public in its government.

The debate on comprehensive regulatory reform legislation is one that has sparked great passion and has provoked, as you aptly note in your letter, ''distrust and friction among the interested parties.'' We heartily agree with you that, to say the least, ''[t]he path to this point has not been easy.'' In part, this has been the result of earlier versions of this legislation proposed by others that sought not to improve the nation's regulatory system, but to burden and undermine it. In a variety of ways these bills would have created obstacles and hurdles to the government's ability to function effectively and to protect the health, safety, and environment of its citizens. In particular, these bills would have created a supermandate, undoing the many protections for our citizens that are carefully crafted into specific statutes. In addition, strict judicial review and complex analytic, risk assessment, peer review, and lookback provisions would have hampered rather than helped the government's ability to make reasonable decisions and would have opened the door to new rounds of endless litigation.

We appreciate your thoughtful efforts over the past year to respond to issues that we and others have raised. In your latest letter you continue to take seriously our concerns. Indeed, the changes you indicate that you are willing to make would resolve our concerns, and if the bill emerges from the Senate and House as you now propose, with no changes, the President would find it acceptable and sign it.

I should note, however, that our experience with past efforts to resolve these differences suggests that good ideas and the resolution of differences can be destroyed during the long process at getting a bill to the President's desk, and the nuances and balance that we have all sought in this legislation could be easily disrupted. Many of the terms used carry great meaning, and further modification is likely to renew the concerns that have animated our past opposition to bills of this type. Accordingly, we look forward to working with you to ensure that any bill the Congress passes on this subject is fully consistent with the one on which we have reached agreement.

Sincerely,

JACOB J. LEW,
Acting Director.

Mr. THOMPSON. Mr President, I am pleased to join Senator LEVIN and a bipartisan group of our colleagues in introducing legislation to promote smarter regulation by the federal government. The Regulatory Improvement Act is an effort by many of us who want to improve the quality of government to find a common solution. I am pleased that we are introducing this bill with Senators VOINOVICH, ROBB ABRAHAM, ROCKEFELLER, ROTH, DASCHLE, STEVENS, MOYNIHAN, COCHRAN, BREAUX, FRIST, LINCOLN, ENZI, GRAMS, and GRASSLEY. The supporters of this bill represent a real diversity of political viewpoints, but we share the same goals. We want an effective government that protects public health, well-being and the environment. We want our government to achieve those goals in the most sensible and efficient way possible. We want to do the best we can with what we've got, and to do more good at less cost if possible. The Regulatory Improvement Act will help us do that.

The Regulatory Improvement Act is based on a simple premise: people have a right to know how and why government agencies make their most important and expensive regulatory decisions. This legislation also will improve the quality of government decision making—which will lead to a more effective Federal government. And it will make government more accountable to the people it serves.

The Regulatory Improvement Act will require the Federal government to make better use of modern decision-making tools (such as risk assessment and benefit-cost analysis), which are currently under-used. Right now, these tools are simply options—options that aren't used as much or as well as they should be. Under this legislation, agencies will carefully consider and disclose the benefits and costs of different regulatory alternatives and seek out the smartest, most flexible solutions. This legislation also will help the Federal government set smarter priorities—to better focus money and other resources on the most serious problems.

This legislation not only gives people the right to know; it gives them the right to see—to see how the government works, or how it doesn't. And by providing people with information the government uses to make decisions, it gives people a real opportunity to influence those decisions. The bill empowers people and their State and local officials to provide input into the Federal rulemaking system. It will make the Federal government more mindful of how unfunded mandates can burden communities and interfere with local priorities. That is why our governors, mayors, state legislators, and county officials support the Regulatory Improvement Act.

We have worked hard to build a solid foundation for smarter regulatory decisionmaking. Last March, the Governmental Affairs Committee favorably reported the Regulatory Improvement Act, then S. 981, by a 10–5 vote. At the time of the markup, the Administration sent a letter to me and Senator LEVIN expressing a number of concerns with the bill. We worked to resolve those concerns, which largely involved adding clarifying language to the bill. In addition, some sections of the bill were modified, and a couple were dropped. On July 15, Jack Lew, the Director of OMB, sent us a letter on behalf of the Administration. The letter states that the President supports the legislation. I am pleased that the White House recognizes the importance of the legislation to deliver the effective and efficient regulatory system that the American people expect and deserve.

This legislation will add transparency to the current rulemaking process, raise the quality of regulatory analyses so smarter decisions can be made, and help expedite important safeguards—to reduce risks and save lives. It will help us get more of the good things sensible regulation can deliver. That's why the Regulatory Improvement Act has broad bipartisan support and is endorsed by state and local officials, government reformers and scholars, small business owners, farmers, corporate leaders, and school board members. I look forward to working with my colleagues to pass this much-needed legislation.

Mr. President, I ask unanimous consent that letters of support from the National Governors' Association, the

National League of Cities, the Council of State Governments, the National Conference of State Legislatures, the U.S. Conference of Mayors, and the National Association of Counties be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS ASSOCIATION,
March 24, 1999.

Hon. FRED D. THOMPSON,
U.S. Senate, Washington, DC.
Hon. CARL LEVIN,
U.S. Senate, Washington, DC.

DEAR SENATORS THOMPSON AND LEVIN: The nation's Governors support the ''Regulatory Improvement Act of 1999.'' The proposed legislation would greatly assist the state and local governments in assessing the costs and benefits of major regulations. This bill would lead to improved quality of federal regulatory programs and rules, increase federal government accountability, and encourage open communication among federal agencies, state and local governments, the public, and Congress regarding federal regulatory priorities.

We applaud your efforts to encourage greater accountability with regard to the burden of costly federal regulations on state and local governments. The changes proposed would, we believe, benefit all of our taxpayers and constituents. We look forward to working with you in securing enactment of this legislation.

Sincerely,

GOVERNOR THOMAS R. CARPER.
GOVERNOR MICHAEL O. LEAVITT

NATIONAL LEAGUE OF CITIES,
March 24, 1999.

Hon. FRED THOMPSON,
U.S. Senate, Washington, DC.

DEAR SENATOR THOMPSON: The National League of Cities (NLC) applauds your efforts in introducing the Regulatory Improvement Act. NLC represents 135,000 mayors and council members from municipalities across the country. Over 75 percent of our members are from small cities and towns with populations of less than 50,000. Costly regulations without and science or significant benefits to health and safety are detrimental and burdensome to cities and towns.

Local governments could reap substantial benefits from the improvements in the regulatory process that are included in this legislation. These improvements would help municipal officials avert preemptive and costly regulations that are placed on local governments and gain a more powerful voice in the regulatory rulemaking process. The National League of Cities strongly supports enforceable cost-benefit analysis and relative risk assessment for actions by federal agencies that significantly impact state and local governments.

The Regulatory Improvement Act would also clarify the intent of the 1995 Unfunded Mandates Reform Act (UMRA) by requiring agencies to develop an effective process for local input into the development of regulatory proposals and prevent regulatory proposals that contain significant unfunded federal mandates. This type of partnership could save cities millions of dollars in burdensome regulation and assist the federal government in gaining community buy-in when regulation is necessary.

The Regulatory Improvement Act will provide a means for testing costs of future regulation on local governments with oversight by the Office of Information and Regulatory Affairs. While the 1995 Unfunded Mandates Reform Act makes great strides towards helping local governments prevent costly regulations, now is the time to clarify the law to provide for cost-benefit analysis and risk assessment. If your staff has any questions, please have them contact Kristin Cormier, NLC Legislative Counsel.

Sincerely,

CLARENCE E. ANTHONY,
President, Mayor, South Bay, FL.

THE COUNCIL OF STATE GOVERNMENTS,
WASHINGTON OFFICE,
March 25, 1999.

Hon. FRED THOMPSON,
U.S. Senate, Washington, DC.
Hon. CARL LEVIN,
U.S. Senate, Washington, DC.

DEAR SENATORS: The Council of State Governments (CSG) supports your introduction of the Regulatory Improvement Act. This bill would codify requirements that would compel the federal government to consider the impact and costs of new and current regulations on state and territorial governments, as well as gain the input of local, state, and tribal governments in the regulatory process. CSG represents a national constituency composed of state and territorial elected officials from all three branches of government. Costly regulations without sound science or significant benefits to health and safety are detrimental and burdensome to the jurisdictions administered by our members.

State governments could reap substantial benefits through improvements in the regulatory process included in this legislation. These improvements would help state officials avert preemptive and costly regulations that are placed on state governments and gain a more powerful voice in the federal regulatory rulemaking process. The Council of State Governments strongly supports enforceable cost-benefit analysis and relative risk assessments for every action by any and every federal agency that significantly impacts state and local governments.

The Regulatory Improvement Act could clarify the intent of the 1995 Unfunded Mandates Reform Act (UMRA). By expanding on UMRA language to require federal agencies to develop an effective process to permit meaningful and timely input from elected state, local and tribal government into the development of federal regulatory proposals containing significant intergovernmental mandates, state governments will be enabled to make the case that certain costs currently being arbitrarily imposed upon them are truly unnecessary and overly burdensome. This type of partnership between the federal and state governments will benefit both parties by saving the states millions of dollars, while simultaneously ensuring community ''buy-in'' when federal regulations are necessary.

The Regulatory Improvement Act will provide a means for testing costs of future regulation on state governments with oversight by the Office of Information and Regulatory Affairs. While the 1995 Unfunded Mandates Reform Act makes great strides towards helping local governments prevent costly regulations, now is the time to clarify the law to account for cost benefit analysis and risk assessment.

Sincerely,

GOVERNOR TOMMY G. THOMPSON,
State of Wisconsin,
President, CSG.
SENATOR KENNETH D. MCCLINTOCK,
Chairman, CSG.

NATIONAL CONFERENCE OF STATE LEGISLATURES,
March 25, 1999.

Hon. FRED THOMPSON,
Chairman.
Hon. CARL LEVIN,
Washington, DC.

DEAR CHAIRMAN THOMPSON AND SENATOR LEVIN: I am writing to offer the strong support of the National Conference of State Legislatures for legislation you will soon introduce that will require cost-benefit analyses and risk assessments for federal regulations that impact state and local governments. This legislation builds on executive order 12866 by codifying many of its provisions. The analyses and assessments included in your legislation are essential for ensuring that government resources are utilized to produce maximum benefits for consumers and those who are regulated.

We are pleased that your legislation will institute an early consultation process with state and local government officials and their representatives on proposed regulations that may have significant intergovernmental mandates. We are also reassured that you will include independent agencies in the regulatory consultation and cost-benefits analysis/risk assessment processes. This will widen the potential benefit of your legislation and give state and local governments a consultation opportunity that we have not had under other laws and regulatory processes.

Enactment of both the Regulatory Improvement Act as well as Regulatory Right to Know Act will bolster federalism. Both are a part of a larger federalism agenda that the National Conference of State Legislatures and our state and local government assessment partners are supporting this year.

I appreciate the leadership you are providing by introducing the Regulatory Improvement Act and look forward to working with you to ensure its enactment during the 106th Congress. NCSL will certainly work to build cosponsorship and support for this legislation so that it can be enacted expeditiously.

Sincerely,

WILLIAM T. POUND, *Executive Director.*

THE U.S. CONFERENCE OF MAYORS,
March 25, 1999.

Hon. FRED THOMPSON,
U.S. Senate, Washington, DC.

DEAR SENATOR THOMPSON: On behalf of The U.S. Conference of Mayors, I am writing to express our strong support for the Regulatory Improvement Act (RIA). If enacted, we believe this legislation will greatly improve the way federal agencies develop rules and regulations affecting state and local governments. We are once again delighted that you and Senator Carl Levin will cosponsor this legislation, which enjoys broad bipartisan support.

Since the passage of the Unfunded Mandates Reform Act (UMRA) of 1995, members of Congress have become more sensitive to the cost and the impact of new unfunded mandates on state and local governments. Unfortunately, UMRA has had very little effect on the federal regulatory process. We believe this will change once the Levin-Thompson bill is approved. Each federal agency will be required to conduct a risk assessment and

cost-benefit analysis on all major rules. If they do not, federal courts will have authority to remand or invalidate such rules.

In closing, I want to thank you and Senator Levin for cosponsoring this important legislation. By requiring federal agencies to be more sensitive to the cost and benefit of new rules, we believe the number of costly mandates imposed on state and local governments will be reduced in the future. Be assured that the nation's mayors stand ready to work with you in any way we can to ensure the passage of this legislation. Feel free to contact Larry Jones of the Conference staff if you have any questions.

Sincerely,

DEEDEE CORRADINI,
Mayor of Salt Lake City.

SUPPORTING THE REGULATORY IMPROVEMENT ACT

Whereas, in February 1998, the General Accounting Office released a report that concludes that the Unfunded Mandates Reform Act of 1995, which in part was enacted to limit the ability of federal agencies to impose new costly unfunded mandates on state and local governments, has had only limited impact on federal agencies' rulemaking actions; and

Whereas, state and local leaders are concerned that federal agencies are continuing to impose new costly rules on state and local governments with very little accountability; and

Whereas, in response to the GAO report, Senators Fred Thompson and Carl Levin introduced the Regulatory Improvement Act, a proposal that would require federal agencies to conduct cost-benefit analysis, risk assessment and peer review before issuing any new major rule (costing over $100 million annually or deemed by the Office of Management and Budget to have a significant impact on the economy); and

Whereas, under the proposed legislation federal agencies that issue new rules before conducting the required cost-benefit analysis, risk assessment and peer review would be subjected to judicial review and courts would be required to invalidate such rules; and

Whereas, the bill would require each federal agency to develop an effective process to allow elected representatives of state and local governments to provide meaningful and timely input into the regulatory process consistent with UMRA; now therefore be it

Resolved, That the U.S. Conference of Mayors urges all members of the U.S. Senate to vote in favor of the Regulatory Improvement Act; and be it

Further Resolved that The U.S. Conference of Mayors urges that similar legislation be introduced in the U.S. House of Representatives and urges all members to vote in favor of such legislation.

NACO,
March 24, 1999.

Hon. FRED THOMPSON,
Chair, Senate Committee on Governmental Affairs, Washington, DC.

DEAR SENATOR THOMPSON: On behalf of the National Association of Counties (NACo) I am pleased to express our support for your legislation, The Regulatory Improvement Act. NACo applauds your efforts on behalf of the counties throughout the nation that have for decades faced an ever-increasing number of unfunded regulatory mandates from federal departments and agencies.

NACo supports legislation that would require federal departments and agencies to conduct a cost benefit analysis to determine that the benefits to be derived from issuing a new regulation outweight the costs to state and local government.

Sincerely,

BETTY LOU WARD,
President, NACo,
Commissioner, Wake County, NC.

• Mr. VOINOVICH. Mr. President, I am pleased to join my colleagues as an original co-sponsor of the Regulatory Improvement Act. I commend Senators THOMPSON and LEVIN for their bipartisan work to pass legislation to enable federal regulators to do a better job of protecting public health, safety and the environment. This is the same bill that the Administration, state and local governments and the business community supported last year.

I am a public servant who cares deeply about the needs of our environment and the health and well-being of our citizens. I sponsored legislation to create the Ohio Environmental Agency when I served in the state legislature, and I fought to end oil and gas drilling in the Lake Erie Bed. As Governor, I increased funding for environmental protection by over 60 percent.

However, over the years, I also have become increasingly concerned about the unnecessary and burdensome costs that are imposed on our citizens and state and local governments through federal laws and regulations.

Efforts to address these cost burdens began back in 1994 when I worked with Senators ROTH, GLENN and KEMPTHORNE and the state-local government coalition to draft an unfunded mandates reform bill. We succeeded in passing the Unfunded Mandates Reform Act (UMRA) in the 104th Congress.

Following this success, I worked closely with the state-local government coalition on our next priority—passage of effective safe drinking water reforms—which was enacted with broad bipartisan support in 1996.

These efforts are notable because they represent common-sense reforms that make government more accountable based on public awareness of risks, costs and benefits. These statutes set key precedents for the reforms that are envisioned in the regulatory Improvement Act. In many respects, this bill builds on these achievements. Senator THOMPSON has said that this bill represents phase 2 of UMRA and I strongly agree.

I specifically mention the drinking water program today because of its close similarity to the Regulatory Improvement Act. In both, agencies are required to conduct an analysis of incremental costs and benefits of alternative standards, while providing those agencies with flexibility in making final regulatory decisions.

If we agree that these analytical tools are good enough for the water that we drink, they certainly must be good enough for other regulations.

However, both UMRA and the drinking water amendments have had limited applications. The Regulatory Improvement Act is needed to provide across-the-board cost-benefit analysis and risk assessment procedures at all federal agencies. This bill will result in greater protection of public health and the environment while alleviating cost burdens on state and local governments and the private sector.

GAO reported last year that UMRA has had little effect on the way federal agencies make rulemaking decisions. The report specifically points out that the Regulatory Improvement Act would improve the quality of regulatory analysis. I think it is time that we make federal agencies—not just Congress—accountable for the decisions they make.

While many federal regulations have been well intended, not all have achieved their purpose and many have unnecessarily passed significant burdens onto our citizens and state and local governments.

It is crucial that federal, state and local governments work in partnership to determine how we can best allocate resources for protection of health and the environment. As a nation, we spend vast sums on regulations. A report commissioned by the U.S. Small Business Administration estimates that regulations will cost the economy about $709 billion 1999—more than $7,000 for the average American household.

Unfortunately, this burden on consumers and American businesses has not always resulted in maximum health or environmental protection. At times, it has diverted scarce resources that could be used for other priorities such as education, crime prevention and more effective protection of health and the environment.

The challenge facing public officials today is determining how best to protect the health of our citizens and our environment with limited resources. We need to do a much better job ensuring that regulations' costs bear a reasonable relationship with their benefits, and we need to do a better job of setting priorities and spending our resources wisely.

I believe that the Regulatory Improvement Act will help achieve these goals. First, I believe this bill will increase the public's knowledge of how and why agencies make major rules. In essence, this bill asks regulatory agencies to answer several simple, but vital questions: What is the nature of the risk being considered? What are the benefits of the proposed regulation? How much will it cost? And, are there better, less burdensome ways to achieve the same goals?

I am particularly pleased that the bill provides opportunities for state and local government officials to consult with agencies as rules are being developed so that regulators are more sensitive to state and local needs and

the burden of unfunded mandates. This only makes sense since states and local governments often have the responsibility of implementing and enforcing these regulations.

Second, requiring federal agencies to conduct cost-benefit analyses, publish those results, disclose any estimates of risks and explain whether any of these factors were considered in finalizing rules will increase government accountability to the people it serves.

And finally, this bill will improve the quality of government decision-making by allowing the government to set priorities and focus on the worst risks first. Careful thought, reasonable assumptions, peer review and sound science will help target problems and find better solutions.

This bill does not mandate outcomes, but it does impose common-sense discipline and accountability in the rulemaking process. I think it is time to move forward with this bipartisan measure.●

By Mrs. HUTCHISON:

S. 747. A bill to amend title 49, United States Code, to promote rail competition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SURFACE TRANSPORTATION BOARD REAUTHORIZATION AND RAIL SERVICE IMPROVEMENT ACT

Mrs. HUTCHISON. Mr. President, I rise to introduce the Surface Transportation Board Reauthorization and Improvement Act of 1999.

My highest priority as chairman of the Surface Transportation Subcommittee of the Commerce Committee this year is to pass a re-authorization bill—one that provides some ability for shippers to obtain improved service and rates, while maintaining the ability of railroads to make a return and, indeed, grow.

The bill I am introducing seeks to improve competition and the procedures at the Board that shippers and carriers rely upon to adjudicate their rate disputes. At the same time, it recognizes the need for the railroad industry to maintain sound financial footing, capable of maintaining the railroad infrastructure.

Last year, at the behest of Chairman MCCAIN and me, the Board initiated a hearing process on competition issues and developed an extensive record on these issues. Specifically, the Board held two days of hearings and received testimony from 60 witnesses. It heard shipper complaints of inadequate service, higher rates, and concentration in the railroad industry. The Board also listened to carriers who stressed that, especially in a growing economy, capacity and infrastructure investment is the key to meeting their customers' needs.

In addition, the Board held a hearing in December at my request on the proposals offered by Houston shippers, the Greater Houston Partnership and the Railroad Commission of Texas.

As a result of these hearings, the Board has done what is within its authority to help shippers obtain some relief. It undertook two important rulemakings. One provides for alternative rail availability during a service failure. The other streamlines rail rate cases by dispensing with consideration of ''product and geographic competition'' in determining market dominance for rate cases.

I commend the Board for making these rules, and —frankly—for going no further. It's refreshing to find a regulatory body that does not attempt to develop a new policy in the absence of Congressional guidance.

This bill picks up where the Board's actions left off. First, it codifies the Board's decision to streamline the market dominance test and the procedure for providing alternative rail availability during a service failure. Second, it begins the process of reforming the procedure that small shippers use for rate cases. A recent GAO report highlights the cost, in time and money, of the current process.

This bill also sets into motion changes in the Board's revenue adequacy finding, making it a more helpful and real-world standard. It balances the bottleneck issue, enhances the Board's emergency powers and establishes an arbitration system that could lead to better shipper-carrier dialogue. Finally, it clarifies, in a balanced way and without dictating specific outcomes, that competition remains part of the rail merger and national rail policy of this country.

It is clear that Congress has a job to do in re-authorizing the Surface Transportation Board and addressing some of the difficult issues associated with it. This bill is a first step. I want to strongly convey that I do not see it as a final product. While I view it as fair to all parties, I am ready to consider changes to improve the bill and ensure its enactment. To that end, I encourage my colleagues to work with me toward the common purpose of reauthorizing the Board and making some common sense improvements.

I ask unanimous consent to have the bill printed in the RECORD.

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

S. 747

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 ''Surface Transportation Board Reauthorization and Improvement Act of 1999''.

SEC. 2. PROMOTION OF COMPETITION WITHIN THE RAIL INDUSTRY.

Section 10101 of title 49, United States Code, is amended by—

(1) redesignating paragraphs (1) through (7) as paragraphs (2) through (8);

(2) inserting before paragraph (2), as redesignated, the following:

''(1) to encourage and promote effective competition within the rail industry;'';

(3) striking ''revenues,'' in paragraph (4), as redesignated, and inserting ''revenues to ensure appropriate rail infrastructure;'';

(4) redesignating paragraphs (8) through (15) as paragraphs (10) through (17); and

(5) inserting before paragraph (10), as redesignated, the following:

''(9) to discourage artificial barriers to interchange and car supply which can impede competition between shortline, regional, and Class I carriers and block effective rail service to shippers;''.

SEC. 3 EXTENSION OF TIME LIMIT ON EMERGENCY SERVICE ORDERS.

Section 11123 of title 49, United States Code, is amended by—

(1) striking ''30'' in subsection (a) and inserting ''60'';

(2) striking ''30'' in subsection (c)(1) and inserting ''60''; and

(3) adding at the end of subsection (c) the following:

''(4) The Board may provide up to 2 extensions, totalling not more than 180 days, of the 240-day period under paragraph (1).''.

SEC. 4. PROCEDURAL RELIEF FOR SMALL RATE CASES.

(a) DISCOVERY LIMITED.—Section 10701(d) of title 49, United States Code, is amended by—

(1) inserting ''(A)'' in paragraph (3) before ''The Board''; and

(2) adding at the end thereof the following:

(''(B) Unless the Board finds that there is a compelling need to permit discovery in a particular proceeding, discovery shall not be permitted in a proceeding handled under the guidelines established under subparagraph (A).''.

(b) ADMINISTRATIVE RELIEF.—Not later than 180 days after the date of enactment of this Act, the Surface Transportation Board shall—

(1) review the rules and procedures applicable to rate complaints and other complaints filed with the Board by small shippers;

(2) identify any such rules or procedures that are unduly burdensome to small shippers; and

(3) take such action, including rulemaking, as is appropriate to reduce or eliminate the aspects of the rules and procedures that the Board determines under paragraph (2) to be unduly burdensome to small shippers.

(c) LEGISLATIVE RELIEF.—The Board shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives if the Board determines that additional changes in the rules and procedures described in subsection (b) are appropriate and require commensurate changes in statutory law. In making that notification, the Board shall make recommendations concerning those changes.

SEC. 5. CODIFICATION OF MARKET DOMINANCE RELIEF.

Setion 10707(d)(1)(A) of title 49, United States Code, is amended by adding at the end thereof the following: ''In making a determination under this section, the Board may not consider evidence of product or geographic competition.''.

SEC. 6. RAIL REVENUE ADEQUACY DETERMINATIONS.

(a) Section 10101(3) of title 49, United States Code, is amended by striking ''revenues, as determined by the Board;'' and inserting ''revenues;''.

(b) Section 10701(d)(2) of title 49, United States Code, is amended by striking ''revenues, as established by the Board under section 10704(a)(2) of this title.'' and inserting ''revenues.''.

(c) Section 10701(d) of title 49, United States Code, is amended by adding at the end thereof the following:

''(4) To facilitate the process by which the Board gives due consideration to the policy that rail carriers shall earn adequate revenues, the Board shall convene a 3-member panel of outside experts to make recommendations as to an appropriate methodology by which the adequacy of a carrier's revenues should be considered. The panel shall issue a report containing its recommendations within 270 days after the date of enactment of the Surface Transportation Board Amendments of 1999.''.

SEC. 7. BOTTLENECK RATES.

(a) THROUGH ROUTES.—Section 10703 of title 49, United States Code, is amended—

(1) inserting ''(a) IN GENERAL.—'' before ''Rail carriers''; and

(2) adding at the end thereof the following:

''(b) CONNECTING CARRIERS.—When a shipper and rail carrier enter into a contract under section 10709 for transportation that would require a through route with a connecting carrier and there is no reasonable alternative route that could be constructed without participation of that connecting carrier, the connecting carrier shall, upon request, establish a through route and a rate that can be used in conjunction with transportation provided pursuant to the contract, unless the connecting carrier shows that—

''(1) the interchange requested is not operationally feasible; or

''(2) the through route would significantly impair the connecting carrier's ability to serve its other traffic. The connecting carrier shall establish a rate and through route within 21 days unless the Board has made a determination that the connecting carrier is likely to prevail in its claim under paragraph (1) or (2).''.

(b) BOARD'S AUTHORITY TO PRESCRIBE DIVISION OF JOINT RATES.—Section 10705(b) of title 49, United States Code, is amended by striking ''The Board shall'' and inserting ''Except as provided in section 10703(b), the Board shall''.

(c) COMPLAINTS.—Section 11701 of title 49, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) Where transportation over a portion of a through route is governed by a contract under section 10709, a rate complaint must be limited to the rates that apply to the portion of the through route not governed by such a contract.''.

SEC. 8. SIMPLIFIED DISPUTE RESOLUTION.

Within 180 days after the date of enactment of this Act, the Surface Transportation Board shall promulgate regulations adopting a simplified dispute resolution mechanism with the following features:

(1) IN GENERAL.—The simplified dispute resolution mechanism will utilize expedited arbitration with a minimum of discovery and may be used to decide disputes between parties involving any matter subject to the jurisdiction of the Board, other than rate reasonableness cases that would be decided under constrained market pricing principles.

(2) APPLICABLE STANDARDS.—Arbitrators will apply existing legal standards.

(3) MANDATORY IF REQUESTED.—Use of the simplified dispute resolution mechanism is required whenever at least one party to the dispute requests.

(4) 90-DAY TURNAROUND.—Arbitrators will issue their decisions within 90 days after being appointed.

(5) PAYMENT OF COSTS.—Each party will pay its own costs, and the costs of the arbitrator and other administrative costs of arbitration will be shared equally between and among the parties.

(6) DECISIONS PRIVATE; NOT PRECEDENTIAL.—Except as otherwise provided by the Board, decisions will remain private and will not constitute binding precedent.

(7) DECISIONS BINDING AND ENFORCEABLE.—Except as otherwise provided in paragraph (8), decisions will be binding and enforceable by the Board.

(8) RIGHT TO APPEAL.—Any party will have an unqualified right to appeal any decision to the Board, in which case the Board will decide the matter de novo. In making its decision, the Board may consider the decision of the arbitrator and any evidence and other material developed during the arbitration.

(9) MUTUAL MODIFICATION.—Any procedure or regulation adopted by the Board with respect to the simplified dispute resolution may be modified or eliminated by mutual agreement of all parties to the dispute.

SEC. 9. PROMOTION OF COMPETITIVE RAIL SERVICE OPTIONS.

Section 11324 of title 49, United States Code, is amended—

(1) by striking ''and'' in paragraph (4) of subsection (b);

(2) by striking ''system.'' in paragraph (5) of subsection (b) and inserting ''system; and'';

(3) by adding at the end of subsection (b) the following:

''(6) means and methods to encourage and expand competition between and among rail carriers in the affected region or the national rail system.''; and

(4) by inserting after the second sentence in subsection (c) the following: ''The Board may impose conditions to encourage and expand competition between and among rail carriers in the affected region or the national rail system, if such conditions do not cause substantial harm to the benefits of the transaction to the affected carriers or the public.''.

SEC. 10. CLARIFICATION OF STB AUTHORITY TO GRANT TEMPORARY ACCESS RELIEF.

(a) Section 10705 of title 49, United States Code, is amended by adding at the end thereof the following:

''(d) The Board may grant temporary relief under this section when the Board finds it necessary and appropriate to do so to remedy inadequate service. The authority provided in this section is in addition to the authority of the Board to provide temporary relief under sections 11102 and 11123 of this title.''.

(b) Section 11102 of title 49, United States Code, is amended by adding at the end thereof the following:

''(e) The Board may grant temporary relief under subsections (a) and (c) when the Board finds it necessary and appropriate to do so to remedy inadequate service. The authority provided in this section is in addition to the authority of the Board to provide temporary relief under sections 10705 and 11123 of this title.''.

(c) Section 11123 of title 49, United States Code, is amended by adding at the end thereof the following:

''(e) The authority provided in this section is in addition to the authority of the Board to provide temporary relief under sections 10705 and 11102 of this title.''.

SEC. 11. HOUSEHOLD GOODS COLLECTIVE ACTIVITIES.

Section 13703(d) of title 49, United States Code, is amended by inserting ''(other than an agreement affecting only the transportation of household goods, as defined on December 31, 1995)'' after ''agreement'' in the first sentence.

SEC. 12. AUTHORIZATION LEVELS.

There are authorized to be appropriated to the Surface Transportation Board $16,000,000 for fiscal year 1999, $17,000,000 for fiscal year 2000, $17,555,000 for fiscal year 2001, and $18,129,000 for fiscal year 2002.

SEC. 13. CHAIRMAN DESIGNATED WITH SENATE CONFIRMATION.

Section 701(c)(1) of title 49, United States Code, is amended by striking ''President'' and inserting ''President, by and with the advice and consent of the Senate,''.

By Mr. MURKOWSKI:

S. 748. A bill to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

NATIVE HIRE AND CONTRACTING LEGISLATION

Mr. MURKOWSKI. Mr. President, this legislation requires the Secretary of the Interior to issue a report to the Congress that details the specific steps the Department of the Interior will take to contract activities and programs of the Department to Alaska Natives.

Legislation already exists for contracting with and hiring Alaska Natives. Sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and section 638 of the Indian Self-Determination and Education Assistance Act are clear on these matters. The problem is that the laws have been largely ignored.

Outside of a few studies that were contracted to Native Associations during the past two years, the record of the Department in contracting and local hiring is abysmal.

I have been told by representatives of this Administration that there are obstacles in both contracting with and hiring local Natives. When pressed, the obstacles are not well explained, if at all.

Mr. President, if there are valid obstacles, we should know specifically what they are so that Congress can address them. If there are not obstacles, then the Administration should begin to implement the law. My legislation requires a complete explanation of the ''Obstacles'' and a plan for implementing the law in accordance with the Alaska National Interest Lands Conversation Act and the Indian Self-Determination and Education Assistance Act.

In addition to the report required by this legislation, the Secretary is also directed to initiate a pilot program to contract various National Park Service functions, operations and programs in northwest Alaska to local Native entities.

Mr. President, the National Park Service, the Bureau of Land Management, the Fish and Wildlife Service, and the other agencies within the Department have an opportunity to hire and contract with local Alaska Natives who were born, raised and live near and in our parks, refuges and public lands in Alaska. These individuals are more familiar with the area than persons hired from outside Alaska. They know the history, they know the hazards, they know about living and working in arctic conditions. Given the levels of unemployment in the area, it makes absolutely no sense not to hire these individuals.

I do not understand why any of one of these agencies or bureaus keep filing positions with persons from the lower 48—individuals who have little experience in Alaska—when they have a qualified individuals in the immediate area.

If we can just get the Federal agencies in the State of Alaska to read sections 1307 and 1308 of ANILCA and section 638 of ISEAA it would be a major step in the right direction. If Alaska Natives are given the opportunity to contract with and be employed by the Federal agencies in my State, everyone wins, no one loses, and the American public will be better served.●

By Mr. KENNEDY (for himself, Mr. STEVENS, Mr. DODD, Mr. JEFFORDS, and Mr. KERRY:)

S. 749. A bill to establish a program to provide financial assistance to States and local entities to support early learning programs for prekindergarten children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today Senators STEVENS, DODD, JEFFORDS, KERRY and I are introducing legislation to create an Early Learning Trust Fund. With this legislation, we intend to improve the availability and quality of early learning programs so that all children can begin school ready to learn.

This is a truly bipartisan bill, and it is a privilege to be working closely with Senators of both parties on this issue that is so critical to the nation's future—the education of our children. Senator STEVENS' knowledge of childhood development and brain research is outstanding, and his commitment to this issue is impressive. He understands the impact that early education can have on a child's development. Senator KERRY shares this interest as well. His work on the importance of brain development during the early childhood years has helped educate the Senate on this issue. Senator JEFFORDS' long standing interest in education and school readiness is exemplary. I have great respect for his leadership as Chairman of the Health, Education, Labor, and Pensions Committee on education and many other issues to improve the well-being of children. Senator DODD's leadership on the Subcommittee for Children and Families has been outstanding. He has always been a champion for children's issues and we are proud to have him as a cosponsor of this legislation.

Over 23 million children under 6 live in the United States, and all of these children deserve the opportunity to start school ready to learn. In order for them to do so, we must make significant investments in children, long before they ever walk through the schoolhouse door.

Recent brain research documents the importance of the first few years of life for child development. During this time, children develop essential learning and social skills that they will need and use throughout their lives.

For children to reach their full potential, they must begin school ready to learn. Ten years ago, the nation's governors developed a set of educational goals to improve the quality of education in the United States. The number one goal was that by the year 2000, all children should enter school ''ready to learn.'' While it is no longer possible to meet this objective by the year 2000, we must do all we can. We cannot afford to let another decade pass without investing more effectively in children's educational development.

Quality early education programs help children in a number of ways, and have a particularly strong impact on low-income children, who are at the greatest risk of school failure. Children who attend high quality preschool classes have stronger language, math, and social skills than children who attended classes of inferior quality.

These early skills translate into greater school readiness. First graders who begin school with strong language and learning skills are more motivated to learn to read well, and they benefit more from classroom instruction. Quality early education programs also have important long range consequences, and are closely associated with increased academic achievement, higher adult earnings, and far less involvement with the criminal justice system.

Research consistently demonstrates that early education programs improve school readiness. But too many children have no access to these programs. Sixty-one percent of children age 3–5 whose parents earn $50,000 or more a year are enrolled in pre-kindergarten classes. But, only 36% of children in the same age group in families earning less than $15,000 are enrolled in such classes. Clearly, many children are not receiving the educational boost they need to begin school ''ready to read, ready to learn, and ready to succeed.''

Our bill provides 10 billion dollars over five years to states to strengthen and expand early education programs for children under 6. By increasing the number of children who have early learning opportunities, we will ensure that many more children begin school ready to learn.

The ''Early Learning Trust Fund'' will provide each state with funds to strengthen and improve early education. Governors will receive the grants, and communities, along with parents, will decide how these funds can best be used. The aid will be distributed based on a formula which takes into account the total number of young children in each state, and the Department of Health and Human Services will allocate funds to the states. To assist in this process, governors will appoint a state council of representatives from the office of the governor, relevant state agencies, Head Start, parental organizations, and resource and referral agencies—all experts in the field of early education. The state councils will be responsible for setting priorities, approving and implementing state plans to improve early education.

States will have the flexibility to invest in an array of strategies that give young children the building blocks to become good readers and good students. States may use their funds to support a wide range of activities including: (1) strengthening pre-kindergarten services and helping communities obtain the resources necessary to offer children a good start; (2) helping communities make the best use of early learning programs to ensure that their resources are used most effectively; (3) ensuring that special needs children have access to the early learning services they need to reach their full potential; (4) strengthening Early Head Start to meet the learning needs of very young children; and (5) expanding Head Start to include full-day, year-round services to help children of working parents begin school ready to learn. The specific strategy that states decide to adopt is not the central issue—improving school readiness is the central issue. And this bill will give states the flexibility and funding they need to achieve this goal.

Children and families across the country will benefit from the Early Learning Trust Fund. Massachusetts has more than 480,000 children under the age of 6, and a significant number will be helped by this legislation. Far too many children are currently on waiting lists today for assistance like this. We cannot tell these children, ''Wait until you grow up to receive the education you deserve.''

Those on the front lines trying to meet these needs in their communities will receive reinforcements. For example, in Massachusetts, the Community Partnerships for Children provide full-day early care and education to 15,300 three- and four-year-olds from low-income families. The Early Learning Trust Fund will expand and strengthen exemplary initiatives such as this.

Investment in early education is strongly supported by organizations across the country, including the Children's Defense Fund, the National Governors' Association, Fight Crime: Invest in Kids, the National Association of Child Care Resource and Referral Services, the National Association for State Legislatures, and the National Association for the Education of Young Children. These organizations agree that investments in children in the early years not only make sense, but make an enormous difference.

Our nation's greatest resource is its children. We must do all we can to ensure that they reach their full potential. Improving school readiness is an essential first step. I urge my colleagues to support this important initiative. I look forward to its enactment, and I ask unanimous consent that the text of the bill may be printed in the RECORD.

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

S. 749

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 ''Early Learning Trust Fund Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) brain development research shows that the first 3 years of a child's life are critical to a child's brain development and the child's future success;

(2) high quality early learning programs can increase the literacy rate, the high school graduation rate, the employment rate, and the college enrollment rate for prekindergarten children who participate in the programs;

(3) high quality early learning programs can decrease the incidence of teenage pregnancy, welfare dependency, arrest, and juvenile delinquency for children who participate in these programs;

(4) high quality early learning programs can provide a strong base for prekindergarten children in language and cognitive skills and can motivate the children to learn to read in order to benefit from classroom instruction;

(5) many working families cannot afford early learning programs for their prekindergarten children;

(6) only 36 percent of children who are between the ages of 3 and 5, not enrolled in kindergarten, and living in families in which the parents earn less than $15,000, are enrolled in prekindergarten, while 61 percent of children of a similar age who live in families in which the parents earn $50,000 or more are enrolled in prekindergarten;

(7) because of the growing number of prekindergarten children in single-parent families or families in which both parents work, there is a great need for affordable high quality, full day, full calendar year early learning programs;

(8) many children who could benefit from a strong early learning experience are enrolled in child care programs that could use additional resources to prepare the children to enter school ready to succeed; and

(9) the low salaries paid to staff in early learning programs, the lack of career progression for such staff, and the lack of child development specialists involved in the early learning programs makes it difficult to attract and retain trained staff to help the children enter school ready to read.

(b) PURPOSE.—The purposes of this Act are—

(1) to make widely available to prekindergarten children a high quality, child-centered, developmentally appropriate early learning program;

(2) to make widely available to parents of prekindergarten children who desire the services, a full day, full calendar year program in which they can enroll their prekindergarten children;

(3) to make efficient use of Federal, State, and local resources for early learning programs by promoting collaboration and coordination of such programs and supports at the Federal, State, and local levels;

(4) to assist State and local governments in expanding or improving early learning programs that use existing facilities that meet State and local safety code requirements;

(5) to provide resources to ensure that all children enter elementary school ready to learn how to read; and

(6) to assist State and local governments in providing training for teachers and staff of early learning programs, and to promote the use of salary scales that take into account training and experience.

SEC. 3. DEFINITIONS.

In this Act:

(1) EARLY LEARNING PROGRAMS.—The term ''early learning programs'' means programs that provide the services described in section 9 that are for children who have not attended kindergarten or elementary school.

(2) FULL CALENDAR YEAR.—The term ''full calendar year'' means all days of operation of businesses in the locality, excluding—

(A) legal public holidays, as defined in section 6103 of title 5, United States Code; and

(B) a single period of 14 consecutive days during the summer.

(3) FULL DAY.—The term ''full day'' means the hours of normal operation of businesses in the locality.

(4) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms ''local educational agency'' and ''State educational agency'' have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(5) LOCALITY.—The term ''locality'' means a city, county, borough, township, or other general purpose unit of local government, or an Indian reservation or Indian Tribe. For purposes of this Act, 2 or more localities acting together may be considered a locality.

(6) PARENT.—The term ''parent'' means a biological parent, an adoptive parent, a stepparent, or a foster parent of a child, including a legal guardian or other person standing in loco parentis.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(8) SERVICE PROVIDER.—The term ''service provider'' means any public or private early learning program, including a local educational agency, a Head Start agency under the Head Start Act (42 U.S.C. 9831 et seq.), or a community-based organization that receives funds under this Act.

(9) TRAINING.—The term ''training'' means instruction in early childhood development that—

(A) is required for certification by existing State and local laws, regulations, and policies;

(B) is required to receive a nationally recognized credential or its equivalent, such as the child development associate credential, in a State with no certification procedure; and

(C) is received in a postsecondary education program in which the individual has accomplished significant course work in early childhood education or early childhood development.

SEC. 4. EARLY LEARNING PROGRAM.

The Secretary shall establish and maintain an early learning program that provides full day, full calendar year early learning services.

SEC. 5. STATE ALLOTMENTS.

(a) IN GENERAL.—The Secretary shall make allotments to eligible States to pay for the cost of enabling the States and localities to establish full day, full calendar year early learning programs.

(b) ALLOTMENTS.—From the amount appropriated under section 12 for each fiscal year, the Secretary shall allot, to each eligible State, an amount that bears the same relationship to the amount appropriated as the total number of individuals under age 6 in the State bears to the total number of such individuals in all States.

(c) MATCHING REQUIREMENT.—The Secretary may not make a grant to a State under subsection (a) unless that State agrees that, with respect to the costs to be incurred by the State in carrying out the program for which the grant was awarded, the State will make available (directly or through donations from public or private entities) non-Federal contributions in an amount equal to not less than $1 dollar for every $4 dollars of Federal funds provided under the grant. The State share of the cost may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

(d) ANNUAL REVIEW.—The allotments provided under subsection (b) shall be subject to annual review by the Secretary.

SEC. 6. STATE APPLICATIONS.

(a) IN GENERAL.—To be eligible to receive an allotment under section 5, the Governor of a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(b) CONTENTS.—Each application submitted pursuant to subsection (a) shall include—

(1) a statement ensuring that the Governor of the State has established or designated a State Council that complies with section 7(c), including a list of the members of the State Council in order to demonstrate such compliance;

(2) a statement ensuring that the State Council as described in section 7(c) has developed and approved the application submitted under this section;

(3) a statement describing the manner in which the State will allocate funds made available through the allotment to localities; and

(4) a State plan that describes the performance goals to be achieved, and the performance measures to be used to assess progress toward such goals, under the plan which—

(A) shall be developed pursuant to guidance provided by the State and local government authorities, and experts in early childhood development; and

(B) shall be designed to improve child development through—

(i) improved access to and increased coordination with health care services;

(ii) increased access to enhanced early learning environments;

(iii) increased parental involvement;

(iv) increased rates of accreditation by nationally recognized accreditation organizations; and

(v) expansion of full day, full year services.

SEC. 7. STATE ADMINISTRATION.

(a) IN GENERAL.—To be eligible to receive assistance under section 5, the Governor of a State shall appoint a Lead State Agency as described in subsection (b) and, after consultation with the leadership of the State legislature, a State Council as described in subsection (c).

(b) LEAD STATE AGENCY.—

(1) IN GENERAL.—The Lead State Agency as described in subsection (a) shall allocate funds received under section 5 to localities.

(2) LIMITATION.—The Lead State Agency shall allocate not less than 90 percent of such funds that have been provided to the State for a fiscal year to 1 or more localities.

(3) FUNCTIONS OF AGENCY.—In addition to allocating funds under paragraph (1), the Lead State agency shall—

(A) advise and assist localities in the performance of their duties;

(B) develop and submit the State application and the State plan required under section 6;

(C) evaluate and approve applications submitted by localities;

(D) prepare and submit to the Secretary an annual report, after approval by the State Council, which shall include a statement describing the manner in which funds received under section 5 are expended and documentation of the increased number of—

(i) children in full day, full year Head Start programs, as provided under the Head Start Act (42 U.S.C. 9831 et seq.);

(ii) infants and toddlers in programs that provide comprehensive Early Head Start services, as provided under the Head Start Act (42 U.S.C. 9831 et seq.);

(iii) prekindergarten children, including those with special needs, in early learning programs; and

(iv) children in child care that receive enhanced educational and comprehensive services and supports, including parent involvement and education;

(E) conduct evaluations of early learning programs;

(F) ensure that training and research is made available to localities and that such training and research reflects the latest available brain development and early childhood research related to early learning; and

(G) improve coordination between localities carrying out early learning programs and persons providing early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.).

(4) LOCAL APPLICATION.—

(A) IN GENERAL.—To be eligible to receive assistance under paragraph (1), a locality, in cooperation with the Local Council described in paragraph (5), shall submit an application to the Lead State Agency at such time, in such manner, and containing such information as the Lead State Agency may require.

(B) CONTENTS.—Each application submitted pursuant to paragraph (1) shall include a statement ensuring that the locality has established a Local Council, as described in paragraph (5) and a local plan that includes—

(i) a needs and resources assessment of early learning services and a statement describing how programs will be financed to reflect the assessment; and

(ii) a statement of performance goals to be achieved in adherence to the State plan and a statement of how localities will ensure that programs will meet the performance measures in the State plan.

(5) LOCAL COUNCIL.—

(A) IN GENERAL.—To be eligible to receive assistance under paragraph (1), a locality shall establish a Local Council as described in subsection (c), which shall be composed of local agencies responsible for carrying out the programs under this Act and parents and other individuals concerned with early childhood development issues in the locality. The Local Council shall be responsible for assisting localities in preparing and submitting the application described in paragraph (4).

(B) DESIGNATING EXISTING ENTITY.—To the extent that a State has a Local Council or an entity that functions as such before the date of enactment of this Act that is comparable to the Local Council described in subparagraph (A), the locality shall be considered to be in compliance with this paragraph.

(c) STATE COUNCIL.—

(1) IN GENERAL.—The State Council as described in subsection (a) shall be composed of a group of representatives of agencies, institutions, and other entities, as described in paragraphs (2) and (3), that provide child care or early learning services in the State.

(2) MEMBERSHIP.—Except as provided in paragraph (6), the Governor shall appoint to the State Council at least 1 representative from—

(A) the office of the Governor;

(B) the State educational agency;

(C) the State agency administering funds received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

(D) the State social services agency;

(E) the State Head Start association;

(F) organizations representing parents within the State; and

(G) resource and referral agencies within the State.

(3) ADDITIONAL MEMBERS.—In addition to representatives appointed under subparagraph (2), the Governor may appoint to the State Council additional representatives from—

(A) the State Board of Education;

(B) the State health agency;

(C) the State labor or employment agency;

(D) organizations representing teachers;

(E) organizations representing business; and

(F) organizations representing labor.

(4) REPRESENTATION.—To the extent practicable, the Governor shall appoint representatives under subparagraphs (2) and (3) in a manner that is diverse or balanced according to the race, ethnicity, and gender of its members.

(5) FUNCTIONS OF THE COUNCIL.—The State Council shall—

(A) conduct a needs and resources assessment, or use such an assessment if conducted not later than 2 years prior to the date of enactment of this Act, to—

(i) determine where early learning programs are lacking or are inadequate within the State, with particular attention to poor urban and rural areas, and what special services are needed within the State, such as services for children whose native language is a language other than English; and

(ii) identify all existing State-funded early learning programs, and, to the extent practical, other programs serving prekindergarten children in the State, including parent education programs, and to specify which programs might be expanded or upgraded with the use of funds received under section 5; and

(B) based on the assessment described in subparagraph (A), determine funding priorities for amounts received under section 5 for the State.

(6) DESIGNATING AN EXISTING ENTITY AS STATE COUNCIL.—To the extent that a State has a State Council or a entity that functions as such before the date of enactment of this Act that is comparable to the State Council described in this subsection, the State shall be considered to be in compliance with this subsection.

SEC. 9. LOCAL ALLOCATIONS.

(a) IN GENERAL.—Each locality that receives funds under section 8 shall, in accordance with the needs and resource assessment described in section 8(c)(5), provide funds to service providers to—

(1) increase the number of children served in Early Head Start programs carried out under section 645A of the Head Start Act (42 U.S.C 9840a);

(2) increase the number of children served in State prekindergarten education programs;

(3) increase the number of Head Start programs providing full working day, full calendar year Head Start services; and

(4) enhance the education and comprehensive services and support services provided through the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) to child care programs and providers, including health screening and diagnosis of children, parent involvement and parent education, nutrition services and education, staff and personnel training in early childhood development, and upgrading the salaries of early childhood development professional staff, and the development of salary schedules for staff with varying levels of experience, expertise, and training. Distribute such funds to service providers.

(b) PREFERENCE.—In making allocations under subsection (a), a locality shall give preference to—

(1) programs that meet the needs of children in households in which each parent is employed;

(2) programs assisting low-income families; and

(3) programs that make referrals for enrollment under the State Children's Health Insurance Program established under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), or referrals for enrollment of children under the medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(c) APPLICATION.—Each service provider desiring to receive funds under subsection (a) shall submit an application to a locality at such time, in such manner, and containing such information as the locality may reasonably require.

(d) ANNUAL REPORT.—Each locality that receives funds under section 8 shall submit an annual report to the State Council that contains the information described in section 7(b)(3)(C) and a description of the manner in which programs receiving assistance under this Act will be coordinated with other early learning programs in the locality.

(e) ADMINISTRATIVE COSTS.—Not more than 5 percent of the amounts received by a locality under section 8 shall be used to pay for administrative expenses for the locality or Local Council.

SEC. 10. SUPPLEMENT NOT SUPPLANT.

Funds appropriated pursuant to this Act shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services for early learning childhood development programs.

SEC. 11. FEDERAL ADMINISTRATION.

The Secretary, in consultation with the Secretary of Education, shall develop and

issue program guidance instructions for carrying out the programs authorized under this Act.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated and there is appropriated to carry out this Act, $2,000,000,000 for each of the fiscal years 2000 through 2004.

By Mr. LEAHY (for himself, Mr. DASCHLE, Mr. KENNEDY, and Mr. TORRICELLI):

S. 751. A bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors, and for other purposes; to the Committee on the Judiciary.

THE SENIORS SAFETY ACT OF 1999

Mr. LEAHY. Mr. President, today I am introducing the Seniors Safety Act of 1999, a bill to protect older Americans from crime.

The Seniors Safety Act contains a comprehensive package of proposals developed with the assistance of the Department of Justice that address the most prevalent crimes perpetrated against seniors, including proposals to reduce health care fraud and abuse, combat nursing home fraud and abuse, prevent telemarketing fraud, safeguard pension and employee benefit plans from fraud, bribery and graft. In addition, this legislation would help seniors whose pension plans are defrauded to obtain restitution. Finally, the bill authorizes the collection of appropriate data and examination by the Attorney General to develop new strategies to fight crime against seniors.

Seniors over the age of 55 make up the most rapidly growing sector of our society. In Vermont alone, the number of seniors grew by more than nine percent between 1990 and 1997, now comprising almost twelve percent of Vermont's total population. According to recent census estimates, the number of seniors over 65 will more than double by the year 2050.

It is an ugly fact that criminal activity against seniors that causes them physical harm and economic damage is a significant problem. While the violent and property crime rates have been falling generally, according to the Justice Department's Bureau of Justice Statistics, in 1997 the violent victimization rates for persons over 50 years of age were no lower than they had been in 1993. In 1997, these older Americans experienced approximately 680 thousand incidents of violent crime, including rape, robbery, and general assault.

We need to do a better job at protecting seniors and ensuring that they enjoy the same decreasing violent and property crime rate as other segments of our society. The Seniors Safety Act contains provisions to enhance penalties for criminal offenses that target seniors and fraudulent acts that result in physical or economic harm to seniors. In addition, to assist Congress and law enforcement authorities in developing new and effective strategies to deter crimes against seniors, the Act authorizes comprehensive examination of the factors associated with crimes against seniors and the inclusion of data on seniors in the National Crime Victims Survey.

One particular form of criminal activity—telemarketing fraud—disproportionately impacts Americans over the age of 50, who account for over a third of the estimated $40 billion lost to telemarketing fraud each year. The Seniors Safety Act continues the progress we made last year on passage of the Telemarketing Fraud Prevention Act to address the problem of telemarketing fraud schemes that too often succeed in swindling seniors of their life savings. Some of these schemes are directed from outside the United States, making criminal prosecution more difficult.

The Act would provide the Attorney General with a new, significant crime fighting tool to deal with telemarketing fraud. Specifically, the Act would authorize the Attorney General to block or terminate telephone service to telephone facilities that are being used to conduct such fraudulent activities. This authority may be used to shut-down telemarketing fraud schemes directed from foreign sources by cutting off their telephone service and, once discovered, would protect victims from that particular telemarketing scheme. Of course, committed swindlers may just get another telephone number, but even relatively brief interruptions in their fraudulent activities may save some seniors from falling victim to the scheme.

Another crime prevention provision in the Seniors Safety Act is the establishment by the Federal Trade Commission of a ''Better Business Bureau''-type clearinghouse. This would provide seniors, their families, or others who may be concerned about the legitimacy of a telemarketer with information about prior complaints made about the particular company and any prior convictions for telemarketing fraud. In addition, seniors and other consumers who believe they have been swindled would be provided with information for referral to the appropriate law enforcement authorities.

Criminal activity that undermines the safety and integrity of pension plans and health benefit programs pose threats to all of us, but the damage is felt most acutely by seniors who have planned their retirements in reliance on the benefits promised by those programs. Seniors who have worked faithfully and honestly for years should not reach their retirement years only to find that the funds which they were relying upon have been stolen. This is a significant problem. According the Attorney General's 1997 Annual Report, an interagency working group on pension abuse brought 70 criminal cases representing more than $90 million in losses to pension plans in 29 districts around the country in that year alone.

The Seniors Safety Act would add to the arsenal of authority that federal prosecutors have to prevent and punish the defrauding of retirement arrangements. Specifically, the Act would create new criminal and civil penalties for defrauding pension plans or obtaining money or property from such plans by means of false or fraudulent pretenses. In addition, the Act would enhance penalties for bribery and graft in connection with employee benefit plans. The only people enjoying the benefits of pension plans should be the people who have worked hard to fund those plans, not crooks who get the money by fraud.

Spending on health care in this country amounts to roughly 15 percent of the gross national product, or more than $1 trillion each year. Estimated losses due to fraud and abuse are astronomical. A December 1998 report by the National Institute of Justice (NIJ) states that these losses ''may exceed 10 percent of annual health care spending, or $100 billion per year.'' By contrast to health care fraud, which covers deliberate criminal efforts to steal money, the term ''abuse'' describes billing errors or manipulation of billing codes that can result in billing for a more highly reimbursed service or product than the one provided.

As electronic claims processing—with no human involvement —becomes more prevalent to save administrative costs, more sophisticated computer-generated fraud schemes are surfacing. Some of these schemes generate thousands of false claims designed to pass through automated claims processing to payment, and result in the theft of millions of dollars from federal and private health care programs. Defrauding Medicare, Medicaid and private health plans harms taxpayers and increases the financial burden on the beneficiaries. Beneficiaries pay the price for health care fraud in their copayments and contributions. In addition, some forms of fraud may result in inadequate medical care and be dangerous for patients. Unfortunately, the NIJ reports that many health care fraud schemes ''deliberately target vulnerable populations, such as the elderly or Alzheimer's patients, who are less willing or able to complain or alert law enforcement.''

Fighting health care fraud has been a top priority of this Administration and this Attorney General. The attention our federal law enforcement officials are paying to this problem is paying off: the number of criminal convictions in health care fraud cases grew over 300 percent from 1992 to 1997. These cases included convictions for submitting

false claims to Medicare and Medicaid, and other insurance plans; fake billings by foreign doctors; and needless prescriptions for durable medical equipment by doctors in exchange for kickbacks from manufacturers. In 1997 alone, $1.2 billion was awarded or negotiated as a result of criminal fines, civil settlements and judgments in health care fraud matters.

We can and must do more, however. The Seniors Safety Act would give the Attorney General authority to get an injunction to stop false claims and illegal kickback schemes involving federal health care programs. This Act would also provide the law enforcement authorities with additional investigatory tools to uncover, investigate and prosecute health care offenses in both criminal and civil proceedings. The use of civil laws is considered by the Justice Department to be a ''critical component of our enforcement policy.'' In fact, the Department has recovered $1.8 billion in False Claims Act (FCA) civil enforcement actions since 1986, when Congress amended the FCA to address fraud against the Medicare and Medicaid programs. The Seniors Safety Act will permit criminal prosecutors to share information more easily with their civil counterparts.

In addition, whistle-blowers, who tip-off law enforcement about false claims, would be authorized under the Seniors Safety Act to seek court permission to review information obtained by the government to enhance their assistance in FCA law suits. Such qui tam, or whistle-blower, suits have, in the Justice Department's estimation, dramatically increased detection of and monetary recoveries for health care fraud. More half of the $1.2 billion the Department was awarded in health care fraud cases in FY 1997 were related to allegations in qui tam cases. This is a successful track record. According to the Department in its most recent health care fraud report, ''qui tam plaintiffs often work with DOJ to build a strong chain of evidence that can be used during settlement discussions or at trial.'' The Act would allow whistle-blowers and their qui tam suits to become even more effective tools in the fight against health care fraud.

Finally, the Act would extend anti-fraud and anti-kickback safeguards to the Federal Employees Health Benefits program. These are all important steps that will help cut down on the enormous health care fraud losses.

Long-term care planning specialists estimate that over forty percent of those turning 65 years of age will need nursing home care, and that 20 percent of those seniors will spend five years or more in nursing homes. Indeed, many of us already have or will live through the experience of having our parents, family members or other loved ones—or even ourselves—spend time in a nursing home. We owe it to them and to ourselves to give the residents of nursing homes the best care they can get.

The Justice Department's Health Care Fraud Report for Fiscal Year 1997 cites egregious examples of nursing homes that pocketed Medicare funds instead of providing residents with adequate care. In one case, five patients died as result of the inadequate provision of nutrition, wound care and diabetes management by three Pennsylvania nursing homes. Yet another death occurred when a patient, who was unable to speak, was placed in a scalding tub of 138-degree water.

This Act provides additional piece of mind to residents of nursing homes and those of us who may have loved ones there by giving federal law enforcement the authority to investigate and prosecute operators of nursing homes for willfully engaging in patterns of health and safety violations in the care of nursing home residents. The Act also protects whistle-blowers from retaliation for reporting such violations.

The Seniors Safety Act has six titles, described below.

Title I, titled ''Strategies for Preventing Crimes Against Seniors'': directs the Attorney General to study the types of crimes and risk factors associated with crimes against seniors. In addition, authority is provided in this title for the Attorney General to include statistics on the incidence of crimes against seniors in the annual National Crime Victims Survey. Collection and analysis of this data is critical to develop effective strategies to protect seniors from crime and respond effectively to the justice needs of seniors.

Title II, titled ''Combating Crimes Against Seniors'': provides enhanced penalties for crimes targeting seniors, for health care fraud and other fraud offenses, and the creation of new criminal and civil penalties to protect pension and employee benefit plans.

Specifically, the U.S. Sentencing Commission is directed to review the sentencing guidelines and enhance penalties, as appropriate, to adequately reflect the economic and physical harms associated with crimes targeted at seniors, and with health care fraud offenses. This bill would also increase the penalties under the mail fraud statute and wire fraud statute for fraudulent schemes that result in serious injury or death.

In addition, this title of the Seniors Safety Act provides new tools in the form of a new criminal provision and civil penalties for law enforcement to investigate and prosecute persons who defraud pension plans or other retirement arrangements. In addition, the Act increases the penalty for corruptly bribing or receiving graft to influence the operation and management of employee benefit plans from three to five years.

Title III, titled ''Preventing Telemarketing Fraud'': addresses telemarketing fraud in two ways: by providing a ''Better Business''-style hotline to provide information and log complaints about telemarketing fraud, and by allowing the Attorney General to block or terminate telephone service to numbers being used to perpetrate telemarketing fraud crimes.

Title IV, titled ''Combating Health Care Fraud'': provides important investigative and crime prevention tools to law enforcement authorities to uncover and punish health care fraud, including authority to obtain injunctive relief, grand jury disclosure for civil actions, and issuance of administrative subpoenas. In addition, the Act would better protect the Federal Employees Health Benefits Program by extending the anti-kickback and anti-fraud prohibitions to cover this program.

Attorney General's injunction authority: The Act would authorize the Attorney General to seek injunctive relief to prevent persons suspected of committing or about to commit a health care fraud or illegal kickback offense from disposing or dissipating fraudulently obtained proceeds.

Authorized Investigative Demand Procedures: The Attorney General is currently authorized to issue administrative subpoenas during investigations of criminal health care fraud cases, but cannot do the same in related civil cases. The Act would extend that authority to civil cases, subject to stringent privacy safeguards.

Grand Jury Disclosure: Currently, grand jury information may not be disclosed in related civil suits, except under limited circumstances, resulting in duplicative work on the part of government civil attorneys. The Act would allow federal prosecutors to seek a court order allowing the sharing of grand jury information regarding health care offenses with government civil attorneys for use in civil or other regulatory proceedings.

Extension of anti-fraud safeguards: The Federal Employee Health Benefits Act is currently exempt from anti-fraud safeguards available to both Medicaid and Medicare. The Act would remove the exemption and subject the Federal Employee Health Benefits Program to anti-fraud and anti-kickback protections.

Title V, titled ''Protecting Residents of Nursing Homes'': contains the ''Nursing Home Resident Protection Act of 1999'' to establish a new federal crime, with substantial criminal and civil penalties, against operators of nursing homes who engage, knowingly and willfully, in a pattern of health and safety violations that results in significant physical or mental harm to persons residing in residential health care facilities. In addition, whistle-blowers, who tip off officials about poor nursing home conditions, would be authorized to sue for damages, attorney's

fees and other relief should there be any retaliation.

Title VI, titled ''Protecting the Rights of Senior Crime Victims'': would authorize the Attorney General to use forfeited funds to pay restitution to victims of fraudulent activity, and the courts to require the forfeiture of proceeds from violations of retirement offenses. In addition, the Act would exempt false claims law actions from a stay by bankruptcy proceedings and ensure that debts due to the United States from false claims law actions are not dischargeable in bankruptcy, in order to pay restitution to fraud victims or regulatory agencies.

The Seniors Safety Act of 1999 provides a new safety net for seniors to protect them from the criminal activity that affects them the most. I commend the Administration and particularly the Vice President for his attention to this issue, and the Attorney General for her work and assistance on this legislation. We should move to consider and pass this legislation before the end of the 106th Congress.

I ask unanimous consent that a copy of the Seniors Safety Act and a sectional analysis be printed in the RECORD.

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

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

S. 751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Seniors Safety Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.

TITLE I—STRATEGIES FOR PREVENTING CRIMES AGAINST SENIORS

Sec. 101. Study of crimes against seniors.
Sec. 102. Inclusion of seniors in national crime victimization survey.

TITLE II—COMBATING CRIMES AGAINST SENIORS

Sec. 201. Enhanced sentencing penalties based on age of victim.
Sec. 202. Study and report on health care fraud sentences.
Sec. 203. Increased penalties for fraud resulting in serious injury or death.
Sec. 204. Safeguarding pension plans from fraud and theft.
Sec. 205. Additional civil penalties for defrauding pension plans.
Sec. 206. Punishing bribery and graft in connection with employee benefit plans.

TITLE III—PREVENTING TELEMARKETING FRAUD

Sec. 301. Centralized complaint and consumer education service for victims of telemarketing fraud.
Sec. 302. Blocking of telemarketing scams.

TITLE IV—PREVENTING HEALTH CARE FRAUD

Sec. 401. Injunctive authority relating to false claims and illegal kickback schemes involving Federal health care programs.
Sec. 402. Authorized investigative demand procedures.
Sec. 403. Extending antifraud safeguards to the Federal employee health benefits program.
Sec. 404. Grand jury disclosure.
Sec. 405. Increasing the effectiveness of civil investigative demands in false claims investigations.

TITLE V—PROTECTING RESIDENTS OF NURSING HOMES

Sec. 501. Short title.
Sec. 502. Nursing home resident protection.

TITLE VI—PROTECTING THE RIGHTS OF ELDERLY CRIME VICTIMS

Sec. 601. Use of forfeited funds to pay restitution to crime victims and regulatory agencies.
Sec. 602. Victim restitution.
Sec. 603. Bankruptcy proceedings not used to shield illegal gains from false claims.
Sec. 604. Forfeiture for retirement offenses.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) The number of older Americans is growing both numerically and proportionally in the United States. Since 1990, the population of seniors has increased by almost 5,000,000, and is now 20.2 percent of the United States population.

(2) In 1997, 7 percent of victims of serious violent crime were age 50 or older.

(3) In 1997, 17.7 percent of murder victims were age 55 or older.

(4) According to the National Crime Victimization Survey, persons aged 50 and older experienced approximately 673,460 incidents of violent crime, including rape and sexual assaults, robberies and general assaults, during 1997.

(5) Older victims of violent crime are almost twice as likely as younger victims to be raped, robbed, or assaulted at or in their own homes.

(6) Approximately half of Americans who are 50 years old or older feel afraid to walk alone at night in their own neighborhoods.

(7) Seniors over the age of 50 reportedly account for 37 percent of the estimated $40,000,000,000 in losses each year due to telemarketing fraud.

(8) In 1998, Congress enacted legislation to provide for increased penalties for telemarketing fraud that targets seniors.

(9) There has not been a comprehensive study of crimes committed against seniors since 1994.

(10) It has been estimated that approximately 43 percent of those turning 65 can expect to spend some time in a long-term care facility, and approximately 20 percent can expect to spend 5 years or longer in a such a facility.

(11) In 1997, approximately $82,800,000,000 was spent on nursing home care in the United States and over half of this amount was spent by the medicaid and medicare programs.

(12) Losses to fraud and abuse in health care reportedly cost the United States an estimated $100,000,000,000 in 1996.

(13) The Inspector General for the Department of Health and Human Services has estimated that about $12,600,000,000 in improper medicare benefit payments, due to inadvertent mistake, fraud and abuse, were made during fiscal year 1998.

(14) Incidents of health care fraud and abuse remain high despite awareness of the problem.

(b) PURPOSES.—The purposes of this Act are to—

(1) combat nursing home fraud and abuse;

(2) enhance safeguards for pension plans and health care programs;

(3) develop strategies for preventing and punishing crimes that target or otherwise disproportionately affect seniors by collecting appropriate data to measure the extent of crimes committed against seniors and determine the extent of domestic and elder abuse of seniors; and

(4) prevent and deter criminal activity, such as telemarketing fraud, that results in economic and physical harm against seniors and ensure appropriate restitution.

SEC. 3. DEFINITIONS.

In this Act—

(1) the term ''crime'' means any criminal offense under Federal or State law;

(2) the term ''nursing home'' means any institution or residential care facility defined as such for licensing purposes under State law, or if State law does not employ the term nursing home, the equivalent term or terms as determined by the Secretary of Health and Human Services, pursuant to section 1908(e) of the Social Security Act (42 U.S.C. 1396g(e)); and

(3) the term ''senior'' means an individual who is more than 55 years of age.

TITLE I—STRATEGIES FOR PREVENTING CRIMES AGAINST SENIORS

SEC. 101. STUDY OF CRIMES AGAINST SENIORS.

(a) IN GENERAL.—The Attorney General shall conduct a study relating to crimes against seniors, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes.

(b) ISSUES ADDRESSED.—The study conducted under this section shall include an analysis of—

(1) the nature and type of crimes perpetrated against seniors, with special focus on—

(A) the most common types of crimes that affect seniors;

(B) the nature and extent of telemarketing fraud against seniors;

(C) the nature and extent of elder abuse inflicted upon seniors;

(D) the nature and extent of financial and material fraud targeted at seniors; and

(E) the nature and extent of health care fraud and abuse targeting seniors;

(2) the risk factors associated with seniors who have been victimized;

(3) the manner in which the Federal and State criminal justice systems respond to crimes against seniors;

(4) the feasibility of States establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;

(5) the nature and extent of crimes targeting seniors, such as health care fraud and telemarketing fraud originating from sources outside the United States;

(6) the effectiveness of State programs funded under the 1987 State Elder Abuse Prevention Program in preventing and reducing the abuse and neglect of seniors; and

(7) other effective ways to prevent or reduce the occurrence of crimes against seniors.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of

Representatives and the Senate a report describing the results of the study under this section, which shall also include—

(1) an assessment of any impact of the sentencing enhancements promulgated by the United States Sentencing Commission pursuant to section 6(b) of the Telemarketing Fraud Prevention Act of 1998 (28 U.S.C. 994 note), including—

(A) the number of crimes for which sentences were enhanced under that section; and

(B) the effect of those enhanced sentences in deterring telemarketing fraud crimes targeting seniors;

(2) an assessment of the factors that result in the inclusion of seniors on the lists of names, addresses, phone numbers, or Internet addresses compiled by telemarketers or sold to telemarketers as lists of potentially vulnerable consumers (i.e. ''mooch lists''); and

(3) an assessment of the nature and extent of nursing home fraud and abuse, which shall include—

(A) the number of cases and financial impact on seniors of fraud and abuse involving nursing homes each year;

(B) procedures used effectively by State, local and Federal authorities to combat nursing home fraud and abuse; and

(C) a description of strategies available to consumers to protect themselves from nursing home fraud and an evaluation of the effectiveness of such strategies.

SEC. 102. INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY.

Beginning not later than 2 years after the date of enactment of this Act, as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to—

(1) crimes targeting or disproportionately affecting seniors; and

(2) crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur; and

(3) specific characteristics of the victims of crimes who are seniors, including age, gender, race or ethnicity, and socioeconomic status.

TITLE II—COMBATING CRIMES AGAINST SENIORS

SEC. 201. ENHANCED SENTENCING PENALTIES BASED ON AGE OF VICTIM.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend section 3A1.1(a) of the Federal sentencing guidelines to include the age of a crime victim as 1 of the criteria for determining whether the application of a sentencing enhancement is appropriate.

(b) REQUIREMENTS.—In carrying out this section, the Commission shall—

(1) ensure that the Federal sentencing guidelines and the policy statements of the Commission reflect the serious economic and physical harms associated with criminal activity targeted at seniors due to their particular vulnerability;

(2) consider providing increased penalties for persons convicted of offenses in which the victim was a senior in appropriate circumstances;

(3) consult with individuals or groups representing seniors, law enforcement agencies, victims organizations, and the Federal judiciary, as part of the review described in subsection (a);

(4) ensure reasonable consistency with other Federal sentencing guidelines and directives;

(5) account for any aggravating or mitigating circumstances that may justify exceptions, including circumstances for which the Federal sentencing guidelines provide sentencing enhancements;

(6) make any necessary conforming changes to the Federal sentencing guidelines; and

(7) ensure that the Federal sentencing guidelines adequately meet the purposes of sentencing set forth in section 3553(a)(2) of title 18, United States Code.

(c) REPORT.—Not later than December 31, 2000, the Commission shall submit to Congress a report on issues relating to the age of crime victims, which shall include—

(1) an explanation of any changes to sentencing policy made by the Commission under this section; and

(2) any recommendations of the Commission for retention or modification of penalty levels, including statutory penalty levels, for offenses involving seniors.

SEC. 202. STUDY AND REPORT ON HEALTH CARE FRAUD SENTENCES.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and the policy statements of the Commission with respect to persons convicted of offenses involving fraud in connection with a health care benefit program (as defined in section 24(b) of title 18, United States Code).

(b) REQUIREMENTS.—In carrying out this section, the Commission shall—

(1) ensure that the Federal sentencing guidelines and the policy statements of the Commission reflect the serious harms associated with health care fraud and the need for aggressive and appropriate law enforcement action to prevent such fraud;

(2) consider providing increased penalties for persons convicted of health care fraud in appropriate circumstances;

(3) consult with individuals or groups representing victims of health care fraud, law enforcement agencies, the health care industry, and the Federal judiciary as part of the review described in subsection (a);

(4) ensure reasonable consistency with other Federal sentencing guidelines and directives;

(5) account for any aggravating or mitigating circumstances that might justify exceptions, including circumstances for which the Federal sentencing guidelines provide sentencing enhancements;

(6) make any necessary conforming changes to the Federal sentencing guidelines; and

(7) ensure that the Federal sentencing guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

(c) REPORT.—Not later than December 31, 2000, the Commission shall submit to Congress a report on issues relating to offenses described in subsection (a), which shall include—

(1) an explanation of any changes to sentencing policy made by the Commission under this section; and

(2) any recommendations of the Commission for retention or modification of penalty levels, including statutory penalty levels, for those offenses.

SEC. 203. INCREASED PENALTIES FOR FRAUD RESULTING IN SERIOUS INJURY OR DEATH.

Sections 1341 and 1343 of title 18, United States Code, are each amended by inserting before the last sentence the following: ''If the violation results in serious bodily injury (as defined in section 1365 of this title), such person shall be fined under this title, imprisoned not more than 20 years, or both, and if the violation results in death, such person shall be fined under this title, imprisoned for any term of years or life, or both.''.

SEC. 204. SAFEGUARDING PENSION PLANS FROM FRAUD AND THEFT.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1348. Fraud in relation to retirement arrangements

''(a) RETIREMENT ARRANGEMENT DEFINED.—In this section—

''(1) IN GENERAL.—The term 'retirement arrangement' means—

''(A) any employee pension benefit plan subject to any provision of title I of the Employee Retirement Income Security Act of 1974;

''(B) any qualified retirement plan within the meaning of section 4974(c) of the Internal Revenue Code of 1986;

''(C) any medical savings account described in section 220 of the Internal Revenue Code of 1986; or

''(D) fund established within the Thrift Savings Fund by the Federal Retirement Thrift Investment Board pursuant to subchapter III of chapter 84 of title 5.

''(2) EXCEPTION FOR GOVERNMENTAL PLAN.—Such term does not include any governmental plan (as defined in section 3(32) of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32))), except as provided in paragraph (1)(D).

''(3) CERTAIN ARRANGEMENTS INCLUDED.—Such term shall include any arrangement that has been represented to be an arrangement described in any subparagraph of paragraph (1) (whether or not so described).

''(b) PROHIBITION AND PENALTIES.—Whoever executes, or attempts to execute, a scheme or artifice—

''(1) to defraud any retirement arrangement or other person in connection with the establishment or maintenance of a retirement arrangement; or

''(2) to obtain, by means of false or fraudulent pretenses, representations, or promises, any of the money or property owned by, or under the custody or control of, any retirement arrangement or other person in connection with the establishment or maintenance of a retirement arrangement;

shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) ENFORCEMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Attorney General may investigate any violation of and otherwise enforce this section.

''(2) EFFECT ON OTHER AUTHORITY.—Nothing in this subsection may be construed to preclude the Secretary of Labor or the head of any other appropriate Federal agency from investigating a violation of this section in relation to a retirement arrangement subject to title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) or any other provision of Federal law.''.

(b) TECHNICAL AMENDMENT.—Section 24(a)(1) of title 18, United States Code, is amended by inserting ''1348,'' after ''1347,''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 63 of title 18, United States Code,

is amended by adding at the end the following:

''1348. Fraud in relation to retirement arrangements.''.

SEC. 205. ADDITIONAL CIVIL PENALTIES FOR DEFRAUDING PENSION PLANS.

(a) IN GENERAL.—

(1) ACTION BY ATTORNEY GENERAL.—Except as provided in subsection (b)—

(A) the Attorney General may bring a civil action in the appropriate district court of the United States against any person who engages in conduct constituting an offense under section 1348 of title 18, United States Code, or conspiracy to violate such section 1348; and

(B) upon proof of such conduct by a preponderance of the evidence, such person shall be subject to a civil penalty in an amount equal to the greatest of—

(i) the amount of pecuniary gain to that person;

(ii) the amount of pecuniary loss sustained by the victim; or

(iii) not more than—

(I) $50,000 for each such violation in the case of an individual; or

(II) $100,000 for each violation in the case of a person other than an individual.

(2) NO EFFECT ON OTHER REMEDIES.—The imposition of a civil penalty under this subsection does not preclude any other statutory, common law, or administrative remedy available by law to the United States or any other person.

(b) EXCEPTION.—No civil penalty may be imposed pursuant to subsection (a) with respect to conduct involving a retirement arrangement that—

(1) is an employee pension benefit plan subject to title I of Employee Retirement Income Security Act of 1974; and

(2) for which the civil penalties may be imposed under section 502 of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132).

(c) DETERMINATION OF PENALTY AMOUNT.—In determining the amount of the penalty under subsection (a), the district court may consider the effect of the penalty on the violator or other person's ability to—

(1) restore all losses to the victims; or

(2) provide other relief ordered in another civil or criminal prosecution related to such conduct, including any penalty or tax imposed on the violator or other person pursuant to the Internal Revenue Code of 1986.''.

SEC. 206. PUNISHING BRIBERY AND GRAFT IN CONNECTION WITH EMPLOYEE BENEFIT PLANS.

Section 1954 of title 18, United State Code, is amended to read as follows:

''§ 1954. Bribery and graft in connection with employee benefit plans

''(a) DEFINITIONS.—In this section—

''(1) the term 'employee benefit plan' means any employee welfare benefit plan or employee pension benefit plan subject to any provision of title I of the Employee Retirement Income Security Act of 1974;

''(2) the terms 'employee organization', 'administrator', and 'employee benefit plan sponsor' mean any employee organization, administrator, or plan sponsor, as defined in title I of the Employment Retirement Income Security Act of 1974; and

''(3) the term 'applicable person' means a person who is—

''(A) an administrator, officer, trustee, custodian, counsel, agent, or employee of any employee benefit plan;

''(B) an officer, counsel, agent, or employee of an employer or an employer any of whose employees are covered by such plan;

''(C) an officer, counsel, agent, or employee of an employee organization any of whose members are covered by such plan;

''(D) a person who, or an officer, counsel, agent, or employee of an organization that, provides benefit plan services to such plan; or

''(E) a person with actual or apparent influence or decisionmaking authority in regard to such plan.

''(b) BRIBERY AND GRAFT.—Whoever—

''(1) being an applicable person, receives or agrees to receive or solicits, any fee, kickback, commission, gift, loan, money, or thing of value, personally or for any other person, because of or with the intent to be corruptly influenced with respect to any action, decision, or duty of that applicable person relating to any question or matter concerning an employee benefit plan;

''(2) directly or indirectly, gives or offers, or promises to give or offer, any fee, kickback, commission, gift, loan, money, or thing of value, to any applicable person, because of or with the intent to be corruptly influenced with respect to any action, decision, or duty of that applicable person relating to any question or matter concerning an employee benefit plan; or

''(3) attempts to give, accept, or receive any thing of value with the intent to be corruptly influenced in violation of this subsection;

shall be fined under this title, imprisoned not more than 5 years, or both.

''(c) EXCEPTIONS.—Nothing in this section may be construed to apply to any—

''(1) payment to or acceptance by any person of bona fide salary, compensation, or other payments made for goods or facilities actually furnished or for services actually performed in the regular course of his duties as an applicable person; or

''(2) payment to or acceptance in good faith by any employee benefit plan sponsor, or person acting on the sponsor's behalf, of any thing of value relating to the sponsor's decision or action to establish, terminate, or modify the governing instruments of an employee benefit plan in a manner that does not violate title I of the Employee Retirement Income Security Act of 1974, or any regulation or order promulgated thereunder, or any other provision of law governing the plan.''.

TITLE III—PREVENTING TELEMARKETING FRAUD

SEC. 301. CENTRALIZED COMPLAINT AND CONSUMER EDUCATION SERVICE FOR VICTIMS OF TELEMARKETING FRAUD.

(a) CENTRALIZED SERVICE.—

(1) REQUIREMENT.—The Federal Trade Commission shall, after consultation with the Attorney General, establish procedures to—

(A) log and acknowledge the receipt of complaints by individuals who certify that they have a reasonable belief that they have been the victim of fraud in connection with the conduct of telemarketing (as that term is defined in section 2325 of title 18, United States Code, as amended by section 302(a) of this Act);

(B) provide to individuals described in subparagraph (A), and to any other persons, information on telemarketing fraud, including—

(i) general information on telemarketing fraud, including descriptions of the most common telemarketing fraud schemes;

(ii) information on means of referring complaints on telemarketing fraud to appropriate law enforcement agencies, including the Director of the Federal Bureau of Investigation, the attorneys general of the States, and the national toll-free telephone number on telemarketing fraud established by the Attorney General; and

(iii) information, if available, on the number of complaints of telemarketing fraud against particular companies and any record of convictions for telemarketing fraud by particular companies for which a specific request has been made; and

(C) refer complaints described in subparagraph (A) to appropriate entities, including State consumer protection agencies or entities and appropriate law enforcement agencies, for potential law enforcement action.

(2) CENTRAL LOCATION.—The service under the procedures under paragraph (1) shall be provided at and through a single site selected by the Commission for that purpose.

(3) COMMENCEMENT.—The Commission shall commence carrying out the service not later than 1 year after the date of enactment of this Act.

(b) CREATION OF FRAUD CONVICTION DATABASE.—

(1) REQUIREMENT.—The Attorney General shall establish and maintain a computer database containing information on the corporations and companies convicted of offenses for telemarketing fraud under Federal and State law. The database shall include a description of the type and method of the fraud scheme for which each corporation or company covered by the database was convicted.

(2) USE OF DATABASE.—The Attorney General shall make information in the database available to the Federal Trade Commission for purposes of providing information as part of the service under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 302. BLOCKING OF TELEMARKETING SCAMS.

(a) EXPANSION OF SCOPE OF TELEMARKETING FRAUD SUBJECT TO ENHANCED CRIMINAL PENALTIES.—Section 2325(1) of title 18, United States Code, is amended by striking ''telephone calls'' and inserting ''wire communications utilizing a telephone service''.

(b) BLOCKING OR TERMINATION OF TELEPHONE SERVICE ASSOCIATED WITH TELEMARKETING FRAUD.—

(1) IN GENERAL.—Chapter 113A of title 18, United States Code, is amended by adding at the end the following:

''§ 2328. Blocking or termination of telephone service

''(a) IN GENERAL.—If a common carrier subject to the jurisdiction of the Federal Communications Commission is notified in writing by the Attorney General, acting within the Attorney General's jurisdiction, that any wire communications facility furnished by such common carrier is being used or will be used by a subscriber for the purpose of transmitting or receiving a wire communication in interstate or foreign commerce for the purpose of executing any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, in connection with the conduct of telemarketing, the common carrier shall discontinue or refuse the leasing, furnishing, or maintaining of the facility to or for the subscriber after reasonable notice to the subscriber.

''(b) PROHIBITION ON DAMAGES.—No damages, penalty, or forfeiture, whether civil or criminal, shall be found or imposed against any common carrier for any act done by the common carrier in compliance with a notice received from the Attorney General under this section.

''(c) RELIEF.—

''(1) IN GENERAL.—Nothing in this section may be construed to prejudice the right of any person affected thereby to secure an appropriate determination, as otherwise provided by law, in a Federal court, that—

''(A) the leasing, furnishing, or maintaining of a facility should not be discontinued or refused under this section; or

''(B) the leasing, furnishing, or maintaining of a facility that has been so discontinued or refused should be restored.

''(2) SUPPORTING INFORMATION.—In any action brought under this subsection, the court may direct that the Attorney General present evidence in support of the notice made under subsection (a) to which such action relates.

''(d) DEFINITIONS.—In this section:

''(1) REASONABLE NOTICE TO THE SUBSCRIBER.—

''(A) IN GENERAL.—The term 'reasonable notice to the subscriber', in the case of a subscriber of a common carrier, means any information necessary to provide notice to the subscriber that—

''(i) the wire communications facilities furnished by the common carrier may not be used for the purpose of transmitting, receiving, forwarding, or delivering a wire communication in interstate or foreign commerce for the purpose of executing any scheme or artifice to defraud in connection with the conduct of telemarketing; and

''(ii) such use constitutes sufficient grounds for the immediate discontinuance or refusal of the leasing, furnishing, or maintaining of the facilities to or for the subscriber.

''(B) INCLUDED MATTER.—The term includes any tariff filed by the common carrier with the Federal Communications Commission that contains the information specified in subparagraph (A).

''(2) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term in section 2510(1) of this title.

''(3) WIRE COMMUNICATIONS FACILITY.—The term 'wire communications facility' means any facility (including instrumentalities, personnel, and services) used by a common carrier for purposes of the transmission, receipt, forwarding, or delivery of wire communications.''.

(2) CONFORMING AMENDMENT.—The analysis for that chapter is amended by adding at the end the following:

''2328. Blocking or termination of telephone service.''.

TITLE IV—PREVENTING HEALTH CARE FRAUD

SEC. 401. INJUNCTIVE AUTHORITY RELATING TO FALSE CLAIMS AND ILLEGAL KICKBACK SCHEMES INVOLVING FEDERAL HEALTH CARE PROGRAMS.

(a) IN GENERAL.—Section 1345(a) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking '', or'' and inserting a semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(C) by inserting after subparagraph (C) the following:

''(D) committing or about to commit an offense under section 1128B of the Social Security Act (42 U.S.C. 1320a–7b);''; and

(2) in paragraph (2), by inserting ''a violation of paragraph (1)(D) or'' before ''a banking''.

(b) CIVIL ACTIONS.—

(1) IN GENERAL.—Section 1128B of the Social Security Act (42 U.S.C. 1320a–7b) is amended by adding at the end the following:

''(g) CIVIL ACTIONS.—

''(1) IN GENERAL.—The Attorney General may bring an action in the appropriate district court of the United States to impose upon any person who carries out any activity in violation of this section with respect to a Federal health care program a civil penalty of not more than $50,000 for each such violation, or damages of 3 times the total remuneration offered, paid, solicited, or received, whichever is greater.

''(2) EXISTENCE OF VIOLATION.—A violation exists under paragraph (1) if 1 or more purposes of the remuneration is unlawful, and the damages shall be the full amount of such remuneration.

''(3) PROCEDURES.—An action under paragraph (1) shall be governed by—

''(A) the procedures with regard to subpoenas, statutes of limitations, standards of proof, and collateral estoppel set forth in section 3731 of title 31, United States Code; and

''(B) the Federal Rules of Civil Procedure.

''(4) NO EFFECT ON OTHER REMEDIES.—Nothing in this section may be construed to affect the availability of any other criminal or civil remedy.

''(h) INJUNCTIVE RELIEF.—The Attorney General may commence a civil action in an appropriate district court of the United States to enjoin a violation of this section, as provided in section 1345 of title 18, United States Code.''.

(2) CONFORMING AMENDMENT.—The heading of section 1128B of the Social Security Act (42 U.S.C. 1320a–7b) is amended by inserting ''AND CIVIL'' after ''CRIMINAL''.

SEC. 402. AUTHORIZED INVESTIGATIVE DEMAND PROCEDURES.

Section 3486 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting '', or any allegation of fraud or false claims (whether criminal or civil) in connection with a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))),'' after ''Federal health care offense,''; and

(2) by adding at the end the following:

''(f) PRIVACY PROTECTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any record (including any book, paper, document, electronic medium, or other object or tangible thing) produced pursuant to a subpoena issued under this section that contains personally identifiable health information may not be disclosed to any person, except pursuant to a court order under subsection (e)(1).

''(2) EXCEPTIONS.—A record described in paragraph (1) may be disclosed—

''(A) to an attorney for the government for use in the performance of the official duty of the attorney (including presentation to a Federal grand jury);

''(B) to such government personnel (including personnel of a State or subdivision of a State) as are determined to be necessary by an attorney for the government to assist an attorney for the government in the performance of the official duty of that attorney to enforce Federal criminal law;

''(C) as directed by a court preliminarily to or in connection with a judicial proceeding; and

''(D) as permitted by a court—

''(i) at the request of a defendant in an administrative, civil, or criminal action brought by the United States, upon a showing that grounds may exist for a motion to exclude evidence obtained under this section; or

''(E) at the request of an attorney for the government, upon a showing that such matters may disclose a violation of State criminal law, to an appropriate official of a State or subdivision of a State for the purpose of enforcing such law.

''(3) MANNER OF COURT ORDERED DISCLOSURES.—If a court orders the disclosure of any record described in paragraph (1), the disclosure shall be made in such manner, at such time, and under such conditions as the court may direct and shall be undertaken in a manner that preserves the confidentiality and privacy of individuals who are the subject of the record, unless disclosure is required by the nature of the proceedings, in which event the attorney for the government shall request that the presiding judicial or administrative officer enter an order limiting the disclosure of the record to the maximum extent practicable, including redacting the personally identifiable health information from publicly disclosed or filed pleadings or records.

''(4) DESTRUCTION OF RECORDS.—Any record described in paragraph (1), and all copies of that record, in whatever form (including electronic) shall be destroyed not later than 90 days after the date on which the record is produced, unless otherwise ordered by a court of competent jurisdiction, upon a showing of good cause.

''(5) EFFECT OF VIOLATION.—Any person who knowingly fails to comply with this subsection may be punished as in contempt of court.

''(g) PERSONALLY IDENTIFIABLE HEALTH INFORMATION DEFINED.—In this section, the term 'personally identifiable health information' means any information, including genetic information, demographic information, and tissue samples collected from an individual, whether oral or recorded in any form or medium, that—

''(1) relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual; and

''(2) either—

''(A) identifies an individual; or

''(B) with respect to which there is a reasonable basis to believe that the information can be used to identify an individual.''.

SEC. 403. EXTENDING ANTIFRAUD SAFEGUARDS TO THE FEDERAL EMPLOYEE HEALTH BENEFITS PROGRAM.

Section 1128B(f)(1) of the Social Security Act (42 U.S.C. 1320a–7b(f)(1)) is amended by striking ''(other than the health insurance program under chapter 89 of title 5, United States Code)''.

SEC. 404. GRAND JURY DISCLOSURE.

Section 3322 of title 18, United States Code, is amended—

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

(2) by inserting after subsection (b) the following:

''(c) GRAND JURY DISCLOSURE.—Subject to section 3486(f), upon ex parte motion of an attorney for the government showing that such disclosure would be of assistance to enforce any provision of Federal law, a court may direct the disclosure of any matter occurring before a grand jury during an investigation of a Federal health care offense (as defined in section 24(a) of this title) to an attorney for the government to use in any investigation or civil proceeding relating to fraud or false claims in connection with a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))).''.

SEC. 405. INCREASING THE EFFECTIVENESS OF CIVIL INVESTIGATIVE DEMANDS IN FALSE CLAIMS INVESTIGATIONS.

Section 3733 of title 31, United States Code, is amended—

(1) in subsection (a)(1), in the second sentence, by inserting '', except to the Deputy Attorney General or to an Assistant Attorney General'' before the period at the end; and

(2) in subsection (i)(2)(C), by adding at the end the following: ''Disclosure of information to a person who brings a civil action under section 3730, or such person's counsel, shall be allowed only upon application to a United States district court showing that such disclosure would assist the Department of Justice in carrying out its statutory responsibilities.''.

TITLE V—PROTECTING RESIDENTS OF NURSING HOMES

SEC. 501. SHORT TITLE.

This title may be cited as the ''Nursing Home Resident Protection Act of 1999''.

SEC. 502. NURSING HOME RESIDENT PROTECTION.

(a) PROTECTION OF RESIDENTS IN NURSING HOMES AND OTHER RESIDENTIAL HEALTH CARE FACILITIES.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1349. Pattern of violations resulting in harm to residents of nursing homes and related facilities.

''(a) DEFINITIONS.—In this section:

''(1) ENTITY.—The term 'entity' means any residential health care facility (including facilities that do not exclusively provide residential health care services), any entity that manages a residential health care facility, or any entity that owns, directly or indirectly, a controlling interest or a 50 percent or greater interest in 1 or more residential health care facilities including States, localities, and political subdivisions thereof.

''(2) FEDERAL HEALTH CARE PROGRAM.—The term 'Federal health care program' has the meaning given that term in section 1128B(f) of the Social Security Act.

''(3) PATTERN OF VIOLATIONS.—The term 'pattern of violations' means multiple violations of a single Federal or State law, regulation, or rule or single violations of multiple Federal or State laws, regulations, or rules, that are widespread, systemic, repeated, similar in nature, or result from a policy or practice.

''(4) RESIDENTIAL HEALTH CARE FACILITY.—The term 'residential health care facility' means any facility (including any facility that does not exclusively provide residential health care services) including skilled and unskilled nursing facilities and mental health and mental retardation facilities, that—

''(A) receives Federal funds, directly from the Federal Government or indirectly from a third party on contract with or receiving a grant or other monies from the Federal government, to provide health care; or

''(B) provides health care services in a residential setting and, in any calendar year in which a violation occurs, is the recipient of benefits or payments in excess of $10,000 from a Federal health care program.

''(5) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(b) PROHIBITION AND PENALTIES.—Whoever knowingly and willfully engages in a pattern of violations that affects the health, safety, or care of individuals residing in a residential health care facility or facilities, and that results in significant physical or mental harm to 1 or more of such residents, shall be punished as provided in section 1347, except that any organization shall be fined not more than $2,000,000 per residential health care facility.

''(c) CIVIL PROVISIONS.—

''(1) IN GENERAL.—The Attorney General may bring an action in a district court of the United States to impose on any individual or entity that engages in a pattern of violations that affects the health, safety, or care of individuals residing in a residential health care facility, and that results in physical or mental harm to 1 or more such residents, a civil penalty or—

''(A) in the case of an individual (other than an owner, operator, officer or manager of such a residential health care facility), not more than $10,000;

''(B) in the case of an individual who is an owner, operator, officer, or manager of such a residential health care facility, not more than $100,000 for each separate facility involved in the pattern of violations under this section; or

''(C) in the case of a residential health care facility, not more than $1,000,000 for each pattern of violations, and in the case of an entity, not more than $1,000,000 for each separate residential health care facility involved in the pattern of violations owned or managed by that entity.

''(2) OTHER APPROPRIATE RELIEF.—If the Attorney General has reason to believe that an individual or entity is engaging in or is about to engage in a pattern of violations that would affect the health, safety, or care of individuals residing in a residential health care facility, and that results in or has the potential to result in physical or mental harm to 1 or more such residents, the Attorney General may petition an appropriate district court of the United States for appropriate equitable and declaratory relief to eliminate the pattern of violations.

''(3) PROCEDURES.—In any action under this subsection—

''(A) a subpoena requiring the attendance of a witness at a trial or hearing may be served at any place in the United States;

''(B) the action may not be brought more than 6 years after the date on which the violation occurs;

''(C) the United States shall be required to prove each charge by a preponderance of the evidence;

''(D) the civil investigative demand procedures set forth in the Antitrust Civil Process Act (15 U.S.C. 1311 et seq.) and regulations promulgated pursuant thereto shall apply to any investigation; and

''(E) the filing or resolution of a matter shall not preclude any other remedy that is available to the United States or any other person.

''(d) PROHIBITION AGAINST RETALIATION.—Any person who is the subject of retaliation, either directly or indirectly, for reporting a condition that may constitute grounds for relief under this section may bring an action in an appropriate district court of the United States for damages, attorneys' fees, and other relief.''.

(b) AUTHORIZED INVESTIGATIVE DEMAND PROCEDURES.—Section 3486(a)(1) of title 18, United States Code, is amended by inserting ''or act or activity involving section 1349 of this title'' after ''Federal health care offense''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 63 of title 18 United States Code, is amended by adding at the end the following:

''1349. Pattern of violations resulting in harm to residents of nursing homes and related facilities.''.

TITLE VI—PROTECTING THE RIGHTS OF ELDERLY CRIME VICTIMS

SEC. 601. USE OF FORFEITED FUNDS TO PAY RESTITUTION TO CRIME VICTIMS AND REGULATORY AGENCIES.

Section 981(e) of this title 18, United States Code, is amended—

(1) in each of paragraphs (3), (4), and (5), by striking ''in the case of property referred to in subsection (a)(1)(C)'' and inserting ''in the case of property forfeited in connection with an offense resulting in a pecuniary loss to a financial institution or regulatory agency'';

(2) by striking paragraph (6) and inserting the following:

''(6) as restoration to any victim of the offense giving rise to the forfeiture, including, in the case of a money laundering offense, any offense constituting the underlying specified unlawful activity; or''; and

(3) in paragraph (7), by striking ''in the case of property referred to in subsection (a)(1)(D)'' and inserting ''in the case of property forfeited in connection with an offense relating to the sale of assets acquired or held by any Federal financial institution or regulatory agency, or person appointed by such agency, as receiver, conservator, or liquidating agent for an financial institution''.

SEC. 602. VICTIM RESTITUTION.

Section 413 of the Controlled Substances Act (21 U.S.C. 853) is amended by adding at the end the following:

''(r) VICTIM RESTITUTION.—

''(1) SATISFACTION OF ORDER OF RESTITUTION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a defendant may not use property subject to forfeiture under this section to satisfy an order of restitution.

''(B) EXCEPTION.—If there are 1 or more identifiable victims entitled to restitution from a defendant, and the defendant has no assets other than the property subject to forfeiture with which to pay restitution to the victim or victims, the attorney for the Government may move to dismiss a forfeiture allegation against the defendant before entry of a judgment of forfeiture in order to allow the property to be used by the defendant to pay restitution in whatever manner the court determines to be appropriate if the court grants the motion. In granting a motion under this subparagraph, the court shall include a provision ensuring that costs associated with the identification, seizure, management, and disposition of the property are recovered by the United States.

''(2) RESTORATION OF FORFEITED PROPERTY.—

''(A) IN GENERAL.—If an order of forfeiture is entered pursuant to this section and the defendant has no assets other than the forfeited property to pay restitution to 1 or more identifiable victims who are entitled to restitution, the Government shall restore the forfeited property to the victims pursuant to subsection (i)(1) once the ancillary proceeding under subsection (n) has been completed and the costs of the forfeiture action have been deducted.

''(B) DISTRIBUTION OF PROPERTY.—On motion of the attorney for the Government, the court may enter any order necessary to facilitate the distribution of any property restored under this paragraph.

''(3) VICTIM DEFINED.—In this subsection, the term 'victim'—

''(A) means a person other than a person with a legal right, title, or interest in the forfeited property sufficient to satisfy the standing requirements of subsection (n)(2) who may be entitled to restitution from the forfeited funds pursuant to section 9.8 of part 9 of title 28, Code of Federal Regulations (or any successor to that regulation); and

''(B) includes any person who is the victim of the offense giving rise to the forfeiture, or of any offense that was part of the same scheme, conspiracy, or pattern of criminal activity, including, in the case of a money laundering offense, any offense constituting the underlying specified unlawful activity.''.

SEC. 603. BANKRUPTCY PROCEEDINGS NOT USED TO SHIELD ILLEGAL GAINS FROM FALSE CLAIMS.

(a) CERTAIN ACTIONS NOT STAYED BY BANKRUPTCY PROCEEDINGS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the commencement or continuation of an action under section 3729 of title 31, United States Code, does not operate as a stay under section 105(a) or 362(a)(1) of title 11, United States Code.

(2) CONFORMING AMENDMENT.—Section 362(b) of title 11, United States Code, is amended—

(A) in paragraph (17), by striking ''or'' at the end;

(B) in paragraph (18), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(19) the commencement or continuation of an action under section 3729 of title 31.''.

(b) CERTAIN DEBTS NOT DISCHARGEABLE IN BANKRUPTCY.—Section 523 of title 11, United States Code, is amended by adding at the end the following:

''(f) A discharge under section 727, 1141, 1228(a), 1228(b), or 1328(b) does not discharge a debtor from a debt owed for violating section 3729 of title 31.''.

(c) REPAYMENT OF CERTAIN DEBTS CONSIDERED FINAL.—

(1) IN GENERAL.—Chapter 1 of title 11, United States Code, is amended by adding at the end the following:

''§ 111. False claims

''No transfer on account of a debt owed to the United States for violating 3729 of title 31, or under a compromise order or other agreement resolving such a debt may be avoided under section 544, 545, 547, 548, 549, 553(b), or 742(a).''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 11, United States Code, is amended by adding at the end the following:

''111. False claims.''.

SEC. 604. FORFEITURE FOR RETIREMENT OFFENSES.

(a) CRIMINAL FORFEITURE.—Section 982(a) of title 18, United States Code, is amended by adding at the end the following:

''(9) CRIMINAL FORFEITURE.—

''(A) IN GENERAL.—The court, in imposing sentence on a person convicted of a retirement offense, shall order the person to forfeit property, real or personal, that constitutes or that is derived, directly or indirectly, from proceeds traceable to the commission of the offense.

''(B) RETIREMENT OFFENSE DEFINED.—In this paragraph, the term 'retirement offense' means a violation of any of the following provisions of law, if the violation, conspiracy, or solicitation relates to a retirement arrangement (as defined in section 1348 of title 18, United States Code):

''(i) Section 664, 1001, 1027, 1341, 1343, 1348, 1951, 1952, or 1954 of title 18, United States Code.

''(ii) Sections 411, 501, or 511 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1111, 1131, 1141).''.

(b) CIVIL FORFEITURE.—Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

''(G) Any property, real or personal, that constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of a violation of, a criminal conspiracy to violated or solicitation to commit a crime of violence involving a retirement offense (as defined in section 982(a)(9)(B)).''.

SENIORS SAFETY ACT OF 1999—SECTION BY SECTION ANALYSIS

SEC. 1. SHORT TITLE. The Act may be cited as the Seniors Safety Act of 1999.

SEC. 2. FINDINGS AND PURPOSES. The Act enumerates 14 findings on the incidence of crimes against seniors, the large percentages of seniors who can expect to spend time in nursing homes, the amount of Federal money spent on nursing home care and the estimated losses due to fraud and abuse in the health care industry.

The purposes of the Act are to combat abuse in nursing homes, enhance safeguards for pension plans and health benefit programs, develop strategies for preventing and punishing crimes against seniors as well as collecting information about such crimes, preventing and deterring criminal activity that results in economic and physical harm to seniors, and ensuring appropriate restitution.

SEC. 3. DEFINITIONS. Definitions are provided for the following terms: (1) ''Crime'' is defined as any criminal offense under Federal or State law; (2) ''Nursing home'' is defined as any institution or residential care facility defined as such for licensing purposes under state law, or the federal equivalent; and (3) ''Seniors'' is defined as individuals who are more than 55 years old.

TITLE I—STRATEGIES FOR PREVENTING CRIMES AGAINST SENIORS

SEC. 101. STUDY OF CRIMES AGAINST SENIORS.

The Act directs the Attorney General to conduct a study addressing, inter alia, the types of crimes and risk factors associated with crimes against seniors, and develop new strategies to prevent and reduce crimes against seniors. The results of this study shall be reported to the Senate and House Judiciary Committees within 18 months.

SEC. 102. INCLUSION OF SENIORS IN THE NATIONAL CRIME VICTIMS SURVEY.

The Act provides that within two years of its enactment, the Attorney General shall include in the National Crime Victimization Survey (NCVS) statistics relating to crimes and risk factors associated with crimes against seniors.

TITLE II—COMBATING CRIMES AGAINST SENIORS

SEC. 201. ENHANCED SENTENCING PENALTIES BASED ON AGE OF VICTIM.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION. The U.S. Sentencing Commission is directed to review and, if appropriate, amend the sentencing guidelines to include age as one of the criteria for determining whether a sentencing enhancement is appropriate.

(b) REQUIREMENTS. During its review, the Sentencing Commission shall: ensure that the guidelines adequately reflect the economic and physical harms associated with criminal activity targeted at seniors; consider providing increased penalties for offenses where the victim was a senior; consult with seniors, victims, judiciary, and law enforcement representatives; assure reasonable consistency with other relevant directives and guidelines; account for circumstances which may justify exceptions, including any circumstances already warranting sentencing enhancements; make any necessary conforming changes; and assure that the guidelines adequately meet the purposes of sentencing.

(c) REPORT. The sentencing commission shall report the results of the review required under (a) and include any recommendations for retention or modification of the current penalty levels by December 31, 2000.

SEC. 202. STUDY AND REPORT ON HEALTH CARE FRAUD SENTENCES.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION. The U.S. Sentencing Commission is directed to review and, if appropriate, amend the sentencing guidelines applicable to health care fraud offenses.

(b) REQUIREMENTS. During its review, the Sentencing Commission shall: ensure that the guidelines reflect the serious harms associated with health care fraud and the need for law enforcement to prevent such fraud; consider enhanced penalties for persons convicted of health care fraud; consult with representatives of industry, judiciary, law enforcement, and victim groups; account for mitigating circumstances; assure reasonable consistency with other relevant directives and guidelines; make any necessary conforming changes; and assure that the guidelines adequately meet the purposes of sentencing.

(c) REPORT. The Sentencing Commission shall report the results of the review required under (a) and include any recommendations for retention or modification of the current penalty levels for health care fraud offenses, by December 31, 2000.

SEC. 203. INCREASED PENALTIES FOR FRAUD RESULTING IN SERIOUS INJURY OR DEATH.

This section increases the penalties under the mail fraud statute, 18 U.S.C. § 1341, and the wire fraud statute, 18 U.S.C. § 1343, for fraudulent schemes that result in serious injury or death. Existing law provides such an enhancement for a narrow class of health care fraud schemes (see 18 U.S.C. 1347). This provision would extend this penalty enhancement to other forms of fraud under the mail and wire fraud statutes that result in death or serious injury. The maximum penalty if serious bodily harm occurred would be up to twenty years; if a death occurred, the maximum penalty would be a life sentence.

SEC. 204. SAFEGUARDING PENSION PLANS FROM FRAUD AND THEFT.

(a) IN GENERAL. This section would add new section 1348 to title 18, United States Code.

§1348: Fraud in Relation to Retirement Arrangements:

(a) This section defines retirement arrangements and provides an exception for plans established by the Employee Retirement Income Security Act (ERISA).

(b) This section punishes, with up to ten years' imprisonment, the act of defrauding retirement arrangements, or obtaining by means of false or fraudulent pretenses money or property of any retirement arrangement. Retirement arrangements would include employee pension benefit plans under the Employee Retirement Income Security Act (ERISA), qualified retirement plans under section 4974(c) of the Internal Revenue Code (IRC), medical savings accounts under section 220 of the IRC, and funds established within the Thrift Savings Fund. This provision is modeled on existing statutes punishing bank fraud (see 18 U.S.C. § 1344) and

health care fraud (see 18 U.S.C. § 1347). Any government plan defined under section 3(32) of title I of the ERISA, except funds established by the Federal Retirement Thrift Investment Board, is exempt from this section.

(c) The Attorney General is given authority to investigate offenses under the new section, but this authority expressly does not preclude other appropriate Federal agencies, including the Secretary of Labor, from investigating violations of ERISA.

(b) CONFORMING AMENDMENT. The table of sections for chapter 63 of title 18 United States Code, is modified to list new section ''1348. Fraud in relation to retirement arrangements.''

SEC. 205. ADDITIONAL CIVIL PENALTIES FOR DEFRAUDING PENSION PLANS.

(a) IN GENERAL. This section would authorize the Attorney General to bring a civil action for a violation, or conspiracy to violate, new section 18 U.S.C. § 1348, relating to retirement fraud. Proof of such a violation established by a preponderance of the evidence would subject the violator to a civil penalty of the greater of the amount of pecuniary gain to the offender, the pecuniary loss to the victim, or up to $50,000 in the case of an individual, or $100,000 for an organization. Imposition of this civil penalty has no effect on other possible remedies.

(b) EXCEPTION. No civil penalties would be imposed for conduct involving an employee pension plan subject to penalties under ERISA, 29 U.S.C. § 1132.

(c) DETERMINATION OF PENALTY AMOUNT. In determining the amount of the penalty, the court is authorized to consider the effect of the penalty on the violator's ability to restore all losses to the victims and to pay other important tax or criminal penalties.

SEC. 206. PUNISHING BRIBERY AND GRAFT IN CONNECTION WITH EMPLOYEE BENEFIT PLANS.

This section would amend section 1954 of title 18, United States Code, by changing the title to ''Bribery and graft in connection with employee benefit plans,'' and increasing the maximum penalty for bribery and graft in regard to the operation of an employee benefit plan from 3 to 5 years imprisonment. This section also broadens existing law under section 1954 to cover corrupt attempts to give or accept bribery or graft payments, and to proscribe bribery or graft payments to persons exercising de facto influence or control over employee benefit plans. Finally, this amendment clarifies that a violation under section 1954 requires a showing of corrupt intent to influence the actions of the recipient of the bribe or graft.

TITLE III—PREVENTING TELEMARKETING CRIME.

SEC. 301. CENTRALIZED COMPLAINT AND CONSUMER EDUCATION SERVICE FOR VICTIMS OF TELEMARKETING FRAUD.

(a) CENTRALIZED SERVICE. This section directs the Commissioner of the Federal Trade Commission to establish a ''Better Business''-style hotline to serve as a central information clearinghouse for victims of telemarketing fraud within one year. As part of this service, the FTC is required to establish procedures for logging in complaints of telemarketing fraud victims, providing information on telemarketing fraud schemes, referring complaints to appropriate law enforcement officials, and providing complaint or prior conviction information about specific companies.

(b) CREATION OF FRAUD CONVICTION DATABASE. The Attorney General is directed to establish a database of telemarketing fraud convictions secured against corporations or companies, for the use as described in (a).

(c) AUTHORIZATION OF APPROPRIATIONS. Authorization is provided for such sums as are necessary to carry out the section.

SEC. 302. BLOCKING OF TELEMARKETING SCAMS.

(a) EXPANSION OF SCOPE OF TELEMARKETING FRAUD SUBJECT TO ENHANCED CRIMINAL PENALTIES. Section 2325 of title 18, United States Code, is amended by replacing the term ''telephone calls'' with ''wire communication utilizing a telephone service'' to clarify that telemarketing fraud schemes executed using cellular telephone services are subject to the enhanced penalties for such fraud under 18 U.S.C. § 2326.

(b) BLOCKING OR TERMINATION OF TELEPHONE SERVICE ASSOCIATED WITH TELEMARKETING FRAUD. This section adds new section 2328 to title 18, United States Code, to authorize the termination of telephone service used to carry on telemarketing fraud, and is similar to the legal authority provided under 18 U.S.C. § 1084(d), regarding termination of telephone service used to engage in illegal gambling. The new section 2328 requires telephone companies, upon notification in writing from the Department of Justice that a particular phone number is being used to engage in fraudulent telemarketing or other fraudulent conduct, and after notice to the customer, to terminate the subscriber's telephone service. The common carrier is exempt from civil and criminal penalties for any actions taken in compliance with any notice received from the Justice Department under this section. Persons affected by termination may seek an appropriate determination in Federal court that the service should not be discontinued or removed, and the court may direct the Department of Justice to present evidence supporting the notification of termination. Definitions are provided for ''wire communication facility'' and ''reasonable notice to the subscriber.''

TITLE IV—PREVENTING HEALTH CARE FRAUD.

SEC. 401. INJUNCTIVE AUTHORITY RELATING TO FALSE CLAIMS AND ILLEGAL KICKBACK SCHEMES INVOLVING FEDERAL HEALTH CARE PROGRAMS.

(a) IN GENERAL. This section extends the provisions of 18 U.S.C. § 1345, which authorizes injunctions against frauds, to authorize the Attorney General to take immediate action to halt illegal health care fraud kickback schemes under the Social Security Act (42 U.S.C. § 1320a-7b). Under existing law, (18 U.S.C. § 1345 (a)(1)(C)), Federal prosecutors are able to obtain injunctive relief in connection with a wide variety of Federal health care offenses. This authority has proven to be extremely valuable in putting a halt to fraudulent behavior, but such relief is not available in connection with kickback offenses under section 1128B of the Social Security Act (42 U.S.C. §1320a-7b). Because of the large amounts of money involved in these kinds of cases, the Attorney General should have the authority to enjoin kickback schemes while they are in progress.

(b) CIVIL ACTIONS. This section would amend 42 U.S.C. § 1320a-7b by adding a new subsection (g) authorizing the Attorney General to seek a civil penalty of up to $50,000 per violation, or three times the remuneration, whichever is greater, for each offense under this section with respect to a Federal health care program. This penalty is in addition to other criminal and civil penalties. The procedures are governed by the Federal Rules of Civil Procedure and 31 U.S.C. 3731. If one or more of the purposes of the remuneration is unlawful, a violation exists and damages shall be the full amount of the remuneration.

SEC. 402. AUTHORIZED INVESTIGATIVE DEMAND PROCEDURES.

This section would amend section 3486 of title 18, United States Code, to authorize the Attorney General or her designee to issue administrative subpoenas—called ''authorized investigative demands''—to investigate civil health care fraud cases. Under section 248 of the Health Insurance Portability and Accountability Act of 1996 (Pub. L. 104–191), the Attorney General or her designee is authorized to issue an administrative subpoena in connection with an investigation relating to a Federal health care offense, defined under 18 U.S.C. § 24 to include only criminal offenses. In civil cases, however, the Department's attorneys must rely upon subpoenas issued by the office of the Inspector General of the Department of Health and Human Services or upon civil investigative demands. To facilitate the Department of Justice's ability to investigate civil health care fraud cases in an effective and efficient manner, this provision allows the Attorney General or her designee to issue an administrative subpoena in connection with any health care fraud case, criminal or civil.

This section also provides privacy safeguards for personally identifiable health information that may be obtained in response to an administrative subpoena and divulged in the course of a federal investigation. Information provided in response to a grand jury subpoena is generally required, under Rule 6(e) of the Federal Rules of Criminal Procedure, to be kept secret. By contrast, this secrecy rule would not apply to information obtained in response to an administrative subpoena. This section therefore protects the privacy and confidentiality of personally identifiable health information by limiting its disclosure to a federal prosecutor in the performance of official duties, to other government personnel where necessary to assist in the enforcement of Federal criminal law, or when directed by a court. The section requires that such information be destroyed within 90 days from production, unless otherwise ordered by a court. ''Personally identifiable health information'' is defined to mean any information relating to the physical or mental condition of an individual, the provision of, or payments for, health care, that either identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual.

SEC. 403. EXTENDING ANTI-FRAUD SAFEGUARDS TO THE FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM.

This section removes the anti-fraud exemption for the Federal Employee Health Benefits (FEHB) Act currently contained in section 1128B(f)(1) of the Social Security Act, thereby extending anti-fraud and anti-kickback safeguards applicable to the Medicare and Medicaid program to the FEHB. This would allow the Attorney General to use the same civil enforcement tools to fight fraud perpetrated against the FEHB program as are available to other Federal health care programs, and to recover civil penalties against persons or entities engaged in illegal kickback schemes under the anti-kickback provisions of the Social Security Act (42 U.S.C. §1320a-7b). Removal of this exemption

would allow enhanced penalties for repeat offenders, additional anti-kickback enforcement, enhanced civil monetary penalties, and full participation in the Health Care Fraud and Abuse Control Account. Civil penalties are particularly important in health care fraud, since the complex business arrangements often employed in connection with kickback schemes pose difficulties in proving the necessary scienter needed to sustain a criminal prosecution.

SEC. 404. GRAND JURY DISCLOSURE.

This section would amend section 3322 of title 18, United States Code, to authorize federal prosecutors to seek a court order to share grand jury information regarding health care offenses, as defined in 18 U.S.C. § 24, with other federal prosecutors for use in civil proceedings or investigations relating to fraud or false claims in connection with any Federal health care program. Under current law, grand jury information may not be shared for use by government attorneys in civil investigations except ''when so directed by a court preliminarily to or in connection with a judicial proceeding,'' and may require a hearing at which ''other persons as the court may direct'' are given a ''reasonable opportunity to appear and be heard.'' F.R.Cr.P. 6(e)(3)(C)(i) & (D). The important policy reasons for protecting the secrecy of grand juries and allowing only narrow access to grand jury proceedings by Federal civil prosecutors are fully set forth in United States v. Sells Engineering, Inc., 463 U.S. 418 (1983).

Mindful of the reasons for grand jury secrecy, the proposed amendment would permit grand jury information regarding health care offenses to be shared with Federal civil prosecutors, only after ex parte court review and a finding that the information would assist in enforcement of federal laws or regulations. Simplifying the sharing of grand jury information by avoiding the need for a judicial proceeding or the possibility of a hearing, would avoid subverting the grand jury secrecy rule while enhancing the effectiveness of the Department of Justice's overall health care anti-fraud effort. In particular, by facilitating the sharing of information between criminal investigators and civil prosecutors, this proposal would enable the Justice Department to proceed more quickly and efficiently to recover losses to federal health care programs and to prevent wrongdoers from dissipating illegally obtained assets before the Government can take action to recover the government's losses. Privacy safeguards for personally identifiable health care information proposed in section 401 of this Act would also apply to information shared under this new provision.

SEC 405. INCREASING THE EFFECTIVENESS OF CIVIL INVESTIGATIVE DEMANDS IN A FALSE CLAIMS INVESTIGATION.

This section amends section 3733 of title 31, United States Code, to permit the Attorney General to delegate authority to issue civil investigative demands to the Deputy Attorney General or an Assistant Attorney General. The Deputy Attorney General and Assistant Attorneys General already are authorized under current law to cause such discovery demands to be served.

In addition, section 3733 is amended to permit a person who initiated an investigation or proceeding under 31 U.S.C. § 3730, or such person's counsel (i.e., whistle-blowers who have brought a qui tam suit under the False Claims Act) to seek permission from a district court to obtain information disclosed to the Justice Department in response to civil investigative demands. Whistle blowers who relay information for false claims actions to the government are often able to provide valuable assistance to the government in pursuing false claims law investigations and actions. This assistance may be further enhanced if they have an opportunity to review information obtained by the Justice Department in connection with the investigation.

TITLE V—PROTECTING RESIDENTS OF NURSING HOMES

SEC. 501. NURSING HOME RESIDENT PROTECTION ACT.

This title may be cited as the ''Nursing Home Resident Protection Act of 1999.''

SEC. 502. NURSING HOME RESIDENT PROTECTION.

(a) PROTECTION OF RESIDENTS IN NURSING HOMES AND OTHER RESIDENTIAL HEALTH CARE FACILITIES. This section would add new section 1349 to title 18, United States Code, to punish persons who engage in a pattern of willful violations of Federal laws, regulations, rules, or State laws governing the health, safety, or care of individuals residing in residential health care facilities, and allows the Attorney General to bring civil penalties against those entities. It also provides additional ''whistle blower'' protection by allowing a person who is retaliated against for reporting nursing home conditions to bring a civil action for damages, attorney's fees, and other costs.

(b) AUTHORIZED INVESTIGATIVE DEMAND PROCEDURES. This section would amend section 3486(a)(1) of title 18, United States Code, to authorize the Attorney General or a designated representative to issue administrative subpoenas in cases under new section 1349 of title 18, United States Code.

(c) CONFORMING AMENDMENT. The table of sections for chapter 63 of title 18 United States Code, is modified to list new section ''1349. Pattern of violations resulting in harm to residents of nursing homes and related facilities.''

TITLE VI—PROTECTING THE RIGHTS OF ELDERLY CRIME VICTIMS

SEC. 601. USE OF FORFEITED FUNDS TO PAY RESTITUTION TO CRIME VICTIMS AND REGULATORY AGENCIES. This section would amend section 981(e) of title 18, United States Code, to allow the use of forfeited funds to pay restitution to crime victims and regulatory agencies.

SEC. 602. VICTIM RESTITUTION. The section adds a new subsection ''(r) VICTIM RESTITUTION'' to the Controlled Substances Act (21 U.S.C. §853) to allow the government to move to dismiss forfeiture proceedings to allow the defendant to use the property subject to forfeiture for the payment of restitution to victims. If forfeiture proceedings are complete and there is no other source of restitution available to the victims, the Government may return the forfeited property so it may be used for restitution.

SEC. 603. BANKRUPTCY PROCEEDINGS NOT USED TO SHIELD ILLEGAL GAINS FROM FALSE CLAIMS.

(a) CERTAIN ACTIONS NOT STAYED BY BANKRUPTCY PROCEEDINGS. This section provides that an action under the False Claims Act may be brought and continued despite concurrent bankruptcy proceedings.

(b) CERTAIN DEBTS NOT DISCHARGEABLE IN BANKRUPTCY. This section prohibits the discharge in bankruptcy of debts resulting from judgments or settlements in Medicare and Medicaid fraud cases under the False Claims Act. Currently, in some cases, persons who rip off the Medicare or Medicaid system can avoid repaying their ill-gotten gains or penalties by filing for bankruptcy.

(c) REPAYMENT OF CERTAIN DEBTS CONSIDERED FINAL. This section adds a new §111 to chapter I of title II of the United States Code which provides that no debt owed for a violation of the False Claims act or under a compromise order or other agreement resolving such a debt may be avoided under bankruptcy provisions.

SEC. 604. FORFEITURE FOR RETIREMENT OFFENSES.

(a) CRIMINAL FORFEITURE. This section adds a new subsection to 18 U.S.C. § 982(a) to require the forfeiture of proceeds of a criminal retirement offense, including a violation of new section 1348 of title 18, United States Code.

(b) CIVIL FORFEITURE. This section adds a new subsection to 18 U.S.C. § 981(a)(1) to permit the civil forfeiture of proceeds from a criminal retirement offense.

Mr. DASCHLE. Mr. President, I am pleased to join Senators LEAHY and TORRICELLI in introducing The Seniors Safety Act. All too often, seniors are primary targets for financial exploitation and subjected to neglect and physical abuse, and as our country's senior population continues to grow, the plague of crimes against the elderly has the potential to spiral out of control. The Seniors Safety Act combats this very serious issue by increasing penalties for crimes against seniors, improving law enforcement tools necessary to prevent telemarketing and healthcare fraud, safeguarding pension and benefit plans from fraud and bribery, and preventing nursing home abuse.

Seniors are often targeted by criminals because of their lack of mobility, isolation, and dependence on others. The criminals targeting seniors should be subject to enhanced penalties, and we must develop new strategies to combat their crimes. The Seniors Safety Act requires the sentencing commission to review and consider amending sentencing guidelines to include age as one criterion for enhancing a sentence and enhances the penalty for fraudulent schemes that result in serious injury or death. In addition, the bill directs the Attorney General to conduct a comprehensive review of crimes against seniors in order to develop new ways to combat criminals who target older Americans.

Federal investigators estimate that senior citizens constitute nearly 80 percent of telemarketing scam victims. In 1996, the AARP estimated that 14,000 companies nationwide were illegally defrauding citizens of their hard-earned money through telemarketing schemes. The fraud committed by only 300 telemarketers exposed by the FBI in 1995 resulted in an estimated $58 million loss from 52,000 seniors in just two years. The Seniors Safety Act puts in place important law enforcement tools needed to stop telemarketing fraud. The Act gives federal officials the ability to cut off a fraudulent telemarketer's telephone service. It also

creates a hotline for victims of telemarketing fraud. Through the hotline, victims can register complaints against companies, can receive information regarding common fraudulent schemes and be referred to the appropriate enforcement agency. A database of complaints will be established so that victims can check for previous complaints against a particular company.

Health care fraud also disproportionately harms older Americans. The Seniors Safety Act provides important new tools to law enforcement officials for use in health care fraud investigations. The bill authorizes the Attorney General to get injunctions to stop false claims and health care kickbacks and to issue administrative subpoenas for health care offenses. With court permission, the Attorney General would also be permitted to share grand jury information for use in civil investigations of health care fraud and abuse. In addition, the bill extends existing antifraud safeguards applicable to Medicare and Medicaid to the Federal Employee Health Benefits Act.

We must protect the economic security of our country's senior citizens by safeguarding pension and employee benefit plans from fraud and misuse. For this reason, an important provision of the Seniors Safety Act creates a new ''retirement fraud'' crime modeled on existing bank fraud and health care fraud statutes. The bill provides for civil penalties for commission of a retirement fraud crime, and increases the existing penalties for theft or embezzlement and bribery and graft with respect to the operation of an employee benefit plan.

In 1997, the Department of Health and Human Services reported a 14 percent increase in nursing home abuse since 1994. Our society must provide a safe environment for older Americans who move into nursing homes. This bill will combat nursing home fraud and abuse by creating new federal and criminal penalties against persons or companies who willfully engage in a pattern of health and safety violations. The bill will also protect persons who report health and safety violations by allowing them to bring a civil cause of action for acts of retaliation against them.

Finally, we must provide greater protections for senior crime victims. The Seniors Safety Act will do just that by requiring criminals to forfeit ill-gotten gains and property acquired by defrauding pension plans to the victims. The bill also prevents criminals from using the bankruptcy laws to avoid paying judgments by prohibiting judgments or settlements in Medicare or Medicaid fraud cases from being discharged in bankruptcy proceedings and allows False Claims Act actions to proceed despite concurrent bankruptcy proceedings.

These and other provisions in The Seniors Safety Act will make a real difference—a positive difference—in protecting the senior citizens of this country. This comprehensive bill is a vital part of our ongoing effort to secure the safety of our families and our communities, and I encourage my colleagues on both sides of the aisle to give it their full support.

• Mr. TORRICELLI. Mr. President, today, Senator LEAHY, Senator DASCHLE, and I introduced the Seniors Safety Act of 1999. Senator LEAHY has referred to this legislation as ''a new safety net for seniors.'' It is that, but it is also much more. Indeed, this bill is a potent weapon designed to track down and punish those criminals who would prey on the trust and good will of America's seniors. This bill puts the crooks on notice that crimes against seniors, from violent assaults in the streets, to abuses in nursing homes, to frauds perpetrated over the telephone lines, will not be tolerated.

Seniors represent the most rapidly growing sector of our population—in the next 50 years, the number of Americans over the age of 65 will more than double. Unless we take action now, the frequency and sophistication of crimes against seniors will likewise skyrocket. The Seniors Safety Act of 1999 was developed to address, head-on the crimes which most directly affect the senior community, including telemarketing fraud, and abuse and fraud in the health care and nursing home industries. It increases penalties and provides enhancements to the sentencing guidelines for criminals who target seniors. It protects seniors against the illegal depletion of precious pension and employee benefit plan funds through fraud, graft, bribery, and helps victimized seniors obtain restitution. Any finally, this bill authorizes the Attorney General to study the problem of crime against senors, and design new techniques to fight it.

Criminal enterprises that engage in telemarketing fraud are some of the most insidious predators out there. Americans are fleeced out of over $40 billion dollars every year, and the effect on seniors is grossly disproportionate According to the American Association of Retired Persons, ''The repeated victimization of the elderly is the cornerstone of illegal telemarketing.'' A study has found that 56 percent of the names on the target lists of fraudulent telemarketers are the names of Americans aged 50 or older. Of added concern is the fact that many of the perpetrators have migrated out of the United States for fear of prosecution, and continue to conduct their illegal activities from abroad.

In one heartbreaking story, a recently-widowed New Jersey woman was bilked out of $200,000 by a deceitful telemarketing firm from Canada, who claimed that the woman had won a $150,000 sweepsteaks—the price could be hers, for a fee. A series of these calls followed, convincing this poor woman, already in a fragile mind-state after her husband's death, to send more and more money for what they claimed was an increasingly large prize, which, of course, never materialized.

Our bill authorizes the Attorney General to effectively put these vultures, even the international criminals, out of business by blocking or terminating their U.S. telephone service. In addition, it authorizes the FTC to create a consumer clearinghouse which would provide seniors, and others who might have questions about the legitimacy of a telephone sales pitch, with information regarding prior complaints about a particular telemarketing company or prior fraud convictions. Furthermore, this clearing house would give seniors who may have been cheated an open channel to the appropriate law enforcement authorities.

In 1997, older Americans were victimized by violent crime over 680,000 times. The crimes against them range from simple assault, to armed robbery, to rape. While national crime rates in general are falling, seniors have not shared in the benefits of that drop.

This Act singles out criminals who prey on the senior population and penalizes them for the physical and economic harm they cause. In addition, we intend to place this growing problem in the spotlight, and urge Congress and federal and state law enforcement agencies to continue to develop solutions. To this end, we have authorized a comprehensive examination of crimes against seniors, and the inclusion of data on seniors in the National Crime Victims Survey.

Seniors across the country have worked their entire lives, secure in the belief that their pensions and health benefits would be there to provide for them in their retirement years. Far too often, seniors wake up one morning to find that their hard-earned benefits have been stolen. In 1997 alone, $90 million in losses to pension funds were uncovered. Older Americans who depend on that money to live are left out in the cold, while criminals enjoy the fruit of a lifetime of our seniors' labor. The Seniors Safety Act gives federal prosecutors another powerful weapon to punish pension fund thieves. The Act creates new civil and criminal penalties for defrauding pension of benefit plans, or obtaining money from them under false or fraudulent pretenses.

The defrauding of Medicare, Medicaid, and private health insurers has become big business for criminals who prey on the elderly. According to a National Institutes of Health study, losses from fraud and abuse may exceed $100 billion per year. Overbilling and false claims filing have become rampant as automated claims processing is more prevalent. Similarly, the Department of Justice has noted numerous

cases where unscrupulous nursing home operators have simply pocketed Medicare funds, rather than providing adequate care for their residents. In one horrendous case, five diabetic patients died from malnutrition and lack of medical care. In another, a patient was burned to death when a mute patient was placed by untrained staff in a tub of scalding water. These terrible abuses would never have occurred had the facilities spent the federal funds they received to implement proper health and safety procedures. This bill goes after fraud and abuse by providing resources and tools for authorities to investigate and prosecute offenses in civil and criminal courts, and enhances the ability of the Justice Department to use evidence brought in by qui tam (whistleblower) plaintiffs.

This Act delivers needed protections to our seniors. It sends a message to the cowardly perpetrators of fraud and other crimes against older Americans, that their actions will be fiercely prosecuted, whether they be here or abroad. And it clearly states that we refuse to allow seniors to be victimized by this most heinous form of predation.

By Mr. MOYNIHAN (for himself and Mr. BINGAMAN):

S. 752. a bill to facilitate the recruitment of temporary employees to assist in the conduct of the 2000 decennial census of population, and for other purposes; to the Committee on Government Affairs.

LEGISLATION TO INCREASE THE NUMBER OF LOW INCOME CENSUS ENUMERATORS

• Mr. MOYNIHAN. Mr. President, I rise to introduce, along with my colleague, Senator BINGAMAN, a bill that will encourage people receiving public assistance to seek work next year as enumerators for the 2000 census. In the previous census over 350,000 people went from door to door seeking information about those who did not return the census forms they received in the mail. In spite of the best efforts of this army of enumerators, some eight million people were not counted, and a disproportionate number of them were minorities.

The Bureau of the Census is going to great lengths to improve on the 1990 count, but finding the tens of millions of people who do not return their forms is an enormous undertaking. We know that many of those who must be sought out live in the low income areas of our cities, and many others are among the rural poor. This bill would allow those receiving financial assistance under any federal program, TANF and others, to be employed as enumerators during calendar year 2000 without having their income count against their eligibility for benefits from those programs. The bill further allows these enumerators to have their employment count towards eligibility for Social Security, Medicare, and other benefit programs.

Mr. President, encouraging those who live in the low income areas of our population to serve as enumerators will help to open the doors of their neighbors and those who live nearby. It will help count more of those most difficult to count. And it will provide employment to those who may not be able to find it for various reasons that include lack of transportation to far-off jobs.

This bill will help produce a more accurate census and provide employment to those most in need of it. It is a most worthwhile piece of legislation and I encourage my colleagues to support it. I also ask that the text of the bill be included in the RECORD.

The bill follows:

S. 752

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 ''Decennial Census Improvement Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution of the United States requires that the number of persons in the United States be enumerated every 10 years in order to permit the apportionment of representatives among the several States;

(2) information collected through a decennial census of the population conducted under section 141 of title 13, United States Code, is also used to determine—

(A) the boundaries of—

(i) congressional districts within States;

(ii)(I) the districts for the legislature of each State; and

(II) other political subdivisions within the States; and

(B) the allocation of billions of dollars of Federal and State funds;

(3) the Constitution of the United States requires that the enumerations referred to in paragraph (2) be made in such manner as the Congress ''shall by law direct'';

(4) in the 1990 decennial census, the Bureau of the Census used a combination of mail questionnaires and personal interviews, involving more than 350,000 enumerators, to collect the census data; and

(5) in 1993, the Bureau of the Census concluded that legislation ensuring that pay for temporary census enumerators in the 2000 decennial census would not be used to reduce benefits under Federal assistance programs would make it easier for the Bureau to hire individuals in low-income neighborhoods as temporary census enumerators in those neighborhoods.

SEC. 3. MEASURES TO FACILITATE THE RECRUITMENT OF TEMPORARY EMPLOYEES.

(a) PURPOSES FOR WHICH COMPENSATION SHALL NOT BE TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Section 23 of title 13, United States Code, is amended by adding at the end the following:

''(d)(1) As used in this subsection, the term 'temporary census position' means a temporary position within the Bureau of the Census established for purposes relating to the 2000 decennial census of population conducted under section 141 (as determined under regulations that the Secretary shall prescribe).

''(2) Notwithstanding any other provision of law, compensation for service performed by an individual in a temporary census position shall not cause—

''(A) that individual or any other individual to become ineligible for any benefits described in paragraph (3)(A); or

''(B) a reduction in the amount of any benefits described in paragraph (3)(A) for which that individual or any other individual would otherwise be eligible.

''(3) This subsection shall—

''(A) apply with respect to benefits provided under any Federal program or any State or local program financed in whole or in part with Federal funds (including the Social Security program under the Social Security Act (42 U.S.C. 301 et seq.) and the Medicare program under title XVIII of that Act);

''(B) apply only with respect to compensation for service performed during calendar year 2000; and

''(C) not apply if the individual performing the service involved is appointed (or first appointed to any other temporary census position) before January 1, 2000.''.

(2) RULE OF CONSTRUCTION.—The amendment made by paragraph (1) shall not affect the application of Public Law 101–86 (13 U.S.C. 23 note), as amended by subsection (b).

(b) EXEMPTION FROM PROVISIONS RELATING TO REEMPLOYED ANNUITANTS AND FORMER MEMBERS OF THE UNIFORMED SERVICES.—Public Law 101–86 (13 U.S.C. 23 note) is amended—

(1) by striking the title and inserting the following: ''An Act to provide that a Federal annuitant or former member of a uniformed service who returns to Government service, under a temporary appointment, to assist in carrying out the 2000 decennial census of population shall be exempt from certain provisions of title 5, United States Code, relating to offsets from pay and other benefits.'';

(2) in section 1(b), by striking ''the 1990 decennial census'' and inserting ''the 2000 decennial census''; and

(3) in section 4, by striking ''December 31, 1990.'' and inserting ''December 31, 2000.''.•

By Mr. DASCHLE (for himself, Mr. SARBANES, Mr. DODD, Mr. KERRY, Mr. BRYAN, Mr. JOHNSON, Mr. REED, Mr. SCHUMER, Mr. BAYH, and Mr. EDWARDS):

S. 753. A bill to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers; and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE FINANCIAL SERVICES ACT OF 1999

Mr. DASCHLE. Mr. President, today, with the distinguished Ranking Member of the Banking Committee, the senior Senator from Maryland, Mr. SARBANES, we are introducing the ''Financial Services Act of 1999.'' We are joined by all Democratic members of the Banking Committee.

The President has indicated through his Secretary of the Treasury, Robert Rubin, that he can support our approach and sign it into law.

This bill makes a clear and unambiguous statement: we want financial services modernization enacted this year.

This should not be a partisan issue. Our bill is based on last year's H.R. 10, which enjoyed wide bipartisan support.

It was approved last year by the Senate Banking Committee by a vote of 16 to 2. Most Republicans supported it. It was supported by virtually every major financial services industry group.

A similar bill was adopted by a bipartisan 51 to 8 vote this year in the House Banking Committee.

Sadly, reform efforts suffered a major setback this year in the Senate Banking Committee when the majority forced through a bill on a party line vote of 11 to 9.

Mr. President, financial services reform is now on two tracks toward reform. There is the veto track, and the Banking Committee bill is on it over the Community Reinvestment Act and other concerns.

There is also the track toward enactment, which this bill and the House Banking bill are on.

But it can't be ''take it or leave it'' on either side. We have agreed with the distinguished Majority Leader [Mr. LOTT] to discuss this issue immediately after recess in an effort to find common ground.

The choice is clear: it's either partisan brinksmanship—or bipartisan accomplishment. We reject the former and stand ready to deliver on the latter.

Mr. SARBANES. Mr. President, today the Democratic members of the Senate Banking Committee—myself, Senators DODD, KERRY, BRYAN, JOHNSON, REED, SCHUMER, BAYH, and EDWARD—are joining with the Democratic Leader, Senator DASCHLE, in introducing the Financial Services Act of 1999.

Senator DASCHLE and the Democratic members of the Senate Banking Committee strongly support financial services modernization legislation. Last year, every Democratic member of the Committee voted for financial services modernization in the form of H.R. 10, the Financial Services Act of 1998. That bill was reported by the Committee on a bipartisan vote of 16 to 2. In a Committee markup of financial services legislation on March 4 of this year, every Democratic member of the Committee voted for financial services modernization in the form of a substitute amendment that I offered. The substitute amendment contained the text of last year's bill with the addition of a provision that would permit banks to conduct expanded financial service activities through operating subsidiaries. The substitute amendment was defeated on a party line vote of 11 to 9.

The bill being introduced today consists of the substitute amendment that was offered in the Banking Committee markup. We introduce this legislation because it meets certain basic goals. These include permitting affiliations among firms within the financial services industry, preserving the safety and soundness of the financial system, protecting consumers, maintaining the separation of banking and commerce, and expanding access to credit for all communities in our country. Unfortunately, the bill reported out of the Senate Banking Committee does not meet these goals and was opposed by every Democratic member of the Committee.

We are disappointed that the Committee Majority has abandoned the consensus so carefully developed last year. The broad, bipartisan margin of support enjoyed by last year's bill reflected the compromises struck during the course of its consideration. It was not opposed by a single major financial services industry association.

The legislation being introduced today reflects compromises among Committee Members and among industry groups on a wide range of issues, including the Community Reinvestment Act, consumer protections, and the separation of banking and commerce. The decision by the Committee Majority to abandon these compromises has resulted in less than unanimous industry support for the Committee-passed bill. In addition, civil rights groups, community groups, consumer organizations, and local government officials strongly oppose the Committee-passed bill.

We are disappointed as well that the Committee Majority has refused to recognize that enactment of financial services legislation entails accommodation of views not only of members of the Congress, but in particular the view of the White House and the Treasury Department. On March 2, before the Committee's markup, President Clinton wrote:

> This Administration has been a strong proponent of financial legislation that would reduce costs and increase access to financial services for consumers, businesses, and communities . . . I agree that reform of the laws governing our nation's financial services industry would promote the public interest. However, I will veto the Financial Services Modernization Act if it is presented to me in its current form.

The President warned that the bill ''would undermine the effectiveness of the Community Reinvestment Act,'' ''would deny financial services firms the freedom to organize themselves in the way that best serve their customers,'' ''would . . . provide inadequate consumer protections,'' and ''could expand the ability of depository institutions and nonfinancial firms to affiliate . . .'' None of these concerns was fully addressed by the Committee Majority at markup. Unless the concerns of the Administration are addressed, it is clear the Committee-passed bill will not be enacted into law.

We believe the bill we are introducing today is a balanced, prudent approach to financial services modernization legislation. It could not only be passed by the Congress, but signed into law by the President. It is clearly the approach most likely to lead to the enactment of financial services modernization legislation in this Congress.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 754. A bill to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building''; read the first time.

THE ''TERRY SANFORD COMMEMORATION ACT''

Mr. EDWARDS. Mr. President, I rise today to introduce the ''Terry Sanford Commemoration Act of 1999.'' This measure would name the federal building in Raleigh, North Carolina after a great man, Terry Sanford.

We lost Terry Sanford almost a year ago. The loss was great. He served North Carolina throughout his entire life. He was a Governor, a state Senator, a U.S. Senator, and a university president. He was trained as a lawyer. He wrote books, served as a paratrooper during World War II, worked as an FBI agent and ran for President of the United States—twice.

Senator Sanford died on April 18, 1998 after a long fight with esophageal cancer.

He was a towering figure, a hero, to many North Carolinians. And we miss him.

There is no doubt that when the history of North Carolina in the 20th Century is written, Terry Sanford will occupy many pages. And he will be given a great deal of credit for the great strides taken by North Carolina. Whatever Terry Sanford touched he made better.

Senator Sanford's mother was a school teacher. His love of education must have started there. When he was governor he did whatever it took to increase funding for education. He even talked state legislators into voting for a food tax in order to fund education—that was not easy. Among other things, he helped found the North Carolina School for the Arts which was a pioneer, and to this day remains a leader in arts education. After he finished his term as governor, he became President of Duke University. And he brought unparalleled ambition, vision and energy to making Duke University great.

But the list of Senator Sanford's accomplishments does not stop with education. He launched innovative antipoverty programs. He helped start the North Carolina State Board of Science and Technology. He was largely responsible for the creation of an environmental health sciences facility in Research Triangle Park. He helped calm the student protests over the Vietnam War.

And finally, in the midst of a turbulent and difficult time, Terry helped us find a path across the racial divide. In his 1961 inaugural address, he let us know and understand that ''no group of our citizens can be denied the right to participate in the opportunities of first-class citizenship.''

He later said: ''The most difficult thing I did was the most invisible thing. That was to turn the attitude on the race.'' He turned the attitude in small and large ways. He invited prominent leaders in the African-American community to the Governor's Mansion for breakfast to talk about how to solve the race problem. Many of them later said that they never dreamed a day would come when their state's governor would invite them to breakfast. He started the Good Neighbor Council, which is now the North Carolina Human Relations Commission, to give structure and authority to his commitment to creating jobs for people regardless of race.

And the thing about Senator Sanford is that he never stopped. Late in life, when he was no longer a Senator, University President or Governor, he kept coming up with great ideas and kept working to see them through to completion. He was a friend to me. And I valued his advice and counsel.

Naming a building can never capture the spirit and heart of a man like Terry Sanford. But it is a fitting tribute.

I ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 754

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 ''Terry Sanford Commemoration Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Terry Sanford served the State of North Carolina and the Nation with enthusiasm, bravery, and distinction in many important ways, including—

(A) as a paratrooper in World War II;

(B) as an agent with the Federal Bureau of Investigation;

(C) as a North Carolina State senator;

(D) as Governor of North Carolina;

(E) as a professor of public policy at Duke University;

(F) as President of Duke University;

(G) as a United States Senator from North Carolina;

(H) as a patron of the arts; and

(I) as a loving and committed husband and father.

(2) Terry Sanford fought tirelessly and selflessly throughout his life to improve the lives of his fellow citizens through public education, racial healing, economic development, eradication of poverty, and promotion of the arts.

(3) Terry Sanford exemplified the best qualities mankind has to offer.

(4) Terry Sanford lived an exemplary life and is owed a debt of gratitude for his untiring service to the State of North Carolina and his fellow Americans.

SEC. 3. DESIGNATION.

The Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, shall be known and designated as the ''Terry Sanford Federal Building''.

SEC. 4. REFERENCES.

Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 3 shall be deemed to be a reference to the ''Terry Sanford Federal Building''.

By Mr. HATCH (for himself, Mr. NICKLES, Mr. THURMOND, Mr. BIDEN, Mr. KENNEDY, Mr. SESSIONS, Mr. ABRAHAM, Mr. KOHL, Mr. LIEBERMAN, Mr. HELMS, Mr. SCHUMER, and Mr. DEWINE):

S. 755. A bill to extend the period for compliance with certain ethical standards for Federal prosecutors; read the first time.

LEGISLATION TO EXTEND THE PERIOD FOR COMPLIANCE WITH CERTAIN ETHICAL STANDARDS FOR FEDERAL PROSECUTORS

Mr. HATCH. Mr. President, I am pleased to be joined by a diverse, bipartisan group of Senators in introducing this simple, technical bill to extend the effective date of a provision included in last year's omnibus appropriations bill. My cosponsors include Senators NICKLES, BIDEN, THURMOND, KENNEDY, SESSIONS, ABRAHAM, KOHL, SCHUMER, LIEBERMAN, DEWINE, and HELMS. I urge all of my colleagues to support our bill.

My colleagues will recall that last year's omnibus appropriations bill included a provision originating in the House, relating to the application of state bar rules to federal prosecutors. The so-called McDade amendment proposed the addition of a new section, Section 530B, to title 28 of the United States Code, which would effect the ethical standards required of federal prosecutors.

Although I am prepared to, I do not want to address the merits of this issue today, and our bill does not do so. Suffice it to say, however, that including this provision was so controversial that a bipartisan majority of the Judiciary Committee opposed its inclusion in the omnibus bill. In fact, our strong opposition resulted in a six month delay in the provision's effective date being included as well.

When we included this six month grace period, the Senate anticipated that the time might be used to address the serious concerns with the underlying measure. Due to arguably unanticipated events, we have not been able to do so. Our amendment simply maintains the status quo, extending the grace period an additional six months. A bipartisan group of 12 Senators, including myself and 3 former chairmen of the Senate Judiciary Committee signed a letter, urging the distinguished Chairman and Ranking Member of the Appropriations Committee to include this amendment in this supplemental appropriations bill.

This letter was signed by Senators THURMOND, KENNEDY, BIDEN, DEWINE, SESSIONS, ABRAHAM, KYL, FEINSTEIN, KOHL, NICKLES, WARNER, and myself. I ask unanimous consent that the letter appear in the RECORD following my remarks.

Let me assure my colleagues, our bill will not, as some might suggest, result in looser ethical standards for federal prosecutors. The same high standards that have always applied will continue in force. Indeed, I have considerable sympathy for the values Section 530B seeks to protect. Anyone who at one time or another has been the subject of unfounded ethical or legal charges knows the frustration of clearing one's name. And no one wants more than I to ensure that all federal prosecutors are held to the highest ethical standards. As Justice Sutherland put it in 1935, the prosecutor's job is not just to win a case, but to see ''that justice shall be done. . . . It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.'' But Section 530B, as it was enacted last year, is not in my view the way to ensure these standards are met.

Although well-intentioned, section 530B is not the measured and well tailored law needed to address the legitimate concerns contemplated by Congress, and will have serious unintended consequences. Indeed, if allowed to take effect in its present form, section 530B could cripple the ability of the Department of Justice to enforce federal law.

The federal government has a legitimate and important role in the investigation and prosecution of complex multi-state terrorism, drug, fraud or organized crime conspiracies, in rooting out and punishing fraud against federally funded programs such as Medicare, Medicaid, and Social Security, in appropriate enforcement of the federal civil rights laws, in investigating and prosecuting complex corporate crime, and in punishing environmental crime.

It is in these very cases that current Section 530B, if unchanged, will have its most serious adverse effects. Federal prosecutors in these cases, which frequently encompass several states, will be subject to the differing state and local rules of each of those states. Their decisions will be subject to review by the ethics review boards in each of these states at the whim of defense counsel, even if the federal prosecutor is not licensed in that state.

At a minimum, the law will discourage the close prosecutorial supervision of investigations that ensure that suspect's rights are not abridged. More likely, however, in its current form, section 530B will hinder the effective investigation and prosecution of violations of federal law.

Several important investigative and prosecutorial practices, perfectly legal and acceptable under federal law and in federal court, under current section 530B will be subject to state bar rules. For instance, in many states, federal attorneys will not be permitted to

speak with witnesses alleged to be represented, especially witnesses to corporate misconduct. The use of undercover investigations or federal-court authorized wiretaps may be challenged as illegal in those states where these practices are barred or curtailed by state law or rule, hindering federal criminal investigations. In other states, current section 530B might be construed to require—contrary to long-established federal grand jury practice—that prosecutors present exculpatory evidence to the grand jury.

In short, current section 530B will likely affect adversely enforcement of our antitrust laws, our environmental laws prohibiting the dumping of hazardous waste, our labor laws, our civil rights laws, and the integrity of every federal benefits program.

Despite these potentially severe consequences, this legislation received no meaningful consideration in the Senate last Congress. Rather, it was included without an opportunity for Senate debate in an unamendable omnibus appropriations bill conference report. The first Senate consideration of this matter occurred just this week, with a hearing in the Judiciary Committee's Criminal Justice Oversight Subcommittee. The testimony at that hearing shed important light on many of the concerns about section 530B that I have described.

Yet, our bill does not repeal section 530B, or change one letter of it. Our bill simply delays its effective date for six additional months, to provide the Senate an appropriate time in which to address these matters with our colleagues in the House. We believe that it is in the best interest of the Congress, the Department of Justice, and our state and federal courts, to resolve concerns over this issue under current law, as anticipated by the Congress when it enacted the grace period.

The provisions of the McDade amendment are slated to go into effect on April 19, 1999, if no further action is taken. I urge my colleagues to support the swift enactment of our legislation, to provide the time needed to reach a reasonable resolution to this complex issue.

By Mr. LUGAR (for himself, Mr. KERREY, Mr. HAGEL, Mr. THOMAS, Mr. SMITH of Oregon, Mr. GRAMS, MR. ROBB, Mrs. FEINSTEIN, Mr. BINGAMAN, Mr. MURKOWSKI, Mr. COCHRAN, Mr. DOMENICI, Mr. LOTT, Mr. SANTORUM, Mr. BURNS, Mr. ALLARD, Mr. JOHNSON, Mrs. HUTCHISON, Mr. CHAFEE, Mr. GORTON, Mr. BREAUX, Mrs. MURRAY, Mr. DORGAN, Mr. CRAPO, Mr. BAUCUS, Mrs. LINCOLN, Mr. CONRAD, Mr. BOND, and Mr. ROBERTS):

S. 757. A bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions in order to ensure coordination of United States policy with respect to trade, security, and human rights; to the Committee on Foreign Relations.

THE SANCTIONS POLICY REFORM ACT

Mr. LUGAR. Mr. President, I am pleased to introduce the ''Sanctions Policy Reform Act of 1999,'' a bill that would establish a more deliberative, commonsense approach to U.S. sanctions policy. I am joined by nearly thirty colleagues from both sides of the aisle. A companion bipartisan bill was introduced in the House of Representatives on March 24, 1999. We introduced a similar sanctions reform bill in the 105th Congress and gained thirty-nine co-sponsors in the Senate.

Our interest in reforming U.S. economic sanctions policy stems from a number of compelling and disturbing findings. The net effect of our self-imposed economic sanctions is that they deny access to U.S. markets abroad, reduce our trade balance, contribute to job loss, complicate our foreign policy and antagonize friends and allies. Unilateral economic sanctions are truly a blunt instrument of foreign policy.

Unilateral economic sanctions have become a policy of first use, rather than last resort, when pursuing a foreign policy objective. Sanctions are tempting alternatives to careful diplomatic negotiations and to the use of force to accomplish foreign policy goals. Unilateral economic sanctions have become more frequent in recent years and have been used against more countries, both friends and adversaries, for an increasing variety of actions which we find offensive.

Unilateral economic sanctions can give a competitive edge to foreign companies by precluding U.S. companies from exporting. Over time, foreign competitors will establish trade connections with a U.S. sanctioned country, solidify their trade ties and make it difficult for U.S. companies to reenter those markets. This is costly to the U.S. economy, to American exports, to American jobs and to our overall foreign policy.

There have been a large number of studies on unilateral economic sanctions and they provide startling estimates of the sanctions' costs. The report of the President's Export Council, for example, cited 75 countries representing more than half of the world's population that have been subject to or threatened by U.S. unilateral economic sanctions. In another study, the Institute for International Economics concluded that, in 1995, alone, economic sanctions cost U.S. exports between $15–19 billion, and eliminated upwards to 200,000 U.S. jobs, many in high wage export sector. More recently, the administration revealed the results of its internal inventory of U.S. sanctions and found that there are now more than 280 identifiable sanctions provisions that are either in force or in law.

Unilateral economic sanctions rarely succeed in accomplishing their stated foreign policy objectives. Unilateral economic sanctions sometimes do more damage to our interests than to those against whom they are aimed. For this reason alone, we should re-think the way in which we manage our sanctions policy.

Mr. President, a cardinal principle of foreign policy is that when we act internationally, our actions should do less harm to ourselves than to others. Unilateral economic sanctions, unfortunately, often fail this crucial test of public policy.

In fact, Mr President, unilateral economic sanctions often impose long-term adverse effects on the U.S. economy. Once foreign competitors establish a presence in international markets that are abandoned by the United States, the potential losses can magnify. Over time, the cumulative effect of sanctions will not only include the loss of commercial contracts, but also the loss of confidence in American suppliers and in the United States as a reliable business partner. The frequent resort to unilateral economic sanctions to achieve foreign policy goals, however meritorious these goals may be, runs the risk of weakening our export performance which has contributed so greatly to our economic prosperity.

Mr. President, unilateral economic sanctions give the illusion of action by substituting for more decisive action or by serving as a palliative for those who demand that some action be taken—any action—by the United States against a country with whom we have a disagreement. Yet, the evidence is powerful that they rarely attain the foreign policy goals they are intended to achieve.

The bill we are introducing today includes a number of changes from last year's bill which we believe will strengthen the cause of sanctions reform. These new provisions include language that would provide the President more flexibility in meeting procedural requirements he would otherwise have to meet when considering new unilateral economic sanctions. The bill includes a permanent waiver authority on the Nuclear Prevention Proliferation Act of 1994, the so-called Glenn Amendment, which mandates the automatic imposition of sanctions on countries which detonate a nuclear device for weapons development. We also included an additional procedural ''speed bump'' to improve the deliberative process in the Congress.

Mr. President, our legislation is prospective. With only one exception, our bill does not affect existing U.S. sanctions. The only provision in our bill which reaches back to current unilateral economic sanctions gives the President permanent authority to

waive the sanctions in the Nuclear Proliferation Prevention Act, the Glenn Amendment. Our bill applies only to unilateral sanctions and to those sanctions intended to achieve foreign policy or national security objectives. It would exclude, by definition, U.S. trade laws that have well-established procedures and precedents. The bill does not address the complex issue of state and local sanctions designed to achieve foreign policy goals.

Our proposed legislation does not prohibit unilateral economic sanctions or prevent a vote in the Congress on any proposed new sanction. There are situations where other foreign policy options have been exhausted and where the actions of other countries are so outrageous or so threatending to the United States and national interests that our response, short of the use of force, must be firm and unambiguous. In such instances, economic sanctions may be an appropriate instrument of American foreign policy.

Our legislation seeks to establish clear guidelines and informational requirements to help us improve our deliberations and to understand better the consequences of our actions before we implement new economic sanctions. We should know before voting or imposing any new sanctions what the costs and gains to the United States and our friends and allies are likely to be. There should be an analysis of the impact of any new sanctions on our reputation as a reliable supplier, the other policy options that have been explored, and whether the proposed sanctions are likely to contribute to the foreign policy objectives sought in the legislation. Comparable requirements are also mandated in the bill for those new sanctions contemplated by the President under his authorities.

If the Congress and the President decide to implement new sanctions, our bill requires periodic evaluations from the President detailing the degree to which the sanctions have accomplished U.S. goals, the impact they are having on our economic, political and humanitarian interests, and their effects on other foreign policy goals and interests.

The bill provides for more active and timely consultations between Congress and the President. It provides Presidential authority to permit the President to waive the procedural requirements he must otherwise meet if he exercises his current authorities to impose a new sanction. The waiver authority can be exercised if the President determines that it is in the national interests to do so.

Our bill includes a sunset provision which means that any new unilateral economic sanction must expire after 2 years duration unless the Congress or the President acts to re-authorize them. Too often sanctions have lingered on the books long after anyone remembers and long after they are having any effect.

It includes language on contract sanctity to help ensure that the United States is a reliable supplier, but it also includes appropriate exceptions to protect against contracts that might otherwise be illegal or contrary to U.S. interests.

Our bill gives special attention to American agriculture because American farmers and ranchers face a disproportionate burden from U.S. economic sanctions. Agricultural commodities are our most vulnerable exports because they are the most easily replaced by other exporters. American exporters lose access to some fourteen percent of the world rice market, some ten percent of the world wheat market and some five percent of the world corn market due to our sanctions.

Because of this, we included discretionary authority in the bill to provide for compensatory agricultural assistance if agricultural markets are severely disrupted by the imposition of unilateral economic sanctions. No new appropriations would be required for this authority. The bill opposes the use of food and medicines as a tool of foreign policy, except in the most severe circumstances, and urges that economic sanctions be targeted as narrowly as possible on the targeted country in order to minimize harm to innocent people and humanitarian activities.

Let me reiterate that nothing in this bill prohibits new unilateral economic sanctions or prevents a vote in the Congress on proposed new sanctions. The steps detailed in this bill provide for better policy procedures and more informed analysis so that proposed new sanctions are preceded by a more deliberative process by which the President and the Congress can make reasoned and balanced choices affecting the totality of American values and interests.

Mr. President, I feel strongly about this bill and this issue. It goes to the heart of the manner by which we conduct our commercial relations abroad and the way we manage our overall foreign policy. We need to do a better job on both. This legislation is designed to do just that.

I hope my colleagues will join me and the other original co-sponsors by taking a close look at this legislation and the reforms that we are attempting to accomplish. I welcome their support and believe that if we deal with the unilateral economic sanctions issue in a careful and systematic manner, we can make a significant positive contribution to the conduct of American foreign policy and to our national interest.

Mr. President, I ask unanimous consent that the bill be included in the RECORD, along with a section-by-section description of the bill.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

S. 757

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 ''Sanctions Policy Reform Act''.

SEC. 2. PURPOSE.

It is the purpose of this Act to establish an effective framework for consideration by the legislative and executive branches of unilateral economic sanctions in order to ensure coordination of United States policy with respect to trade, security, and human rights.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to pursue United States interests through vigorous and effective diplomatic, political, commercial, charitable, educational, cultural, and strategic engagement with other countries, while recognizing that the national security interests of the United States may sometimes require the imposition of economic sanctions on other countries;

(2) to foster multilateral cooperation on vital matters of United States foreign policy, including promoting human rights and democracy, combating international terrorism, proliferation of weapons of mass destruction, and international narcotics trafficking, and ensuring adequate environmental protection;

(3) to promote United States economic growth and job creation by expanding exports of goods, services, and agricultural commodities, and by encouraging investment that supports the sale abroad of products and services of the United States;

(4) to maintain the reputation of United States businesses and farmers as reliable suppliers to international customers of quality products and services, including United States manufactures, technology products, financial services, and agricultural commodities;

(5) to avoid the use of restrictions on exports of agricultural commodities as a foreign policy weapon;

(6) to oppose policies of other countries designed to discourage economic interaction with countries friendly to the United States or with any United States national, and to avoid use of such policies as instruments of United States foreign policy; and

(7) when economic sanctions are necessary—

(A) to target them as narrowly as possible on those foreign governments, entities, and officials that are responsible for the conduct being targeted, thereby minimizing unnecessary or disproportionate harm to individuals who are not responsible for such conduct; and

(B) to the extent feasible, to avoid any adverse impact of economic sanctions on the humanitarian activities of United States and foreign nongovernmental organizations in a country against which sanctions are imposed.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) UNILATERAL ECONOMIC SANCTION.—

(A) IN GENERAL.—The term ''unilateral economic sanction'' means any prohibition, restriction, or condition on economic activity, including economic assistance, with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, including any of the measures described in subparagraph (B), except in a case in which the

United States imposes the measure pursuant to a multilateral regime and the other members of that regime have agreed to impose substantially equivalent measures.

(B) PARTICULAR MEASURES.—The measures referred to in subparagraph (A) are the following:

(i) The suspension of, or any restriction or prohibition on, exports or imports of any product, technology, or service to or from a foreign country or entity.

(ii) The suspension of, or any restriction or prohibition on, financial transactions with a foreign country or entity.

(iii) The suspension of, or any restriction or prohibition on, direct or indirect investment in or from a foreign country or entity.

(iv) The imposition of increased tariffs on, or other restrictions on imports of, products of a foreign country or entity, including the denial, revocation, or conditioning of nondiscriminatory (most-favored-nation) trade treatment.

(v) The suspension of, or any restriction or prohibition on—

(I) the authority of the Export-Import Bank of the United States to give approval to the issuance of any guarantee, insurance, or extension of credit in connection with the export of goods or services to a foreign country or entity;

(II) the authority of the Trade and Development Agency to provide assistance in connection with projects in a foreign country or in which a particular foreign entity participates; or

(III) the authority of the Overseas Private Investment Corporation to provide insurance, reinsurance, or financing or conduct other activities in connection with projects in a foreign country or in which a particular foreign entity participates.

(vi) A requirement that the United States representative to an international financial institution vote against any loan or other utilization of funds to, for, or in a foreign country or particular foreign entity.

(vii) A measure imposing any restriction or condition on economic activity of any foreign government or entity on the ground that such government or entity does business in or with a foreign country.

(viii) A measure imposing any restriction or condition on economic activity of any person that is a national of a foreign country, or on any government or other entity of a foreign country, on the ground that the government of that country has not taken measures in cooperation with, or similar to, sanctions imposed by the United States on a third country.

(ix) The suspension of, or any restriction or prohibition on, travel rights or air transportation to or from a foreign country.

(x) Any restriction on the filing or maintenance in a foreign country of any proprietary interest in intellectual property rights (including patents, copyrights, and trademarks), including payment of patent maintenance fees.

(C) MULTILATERAL REGIME.—As used in this paragraph, the term ''multilateral regime'' means an agreement, arrangement, or obligation under which the United States cooperates with other countries in restricting commerce for reasons of foreign policy or national security, including—

(i) obligations under resolutions of the United Nations;

(ii) nonproliferation and export control arrangements, such as the Australia Group, the Nuclear Supplier's Group, the Missile Technology Control Regime, and the Wassenaar Arrangement;

(iii) treaty obligations, such as under the Chemical Weapons Convention, the Treaty on the Non-Proliferation of Nuclear Weapons, and the Biological Weapons Convention; and

(iv) agreements concerning protection of the environment, such as the International Convention for the Conservation of Atlantic Tunas, the Declaration of Panama referred to in section 2(a)(1) of the International Dolphin Conservation Act (16 U.S.C. 1361 note), the Convention on International Trade in Endangered Species, the Montreal Protocol on Substances that Deplete the Ozone Layer, and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes.

(D) ECONOMIC ASSISTANCE.—The term ''economic assistance'' means—

(i) any assistance under part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(I) assistance under chapter 8 of part I of that Act,

(II) disaster relief assistance, including any assistance under chapter 9 of part I of that Act,

(III) assistance which involves the provision of food (including monetization of food) or medicine, or

(IV) assistance for refugees; and

(ii) the provision of agricultural commodities, other than food, under the Agricultural Trade Development and Assistance Act of 1954.

(E) FINANCIAL TRANSACTION.—As used in this paragraph, the term ''financial transaction'' has the meaning given that term in section 1956(c)(4) of title 18, United States Code.

(F) INVESTMENT.—As used in this paragraph, the term ''investment'' means any contribution or commitment of funds, commodities, services, patents, or other forms of intellectual property, processes, or techniques, including—

(i) a loan or loans;

(ii) the purchase of a share of ownership;

(iii) participation in royalties, earnings, or profits; and

(iv) the furnishing or commodities or services pursuant to a lease or other contract.

(G) EXCLUSIONS.—The term ''unilateral economic sanction'' does not include—

(i) any measure imposed to remedy unfair trade practices or to enforce United States rights under a trade agreement, including under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), title VII of that Act (19 U.S.C. 1671 et seq.), title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.), sections 1374 and 1377 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3103 and 3106), and section 3 of the Act of March 3, 1933 (41 U.S.C. 10b–1);

(ii) any measure imposed to remedy market disruption or to respond to injury to a domestic industry for which increased imports are a substantial cause or threat thereof, including remedies under sections 201 and 406 of the Trade Act of 1974 (19 U.S.C. 2251 and 2436), and textile import restrictions (including those imposed under section 204 of the Agricultural Act of 1956 (7 U.S.C. 1784));

(iii) any action taken under title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), including the enactment of a joint resolution under section 402(d)(2) of that Act;

(iv) any measure imposed to restrict imports of agricultural commodities to protect food safety or to ensure the orderly marketing of commodities in the United States, including actions taken under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624);

(v) any measure imposed to restrict imports of any other products in order to protect domestic health or safety;

(vi) any measure authorized by, or imposed under, a multilateral or bilateral trade agreement to which the United States is a signatory, including the Uruguay Round Agreements, the North American Free Trade Agreement, the United States-Israel Free Trade Agreement, and the United States-Canada Free Trade Agreement; and

(vii) any prohibition or restriction on the sale, export, lease, or other transfer of any defense article, defense service, or design and construction service under the Arms Export Control Act, or on any financing provided under that Act.

(2) NATIONAL EMERGENCY.—The term ''national emergency'' means any unusual or extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States.

(3) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5602(1)).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Agriculture, the Committee on International Relations, the Committee on Ways and Means, and the Committee on Banking and Financial Services of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Finance, and the Committee on Foreign Relations of the Senate.

(5) CONTRACT SANCTITY.—The term ''contract sanctity'', with respect to a unilateral economic sanction, refers to the inapplicability of the sanction to—

(A) a contract or agreement entered into before the sanction is imposed, or to a valid export license or other authorization to export; and

(B) actions taken to enforce the right to maintain intellectual property rights, in the foreign country against which the sanction is imposed, which existed before the imposition of the sanction.

(6) UNILATERAL ECONOMIC SANCTION LEGISLATION.—The term ''unilateral economic sanction legislation'' means a bill or joint resolution that imposes, or authorizes the imposition of, any unilateral economic sanction.

SEC. 5. GUIDELINES FOR UNILATERAL ECONOMIC SANCTIONS LEGISLATION.

It is the sense of Congress that any unilateral economic sanction legislation that is introduced in or reported to a House of Congress on or after the date of enactment of this Act should—

(1) state the foreign policy or national security objective or objectives of the United States that the economic sanction is intended to achieve;

(2) provide that the economic sanction terminate 2 years after it is imposed, unless specifically reauthorized by Congress;

(3) provide contract sanctity, except that contract sanctity shall not be required in any case—

(A) in which execution of the contract is contrary to law;

(B) in which the contract involves assets that will be frozen as a consequence of the proposed sanction; or

(C) in which the contract provides for the supply of goods or services directly to a specific person, government agency, or military unit that is expressly named as a target of the proposed sanction;

(4) provide authority for the President both to adjust the timing and scope of the sanction and to waive the sanction, if the President determines it is in the national interest to do so;

(5)(A) target the sanction as narrowly as possible on foreign governments, entities, and officials that are responsible for the conduct being targeted;

(B) not include restrictions on the provision of medicine, medical equipment, or food; and

(C) seek to minimize any adverse impact on the humanitarian activities of United States and foreign nongovernmental organizations in any country against which the sanction may be imposed;

(6) provide, to the extent that the Secretary of Agriculture finds, that—

(A) the proposed sanction is likely to restrict exports of any agricultural commodity or is likely to result in retaliation against exports of any agricultural commodity from the United States; and

(B) the sanction is proposed to be imposed, or is likely to be imposed, on a country or countries that constituted, in the preceding calendar year, the market for more than 3 percent of all export sales from the United States of an agricultural commodity; and

(7) provide that the Secretary of Agriculture expand agricultural export assistance under United States market development, food assistance, or export promotion programs to offset the likely damage to incomes of producers of the affected agricultural commodity, to the maximum extent permitted by law and by the obligations of the United States under the Agreement on Agriculture referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

SEC. 6. REQUIREMENTS FOR UNILATERAL ECONOMIC SANCTIONS LEGISLATION.

(a) PUBLIC COMMENT.—Not later than 15 days prior to the consideration by the committee of primary jurisdiction of any unilateral economic sanction legislation, the chairman of the committee shall cause to be printed in the Congressional Record a notice that provides an opportunity for interested members of the public to submit comments to the committee on the proposed sanction.

(b) COMMITTEE REPORTS.—In the case of any unilateral economic sanction legislation that is reported by a committee of the House of Representatives or the Senate, the committee report accompanying the legislation shall contain a statement of whether the legislation meets all the guidelines specified in paragraphs (1) through (6) of section 5 and, if the legislation does not, an explanation of why it does not. The report shall also include a specific statement of whether the legislation includes any restrictions on the provision of medicine, medical equipment, or food.

(c) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES AND SENATE.—

(1) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—A motion in the House of Representatives to proceed to the consideration of any unilateral economic sanctions legislation shall not be in order unless the House has received in advance the appropriate report or reports under subsection (d).

(2) CONSIDERATION IN THE SENATE.—A motion in the Senate to proceed to the consideration of any unilateral economic sanctions legislation shall not be in order unless the Senate has received in advance the appropriate report or reports under subsection (d).

(d) REPORTS.—

(1) REPORT BY THE PRESIDENT.—Not later than 30 days after a committee of the House of Representatives or the Senate reports any unilateral economic sanction legislation or the House of Representatives or the Senate receives such legislation from the other House of Congress, the President shall submit to the House receiving the legislation a report containing—

(A) an assessment of—

(i) the likelihood that the proposed unilateral economic sanction will achieve its stated objective within a reasonable period of time; and

(ii) the impact of the proposed unilateral economic sanction on—

(I) humanitarian conditions, including the impact on conditions in any specific countries on which the sanction is proposed to be or may be imposed;

(II) humanitarian activities of United States and foreign nongovernmental organizations;

(III) relations with United States allies;

(IV) other United States national security and foreign policy interests; and

(V) countries and entities other than those on which the sanction is proposed to be or may be imposed;

(B) a description and assessment of—

(i) diplomatic and other steps the United States has taken to accomplish the intended objectives of the unilateral sanction legislation;

(ii) the likelihood of multilateral adoption of comparable measures;

(iii) comparable measures undertaken by other countries;

(iv) alternative measures to promote the same objectives, and an assessment of their potential effectiveness;

(v) any obligations of the United States under international treaties or trade agreements with which the proposed sanction may conflict;

(vi) the likelihood that the proposed sanction will lead to retaliation against United States interests, including agricultural interests; and

(vii) whether the achievement of the objectives of the proposed sanction outweighs any likely costs to United States foreign policy, national security, economic, and humanitarian interests, including any potential harm to United States business, agriculture, and consumers, and any potential harm to the international reputation of the United States as a reliable supplier of products, technology, agricultural commodities, and services.

(2) REPORT BY THE SECRETARY OF AGRICULTURE.—Not later than 30 days after a committee of the House of Representatives or the Senate reports any unilateral economic sanction legislation affecting the export of agricultural commodities from the United States or the House of Representatives or the Senate receives such legislation from the other House of Congress, the Secretary of Agriculture shall submit to the House receiving the legislation a report containing an assessment of—

(A) the extent to which any country or countries proposed to be sanctioned or likely to be sanctioned are markets that accounted for, in the preceding calendar year, more than 3 percent of all export sales from the United States of any agricultural commodity;

(B) the likelihood that exports of agricultural commodities from the United States will be affected by the proposed sanction or by retaliation by any country proposed to be sanctioned or likely to be sanctioned, and specific commodities which are most likely to be affected;

(C) the likely effect on incomes of producers of the specific commodities identified by the Secretary;

(D) the extent to which the proposed sanction would permit foreign suppliers to replace United States suppliers; and

(E) the likely effect of the proposed sanction on the reputation of United States farmers as reliable suppliers of agricultural commodities in general, and of the specific commodities identified by the Secretary.

(3) REPORT BY THE CONGRESSIONAL BUDGET OFFICE.—Any bill or joint resolution that imposes a unilateral economic sanction shall be treated as including a Federal private sector mandate for purposes of part B of title IV of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658 et seq.) and the Congressional Budget Office shall report accordingly. The report shall include an assessment of—

(A) the likely short-term and long-term costs of the proposed sanction to the United States economy, including the potential impact on United States trade performance, employment, and growth;

(B) the impact the proposed sanction will have on the international reputation of the United States as a reliable supplier of products, agricultural commodities, technology, and services; and

(C) the impact the proposed sanction will have on the economic well-being and international competitive position of United States industries, firms, workers, farmers, and communities.

(e) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such these rules are deemed a part of the rules of each House, respectively, and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 7. REQUIREMENTS FOR EXECUTIVE ACTION.

(a) NOTICE.—

(1) IN GENERAL.—

(A) NOTICE OF INTENT TO IMPOSE SANCTION.—Notwithstanding any other provisions of law, the President shall publish notice in the Federal Register at least 45 days in advance of the imposition of any new unilateral economic sanction under any provision of law with respect to a foreign country or foreign entity, of the President's intention to implement such sanction. The purpose of such notice shall be to allow the formulation of an effective sanction that advances United States national security and economic interests, and to provide an opportunity for negotiations to achieve the objectives specified in the law authorizing imposition of a unilateral economic sanction.

(B) WAIVER OF ADVANCE NOTICE REQUIREMENT.—The President may waive the provisions of subparagraph (A) in the case of any new unilateral economic sanction that involves freezing the assets of a foreign country or entity (or in the case of any other sanction) if the President determines that the national interest would be jeopardized by the requirements of this section.

(C) AUTHORITY TO NEGOTIATE.—Notwithstanding any other provision of law, the President is authorized to negotiate with the foreign government against which a unilateral economic sanction is proposed to resolve the underlying reasons for the sanction during the 45-day period following the publication of notice in the Federal Register.

(2) NEW UNILATERAL ECONOMIC SANCTION.—For purposes of this section, the term ''new unilateral economic sanction'' means a unilateral economic sanction imposed pursuant to a law enacted after the date of enactment of this Act or a sanction imposed after such date of enactment pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) CONSULTATION.—

(1) IN GENERAL.—The President shall consult with the appropriate congressional committees regarding a proposed new unilateral economic sanction, including consultations regarding efforts to achieve or increase multilateral cooperation on the issues or problems prompting the proposed sanction.

(2) CLASSIFIED CONSULTATIONS.—The consultations described in paragraph (1) may be conducted on a classified basis if disclosure would threaten the national security of the United States.

(c) PUBLIC COMMENT.—The President shall publish a notice in the Federal Register of the opportunity for interested persons to submit comments on any proposed new unilateral economic sanction.

(d) REQUIREMENTS FOR EXECUTIVE BRANCH SANCTIONS.—Any new unilateral economic sanction imposed by the President—

(1) shall—

(A) include an assessment of whether—

(i) the sanction is likely to achieve a specific United States foreign policy or national security objective within a reasonable period of time, which shall be specified; and

(ii) the achievement of the objectives of the sanction outweighs any costs to United States national interests;

(B) provide contract sanctity, except that contract sanctity shall not be required in any case—

(i) in which execution of the contract is contrary to law;

(ii) in which the contract involves assets that will be frozen as a consequence of the proposed sanction; or

(iii) in which the contract provides for the supply of goods or services directly to a specific person, government agency, or military unit that is expressly named as a target of the proposed sanction;

(C) terminate not later than 2 years after the sanction is imposed, unless specifically extended by the President in accordance with this section;

(D)(i) be targeted as narrowly as possible on foreign governments, entities, and officials that are responsible for the conduct being targeted; and

(ii) seek to minimize any adverse impact on the humanitarian activities of United States and foreign nongovernmental organizations in a country against which the sanction may be imposed; and

(E) not include any restriction on the export, financing, support, or provision of medicine, medical equipment, medical supplies, food, or other agricultural commodity (including fertilizer), other than restrictions imposed in response to national security threats, where multilateral sanctions are in place, or restrictions involving a country where the United States is engaged in armed conflict;

(2) should provide, to the extent that the Secretary of Agriculture finds, that—

(A) a new unilateral economic sanction is likely to restrict exports of any agricultural commodity from the United States or is likely to result in retaliation against exports of any agricultural commodity from the United States; and

(B) the sanction is proposed to be imposed, or is likely to be imposed, on a country or countries that constituted, in the preceding calendar year, the market for more than 3 percent of all export sales from the United States of an agricultural commodity; and

(3) should provide that the Secretary of Agriculture expand agricultural export assistance under United States market development, food assistance, and export promotion programs to offset the likely damage to incomes of producers of the affected agricultural commodity, to the maximum extent permitted by law and by the obligations of the United States under the Agreement on Agriculture referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

(e) REPORT BY THE PRESIDENT.—

(1) IN GENERAL.—Prior to imposing any new unilateral economic sanction, the President shall provide a report to the appropriate congressional committees on the proposed sanction. The report shall include the report of the International Trade Commission under subsection (g) (if timely submitted prior to the filing of the report). The report may be provided on a classified basis if disclosure would threaten the national security of the United States. The President's report shall contain the following:

(A) An explanation of the foreign policy or national security objective or objectives intended to be achieved through the proposed sanction.

(B) An assessment of—

(i) the likelihood that the proposed new unilateral economic sanction will achieve its stated objectives within the stated period of time; and

(ii) the impact of the proposed new unilateral economic sanction on—

(I) humanitarian conditions, including the impact on conditions in any specific countries on which the sanction is proposed to be imposed;

(II) humanitarian activities of United States and foreign nongovernmental organizations;

(III) relations with United States allies; and

(IV) other United States national security and foreign policy interests, including countries and entities other than those on which the sanction is proposed to be imposed.

(C) A description and assessment of—

(i) diplomatic and other steps the United States has taken to accomplish the intended objectives of the proposed sanction;

(ii) the likelihood of multilateral adoption of comparable measures;

(iii) comparable measures undertaken by other countries;

(iv) alternative measures to promote the same objectives, and an assessment of their potential effectiveness;

(v) any obligations of the United States under international treaties or trade agreements with which the proposed sanction may conflict;

(vi) the likelihood that the proposed sanction will lead to retaliation against United States interests, including agricultural interests; and

(vii) whether the achievement of the objectives of the proposed sanction outweighs any likely costs to United States foreign policy, national security, economic, and humanitarian interests, including any potential harm to United States business, agriculture, and consumers, and any potential harm to the international reputation of the United States as a reliable supplier of products, technology, agricultural commodities, and services.

(2) REPORT ON OTHER SANCTIONS.—In the case of any unilateral economic sanction that is imposed after the date of enactment of this Act, other than a new unilateral economic sanction described in subsection (a)(2) or a sanction that is a continuation of a sanction in effect on the date of enactment of this Act, the President shall not later than 30 days after imposing such sanction submit to Congress a report described in paragraph (1) relating to such sanction. The report may be provided on a classified basis if disclosure would threaten the national security of the United States.

(f) REPORT BY THE SECRETARY OF AGRICULTURE.—Prior to the imposition of a new unilateral economic sanction by the President, the Secretary of Agriculture shall submit to the appropriate congressional committees a report that shall contain an assessment of—

(1) the extent to which any country or countries proposed to be sanctioned are markets that accounted for, in the preceding calendar year, more than 3 percent of all export sales from the United States of any agricultural commodity;

(2) the likelihood that exports of agricultural commodities from the United States will be affected by the proposed sanction or by retaliation by any country proposed to be sanctioned, including specific commodities which are most likely to be affected;

(3) the likely effect on incomes of producers of the specific commodities identified by the Secretary;

(4) the extent to which the proposed sanction would permit foreign suppliers to replace United States suppliers; and

(5) the likely effect of the proposed sanction on the reputation of United States farmers as reliable suppliers of agricultural commodities in general, and of the specific commodities identified by the Secretary.

(g) REPORT BY THE UNITED STATES INTERNATIONAL TRADE COMMISSION.—Before imposing a new unilateral economic sanction, the President shall make a timely request to the United States International Trade Commission for a report on the likely short-term and long-term costs of the proposed sanction to the United States economy, including the potential impact on United States trade performance, employment, and growth, the international reputation of the United States as a reliable supplier of products, agricultural commodities, technology, and services, and the economic well-being and international competitive position of United States industries, firms, workers, farmers, and communities.

(h) WAIVER AUTHORITY.—The President may waive any of the requirements of subsections (a), (b), (c), (e)(1), (f), and (g), in the event that the President determines that such a waiver is in the national interest of the United States. In the event of such a waiver, the requirements waived shall be met during the 60-day period immediately following the imposition of the new unilateral economic sanction, and the sanction shall terminate 90 days after being imposed unless such requirements are met. The President may waive any of the requirements of paragraphs (1)(B), (1)(D), (1)(E), and (2) of

subsection (d) in the event that the President determines that the new unilateral economic sanction is related to actual or imminent armed conflict involving the United States.

(i) SANCTIONS REVIEW COMMITTEE.—

(1) ESTABLISHMENT.—There is established within the executive branch of Government an interagency committee, which shall be known as the Sanctions Review Committee, which shall have the responsibility of coordinating United States policy regarding unilateral economic sanctions and of providing appropriate recommendations to the President prior to any decision regarding the implementation of any unilateral economic sanction. The Committee shall be composed of the following 11 members, and any other member the President considers appropriate:

(A) The Secretary of State.

(B) The Secretary of the Treasury.

(C) The Secretary of Defense.

(D) The Secretary of Agriculture.

(E) The Secretary of Commerce.

(F) The Secretary of Energy.

(G) The United States Trade Representative.

(H) The Director of the Office of Management and Budget.

(I) The Chairman of the Council of Economic Advisers.

(J) The Assistant to the President for National Security Affairs.

(K) The Assistant to the President for Economic Policy.

(2) CHAIR.—The President shall designate one of the members specified in paragraph (1) to serve as Chair of the Sanctions Review Committee.

(j) INAPPLICABILITY OF OTHER PROVISIONS.—This section applies notwithstanding any other provision of law.

SEC. 8. ANNUAL REPORTS.

(a) ANNUAL REPORT.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, unless otherwise required under existing law, the President shall submit to the appropriate congressional committees a report detailing with respect to each country or entity against which a unilateral economic sanction has been imposed—

(1) the extent to which the sanction has achieved foreign policy or national security objectives of the United States with respect to that country or entity;

(2) the extent to which the sanction has harmed humanitarian interests in that country, the country in which that entity is located, or in other countries; and

(3) the impact of the sanction on other national security and foreign policy interests of the United States, including relations with countries friendly to the United States, and on the United States economy.

(b) REPORT BY THE UNITED STATES INTERNATIONAL TRADE COMMISSION.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the United States International Trade Commission shall report to the appropriate congressional committees on the costs, individually and in the aggregate, of all unilateral economic sanctions in effect under United States law, regulation, or Executive order. The calculation of such costs shall include an assessment of the impact of such measures on the international reputation of the United States as a reliable supplier of products, agricultural commodities, technology, and services.

SEC. 9. PRESIDENTIAL WAIVER AUTHORITY.

(a) WAIVER AUTHORITY.—The President may waive the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act, section 620E(e) of the Foreign Assistance Act of 1961, or section 2(b)(4) of the Export Import Bank Act of 1945 if the President determines that such a waiver would advance the purposes of such Acts or the national security interests of the United States.

(b) CONSULTATION.—Prior to exercising the waiver authority provided in subsection (a), the President shall consult with the appropriate congressional committees. Such consultations may be conducted on a classified basis if disclosure would threaten the national security of the United States.

(c) REPORTS.—At least once every 6 months after exercising the waiver authority in subsection (a), the President shall report to Congress with respect to the actions taken since the submission of the preceding report, and the reasons that continuation of any waiver under subsection (a) remains in the national security interest of the United States.

SEC. 10. EFFECTIVE DATE.

This Act shall take effect on the date that is 20 days after the date of enactment of this Act.

SANCTIONS POLICY REFORM ACT OF 1999—SECTION-BY-SECTION

Section 1: Short title. The act may be cited as the ''Enhancement of Trade, Security and Human Rights through Sanctions Reform Act''

Section 2: Purpose. The purpose of the Act is to establish an effective framework for consideration of unilateral economic sanctions and to make unilateral economic sanctions, when imposed, more effective.

Section 3: Statement of Policy. This section sets forth U.S. policy to pursue American security, trade and humanitarian interest through broad-ranging engagement with other countries, while recognizing the need at times to impose sanctions as a last resort. It supports multilateral cooperation as an alternative to unilateral U.S. sanctions. It seeks to promote U.S. economic growth through trade and to maintain America's reputation as a reliable supplier. It opposes boycotts and use of agricultural embargoes as a foreign policy weapon. It urges that economic sanctions be targeted as narrowly as possible, to minimize harm to innocent people or to humanitarian activities.

Section 4: Definitions. This section defines ''unilateral economic sanction'' as any restriction or condition on economic activity with respect to a foreign country or entity imposed for reasons of foreign policy or national security. This definition excludes multilateral sanctions, where other countries have agreed to adopt ''substantially equivalent'' measures. The definition also excludes U.S. trade laws, Jackson-Vanik, and munitions list controls. This section also defines ''appropriate committees,'' and ''contract sanctity.''

Section 5: Guidelines for Unilateral Economic Sanctions Legislation. This section provides that any bill or joint resolution imposing or authorizing a unilateral economic sanction should state the U.S. foreign policy or national security objective, terminate after two years unless specifically reauthorized, protect contract sanctity, provide Presidential authority to adjust or waive the sanction in the national interest, target the sanction as narrowly as possible against the parties responsible for the offending conduct, and provide for expanded export promotion if sanctions target a major export market for American farmers.

Section 6: Requirements for report Accompanying the Bill. The committee reporting sanctions legislation shall request reports from the President and Secretary of Agriculture. These reports shall be included in the committee report. If the legislation does not meet any Section guideline, the committee report shall explain why not. The President's report shall contain an assessment of the likelihood that the proposed sanction will achieve its stated objective within a reasonable time. It must weight the likely foreign policy, national security, economic, and humanitarian benefits against the costs of acting unilaterally. The report will also assess alternatives, such as prior diplomatic and other U.S. steps and comparable multilateral measures.

The Secretary of Agriculture's report shall assess the likely extent of the proposed legislation in terms of market share in affected countries, the likelihood that U.S. agricultural exports will be affected, and the impact on the reputation of U.S. farmers as reliable suppliers.

Section 6 also considers unilateral sanctions as unfunded federal mandates for purposes of the Unfunded Mandates Act. The Congressional Budget Office shall assess the likely short- and long-term cost of the proposed sanctions to the U.S. economy.

Section 7: Requirements for Executive Action. The President may impose a unilateral sanction no less than 45 days after announcing his intention to do so, during which time he shall consult with Congressional committees and publish a notice in the Federal Register seeking public comment. Any Executive sanction must meet the same guidelines that Section 5 applies to the Congress and must, in addition, include a clear finding that the sanction is likely to achieve a specific U.S. foreign policy or national security objective within a reasonable period of time.

Sanction 7 also requires—prior to the imposition of a unilateral sanction—the President and the Secretary of Agriculture to provide to the appropriate Congressional committees reports that contain the same assessment as required in the reports described in Section 6. The President shall also request a report by the U.S. International Trade Commission on the likely short- and long-term costs of the proposed sanctions to the U.S. economy, including the potential impact on U.S. competitiveness.

In case of national emergency, the bill allows the President temporarily to waive most Section 7 requirements in order to act immediately. If the President acts on an emergency basis, the waived requirements must be met within sixty days. Finally, the President shall establish an interagency Sanctions Review Committee to improve coordination of U.S. policy regarding unilateral sanctions.

Section 8: Annual Reports. The President must submit to the appropriate committees a report each year detailing the extent to which sanctions have achieved U.S. objectives, as well as their impact on humanitarian and other U.S. interests, including relations with friendly countries. The U.S. International Trade Commission shall report to the Congress on the costs, individually and in the aggregate, of all unilateral economic sanctions in effect under U.S. law, regulation, or Executive order, including the impact on U.S. competitiveness.

By Mr. ASHCROFT (for himself, Mr. HATCH, Mr. DODD, Mr. SESSIONS, Mr. LIEBERMAN, Mr. GRASSLEY, Mr. TORRICELLI, Mr.

SMITH of New Hampshire, and Mr. SCHUMER):

S. 758. A bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes; to the Committee on the Judiciary.

FAIRNESS IN ASBESTOS COMPENSATION ACT OF 1999

Mr. ASHCROFT. Mr. President, I rise today to introduce the Fairness in Asbestos Compensation Act of 1999. I want to thank all of the Senators who have cosponsored this bill. This bill is a bipartisan effort and the diverse group of Senators who support the bill reflects a serious effort to solve a serious problem, not an effort to gain partisan advantage. I particularly want to thank Senator DODD for his assistance on this bill and Senator HATCH for his leadership in introducing similar legislation in the last Congress.

I am introducing this bill and I support this bill for a simple reason—it makes sense. The problems caused by the manufacture and use of asbestos are well-documented. Although some companies initially denied responsibility and resisted suits to recover for asbestos-related injuries in court, the injuries associated with asbestos and the liability of manufacturers for those injuries are now well-established.

The courts—both state and federal—have done an admirable job of establishing the facts and legal rules concerning asbestos. That is a job the courts do well. However, now that the basic facts and liability rules have been established, the courts are being asked simply to process claims. That is not a job the courts do particularly well. The rules governing court actions give parties rights to dispute facts that have been conclusively established in other proceedings. All the while the meter is running for the lawyers on both sides. Dollars that could go to compensate deserving victims, instead go to lawyers and court costs.

In the asbestos context, these problems are exacerbated by the finite resources available to compensate victims. What is more, the legal rules concerning both punitive damages and what constitutes a sufficient injury to bring suit make for jury awards that do not correspond to the seriousness of the injury. Someone filing suit because of a preliminary manifestation of a minor injury, such as pleural thickening, that may never lead to more severe symptoms may receive more compensation than another person with more serious asbestos-related injuries. None of this is to suggest that it is somehow wrong for plaintiffs with a minor injury to file suit. To the contrary, some state rules concerning when injury occurs obligate plaintiffs to file suits or risk having their suit dismissed as time-barred. What is more, in light of the finite number of remaining solvent asbestos defendants, potential plaintiffs have every incentive to file suit as soon as legally permissible.

The Fairness in Asbestos Compensation Act of 1999 attempts to address these problems by establishing an administrative claims systems that aims to compensate victims of asbestos rationally and efficiently. The Act accomplishes this goal by classifying claimants according to the severity of their injuries, ensuring that those with more serious injuries receive greater awards, securing a compensation fund so that victims whose conditions are not yet manifest can recover in the future, and eliminating the statute of limitations and injury rules that force plaintiffs into court prematurely. Although I wish I could claim some pride of authorship in these mechanisms, these basic features were all part of a proposed global asbestos settlement agreement worked out by representatives of both plaintiffs and defendants.

The Supreme Court rejected the proposed global asbestos settlement in Amchem Products versus Windsor. The District Court had certified a settlement class under Rule 23 that included extensive medical and compensation criteria that both plaintiffs and defendants had accepted. The Supreme Court ruled that this type of global, nationwide settlement of tort claims brought under fifty different state laws could not be sustained under Rule 23. The Court recognized that such a global settlement would conserve judicial resources and likely would promote the public interest. Nonetheless, the Court concluded that Rule 23 was too thin a reed to support this massive settlement, and that if the parties desired a nationwide settlement they needed to direct their attention to the Congress, rather than the Courts.

I believe the Supreme Court was right on both counts—the proposed settlement criteria were in the public interest, but the proposed class simply could not be sustained under Rule 23. The Rules Enabling Act and the inherent limits on the power of federal courts preclude an interpretation of Rule 23 that would result in a federal court overriding or homogenizing varying state laws. However, as the Supreme Court pointed out, Congress has the power to do directly what the courts lack the power to do through a strained interpretation of Rule 23.

This bill takes up the challenge of the Supreme Court and addresses the tragic problem of asbestos. The bill incorporates the medical and compensation criteria agreed to by the parties in the Amchem settlement and employs them as the basis for a legislative settlement. In the simplest terms, the legislation proposes an administrative claims process to compensate individuals injured by asbestos as a substitute for the tort system (although individuals retain an ability to opt-in to the tort system after using the administrative claims system to narrow the issues in dispute). The net effect of this legislation should be to funnel a greater percentage of the pool of limited resources to injured plaintiffs, rather than to lawyers for plaintiffs and defendants.

I want to be clear, however, that I am not here to suggest that this is a perfect bill. This bill represents a complex solution to a complex problem. A number of groups will be affected by this legislation, and it may be necessary to make changes to ensure that no one is unfairly disadvantaged by this legislation. But that said, I am confident that we can make the needed changes. We have a bipartisan group of Senators who have agreed to cosponsor this legislation, and the bill represents a sufficient improvement in efficiency over the existing litigation quagmire that there should be ample room to work out any differences.

Finally, let me also note that this bill also plays a minor but important role in preserving a proper balance in the separation of powers. I have been a strong and consistent critic of judicial activism. Judges who make legal rules out of whole cloth in the absence of constitutional or statutory text damage the standing of the judiciary and our constitutional structure. On the other hand, when judges issue opinions in which they recognize that a particular outcome might well be in the public interest, but nonetheless is not supported by the existing law, they reinforce the proper, limited role of the judiciary. Too often, federal judges are tempted to reach the result they favor as a policy matter without regard to the law. When judges succumb to that temptation, they are justly criticized. But when they resist that temptation, their self-restraint should be recognized and applauded. The Court in Amchem rightly recognized a problem that the judiciary acting alone could not solve. By offering a legislative solution to that problem the bill provides the proper incentives for courts to be restrained and reinforces the proper roles of Congress and the Judiciary.

In short, this bill provides a proper legislative solution to the asbestos litigation problem. It ensures that, in an area in which extensive litigation has already established facts and assigned responsibility, scarce dollars compensate victims, not lawyers. I want to thank my co-sponsors for their work on the bill. I look forward to working with them to ensure final passage of this legislation. The courts have completed their proper role in ascertaining facts and liability. It is time for Congress to step in to provide a better mechanism to direct scarce resources to deserving victims.

• Mr. DODD. Mr. President, I am pleased to join with my colleague, Senator ASHCROFT, to introduce the ''Fairness in Asbestos Compensation Act of 1999''. This legislation would expedite the provision of financial compensation to the victims of asbestos exposure by establishing a nationwide administrative system to hear and adjudicate their claims.

Mr. President, millions of American workers have been exposed to asbestos on the job. Tragically, many have contracted asbestos-related illnesses, which can be devastating and deadly. Others will surely become similarly afflicted. These individuals—who have or will become terribly ill due to no fault of their own—deserve swift and fair compensation to help meet the costs of health care, lost income, and other economic and non-economic losses.

Unfortunately, many victims of asbestos exposure are not receiving the efficient and just treatment they deserve from our legal system. Indeed, it can be said that the current asbestos litigation system is in a state of crisis. Today, more than 150,000 lawsuits clog the state and federal courts. In 1996 along, more than 36,000 new suits were filed. Those who have been injured by asbestos exposure must often wait years for compensation. And when that compensation finally arrives, it is often eaten up by attorneys' fees and other transaction costs.

In the early 1990's, an effort was made to improve the management of federal asbestos litigation. Cases were consolidated, and a settlement to resolve them administratively was agreed to between defendant companies and plaintiffs' attorneys. This settlement also obtained the backing of the Building and Construction Trades Union of the AFL–CIO. Regrettably, the settlement was overturned by the Third Circuit Court of Appeals in 1996. Though the Court termed the settlement ''arguably a brilliant partial solution'', it found that the class of people created by the settlement—namely, those exposed to asbestos—was too large and varied to be certified pursuant to Rule 23 of the Federal Rules of Civil Procedure. The Supreme Court affirmed that decision. In its decision, the Court effectively invited the Congress to provide for the existence of such a settlement as a fair and efficient way to resolve asbestos litigation claims.

Hence this bill. In simple terms, it codifies the settlement reached between companies and the representatives of workers who were exposed to asbestos on the job. It would establish a body to review claims by those who believe that they have become ill due to exposure to asbestos. It would provide workers with mediation and binding arbitration to promote the fair and swift settlement of their claims. It would allow plaintiffs to seek additional compensation if their non-malignant disease later developed into cancer. And it would limit attorneys' fees so as to ensure that a claimant receives a just portion of any settlement amount.

All in all, Mr. President, this is a good bill. However, it is not a perfect bill. My office has received comments on the bill from representatives of a number of parties affected by asbestos litigation. I hope and expect that those comments will be given the consideration that they deserve by the Judiciary Committee and the full Senate as this legislation moves forward.•

Mr. HATCH. Mr. President, I am pleased to be an original co-sponsor of the legislation, the ''Fairness in Asbestos Compensation Act of 1999,'' which Senator ASHCROFT is introducing today. This legislation's other sponsors include: Senator DODD, Senator SESSIONS, Senator LIEBERMAN, Senator GRASSLEY, Senator TORRICELLI, Senator SMITH, and Senator SCHUMER.

State and federal courts are overwhelmed by up to 150,000 asbestos lawsuits today, and there are new suits being filed. Unfortunately, those who are truly sick with asbestos and various asbestos-related cancers and illnesses spend years in court before receiving any compensation, and then usually lose more than half of that compensation to attorneys' fees and other costs. One cause of this extraordinary delay in compensation is the large number of lawsuits filed by those who, without any symptoms or signs of asbestos-related illness, bring suits for future medical monitoring and fear of cancer.

Mr. President, I am concerned that as juries award enormous compensation and outrageous punitive damages to non-impaired plaintiffs, others with actual illnesses receive little or no compensation. As legal and financial resources are tied up and exhausted, it is increasingly unclear whether those who are truly inflicted with asbestos-caused diseases will be able to recover anything at all in the years ahead.

Courts have tried unsuccessfully to cope with this problem. The major parties involved attempted to compromise on a solution that included prompt compensation. The Third Circuit Court of Appeals overturned one such compromise, known as the Amchem or Georgine agreement, on civil procedural rule grounds, but found the settlement to be ''arguably a brilliant partial solution.'' Justice Ruth Bader Ginsburg, writing for the Supreme Court, upheld the Appellate decision and stated, ''[t]he argument is sensibly made that a nationwide administrative claims processing regime would provide the most secure, fair and efficient means of compensating victims of asbestos exposure. Congress, however, has not adopted such a solution.'' The Court accurately recognized that Congress is the most appropriate body to resolve the asbestos crisis. That is what this legislation is aimed to do.

Mr. President, through the hundreds of thousands of cases that already have been litigated in the court system, the legal and scientific issues relating to asbestos litigation have been thoroughly explored. This, along with the recent court decisions demonstrate that the asbestos litigation issue is now ripe for a legislative solution.

This bill we introduce today will correct the asbestos litigation crisis problems. It is crafted to reflect as closely as possible the original settlement agreed to by the involved parties in the Amchem settlement. This bill will eliminate the asbestos litigation burden in the courts, get fair compensation for those who currently are sick, and enable the businesses to manage their liabilities in order to ensure that compensation will be available for future claimants. It is important to note that no tax-payer money will fund this bill.

We have carefully crafted this legislation so that it is at least as favorable—and, in many cases, more favorable—to claimants as the original Amchem settlement. As this bill makes its way through the legislative process, I look forward to working with Senator ASHCROFT and my colleagues to further refine the language in order to achieve the maximum public benefit from this legislation.

By Mr. MURKOWSKI (for himself, Mr. TORRICELLI, Mr. BURNS, and Mr. REID):

S. 759. A bill to regulate the transmission of unsolicited commercial electronic mail on the Internet, and for other purposes.

INBOX PRIVACY ACT OF 1999

Mr. MURKOWSKI. Mr. President, I rise today to introduce the Inbox Privacy Act of 1999 on behalf of myself, Senators TORRICELLI, BURNS and REID. Our legislation provides a solution to the burden of junk e-mail, also known as spam, that now plagues the Internet. There are five main components to this legislation:

Online marketers must honestly identify themselves

Consumers have the ultimate decision as to what comes into their inbox

Consumers and domain owners can stop further transmissions of spam to those who do not want to receive it

Internet Service Providers are relieved from the burdens associated with spam

A federal solution is provided to a nationwide problem while giving states, ISP's, and the Federal Trade Commission authority to go after those who flood the Internet with fraudulent emails.

The burden of spam is evident in my home state of Alaska. Unlike urban and suburban areas of the nation where

a local telephone call is all it takes to log onto the Internet, rural areas of Alaska and many other states have no such local access.

Every minute connected to the Internet, whether it is for researching a school project, checking a bank balance, searching for the latest information on the weather at the local airport, or even shopping online incurs a per minute long distance charge. The extra financial cost of the longer call to download spam may only be a small amount on a day to day basis, but over the long term this cost is a very real financial disincentive to using the Internet. Some estimates place the cost at over $200 per year for rural Americans.

If Internet commerce is to continue to expand, all Internet consumers must be able to avoid costs for the receipt of advertising material such as spam that they do not want to receive. As I've said before, the Internet is not a tool for every huckster to sell the Brooklyn Bridge.

Last Congress I was the author of Title III of S. 1618 which unanimously passed the Senate and was supported by a variety of interested Internet groups. Some wanted an outright ban on such solicitations, but banning nonfraudulent Internet commerce is a dangerous precedent to set, particularly where the problem today is caused by fraudulent marketers. I also recognize that there are First Amendment concerns raised by any Internet content legislation and am pleased that our approach has the support of civil liberties organizations.

The most significant difference between this legislation and Title III of S. 1618 is the addition of a domain-wide opt-out system that allows Internet domain owners to put up an electronic stop sign to signify their desire to not receive unsolicited commercial email to addresses served by their domain. However, to ensure that the Internet consumer has the ultimate choice, consumers would be able to inform their ISP of their continuing desire to receive junk e-mail. While I doubt that there will be too many Internet consumers who want to receive junk e-mail, Congress should not make the decision for them by banning junk e-mail outright, no matter how annoying it may be. Not only should consumers have the ultimate choice, but if Congress bans junk e-mail, what else on the Internet will we ban next?

Finally, I have included a state enforcement provision that allows all states to enforce a national standard on junk e-mail. As Congress has seen before in the Internet Tax Freedom debate, a unified approach to any Internet legislation is key to promoting the development of the Internet. Just as having 50 state tax policies on Internet transactions represents a poor policy decision, so would having 50 state policies on spam legislation. My approach solves this dilemma by setting such a national standard that provides for even greater protection that what a few states have already enacted. By setting a national standard, it also solves the constitutional dilemma that many states face regarding long-arm jurisdiction.

Mr. President, the Inbox Privacy Act represents a significant step forward for Internet consumers and domain owners and I urge its adoption by my colleagues.

Mr. President, I ask unanimous consent that the text of the bill be included in the RECORD.

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

S. 759

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 ''Inbox Privacy Act of 1999''.

SEC. 2. TRANSMISSIONS OF UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

(a) PROHIBITION ON TRANSMISSION TO PERSONS DECLINING RECEIPT.—

(1) IN GENERAL.—A person may not initiate the transmission of unsolicited commercial electronic mail to another person if such other person submits to the person a request that the initiation of the transmission of such mail by the person to such other person not occur.

(2) FORM OF REQUEST.—A request under paragraph (1) may take any form appropriate to notify a person who initiates the transmission of unsolicited commercial electronic mail of the request, including an appropriate reply to a notice specified in subsection (d)(2).

(3) CONSTRUCTIVE AUTHORIZATION.—

(A) IN GENERAL.—Subject to subparagraph (B), for purposes of this subsection, a person who secures a good or service from, or otherwise responds electronically to an offer in a commercial electronic mail message shall be deemed to have authorized the initiation of transmissions of unsolicited commercial electronic mail from the person who initiated transmission of the message.

(B) NO AUTHORIZATION FOR REQUEST FOR TERMINATION.—A reply to a notice specified in subsection (d)(2) shall not constitute authorization for the initiation of transmissions of unsolicited commercial electronic mail under this paragraph.

(b) PROHIBITION ON TRANSMISSION TO DOMAIN OWNERS DECLINING RECEIPT.—

(1) IN GENERAL.—Except as provided in paragraph (2), a person may not initiate the transmission of unsolicited commercial electronic mail to any electronic mail addresses served by a domain if the domain owner has elected not to receive transmissions of such mail at the domain in accordance with subsection (c).

(2) EXCEPTIONS.—The prohibition in paragraph (1) shall not apply in the case of the following:

(A) A domain owner initiating transmissions of commercial electronic mail to its own domain.

(B) Any customer of an Internet service provider or interactive computer service provider included on a list under subsection (c)(3)(C).

(c) DOMAIN-WIDE OPT-OUT SYSTEM.—

(1) IN GENERAL.—A domain owner may elect not to receive transmissions of unsolicited commercial electronic mail at its own domain.

(2) NOTICE OF ELECTION.—A domain owner making an election under this subsection shall—

(A) notify the Federal Trade Commission of the election in such form and manner as the Commission shall require for purposes of section 4(c); and

(B) if the domain owner is an Internet service provider or interactive computer service provider, notify the customers of its Internet service or interactive computer service, as the case may be, in such manner as the provider customarily employs for notifying such customers of matters relating to such service, of—

(i) the election; and

(ii) the authority of the customers to make the election provided for under paragraph (3).

(3) CUSTOMER ELECTION TO CONTINUE RECEIPT OF MAIL.—

(A) ELECTION.—Any customer of an Internet service provider or interactive computer service provider receiving a notice under paragraph (2)(B) may elect to continue to receive transmissions of unsolicited commercial electronic mail through the domain covered by the notice, notwithstanding the election of the Internet service provider or interactive computer service provider under paragraph (1) to which the notice applies.

(B) TRANSMITTAL OF MAIL.—An Internet service provider or interactive computer service provider may not impose or collect any fee for the receipt of unsolicited commercial electronic mail under this paragraph (other than the usual and customary fee imposed and collected for the receipt of commercial electronic mail by its customers) or otherwise discriminate against a customer for the receipt of such mail under this paragraph.

(C) LIST OF CUSTOMERS MAKING ELECTION.—

(i) REQUIREMENT.—An Internet service provider or interactive computer service provider shall maintain a list of each of its current customers who have made an election under subparagraph (A).

(ii) AVAILABILITY OF LIST.—Each such provider shall make such list available to the public in such form and manner as the Commission shall require for purposes of section 4(c).

(iii) PROHIBITION ON FEE.—A provider may not impose or collect any fee in connection with any action taken under this subparagraph.

(d) INFORMATION TO BE INCLUDED IN ALL TRANSMISSIONS.—A person initiating the transmission of any unsolicited commercial electronic mail message shall include in the body of such message the following information:

(1) The name, physical address, electronic mail address, and telephone number of the person.

(2) A clear and obvious notice that the person will cease further transmissions of commercial electronic mail to the recipient of the message at no cost to that recipient upon the transmittal by that recipient to the person, at the electronic mail address from which transmission of the message was initiated, of an electronic mail message containing the word ''remove'' in the subject line.

(e) ROUTING INFORMATION.—A person initiating the transmission of any commercial electronic mail message shall ensure that all Internet routing information contained in or accompanying such message is accurate,

valid according to the prevailing standards for Internet protocols, and accurately reflects the routing of such message.

SEC. 3. DECEPTIVE ACTS OR PRACTICES IN CONNECTION WITH SALE OF GOODS OR SERVICES OVER THE INTERNET.

(a) AUTHORITY TO REGULATE.—

(1) IN GENERAL.—The Federal Trade Commission may prescribe rules for purposes of defining and prohibiting deceptive acts or practices in connection with the promotion, advertisement, offering for sale, or sale of goods or services on or by means of the Internet.

(2) COMMERCIAL ELECTRONIC MAIL.—The rules under paragraph (1) may contain specific provisions addressing deceptive acts or practices in the initiation, transmission, or receipt of commercial electronic mail.

(3) NATURE OF VIOLATION.—The rules under paragraph (1) shall treat any violation of such rules as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), relating to unfair or deceptive acts or practices affecting commerce.

(b) PRESCRIPTION.—Section 553 of title 5, United States Code, shall apply to the prescription of any rules under subsection (a).

SEC. 4. FEDERAL TRADE COMMISSION ACTIVITIES WITH RESPECT TO UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

(a) INVESTIGATION.—

(1) IN GENERAL.—Subject to paragraph (2), upon notice of an alleged violation of a provision of section 2, the Federal Trade Commission may conduct an investigation in order to determine whether or not the violation occurred.

(2) LIMITATION.—The Commission may not undertake an investigation of an alleged violation under paragraph (1) more than 2 years after the date of the alleged violation.

(3) RECEIPT OF NOTICES.—The Commission shall provide for appropriate means of receiving notices under paragraph (1). Such means shall include an Internet web page on the World Wide Web that the Commission maintains for that purpose.

(b) ENFORCEMENT POWERS.—If as a result of an investigation under subsection (a) the Commission determines that a violation of a provision of section 2 has occurred, the Commission shall have the power to enforce such provision as if such violation were a violation of a rule prescribed under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), relating to unfair or deceptive acts or practices affecting commerce.

(c) INFORMATION ON ELECTIONS UNDER DOMAIN-WIDE OPT-OUT SYSTEM.—

(1) INITIAL SITE FOR INFORMATION.—The Commission shall establish and maintain an Internet web page on the World Wide Web containing information sufficient to make known to the public for purposes of section 2 the domain owners who have made an election under subsection (c)(1) of that section and the persons who have made an election under subsection (c)(3) of that section.

(2) ALTERNATIVE SITE.—The Commission may from time to time select another means of making known to the public the information specified in paragraph (1). Any such selection shall be made in consultation with the members of the Internet community.

(d) ASSISTANCE OF OTHER FEDERAL AGENCIES.—Other Federal departments and agencies may, upon request of the Commission, assist the Commission in carrying out activities under this section.

SEC. 5. ACTIONS BY STATES.

(a) IN GENERAL.—Whenever the attorney general of a State has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected because any person is engaging in a pattern or practice of the transmission of electronic mail in violation of a provision of section 2, or of any rule prescribed pursuant to section 3, the State, as parens patriae, may bring a civil action on behalf of its residents to enjoin such transmission, to enforce compliance with such provision or rule, to obtain damages or other compensation on behalf of its residents, or to obtain such further and other relief as the court considers appropriate.

(b) NOTICE TO COMMISSION.—

(1) NOTICE.—The State shall serve prior written notice of any civil action under this section on the Federal Trade Commission and provide the Commission with a copy of its complaint, except that if it is not feasible for the State to provide such prior notice, the State shall serve written notice immediately after instituting such action.

(2) RIGHTS OF COMMISSION.—On receiving a notice with respect to a civil action under paragraph (1), the Commission shall have the right—

(A) to intervene in the action;

(B) upon so intervening, to be heard in all matters arising therein; and

(C) to file petitions for appeal.

(c) ACTIONS BY COMMISSION.—Whenever a civil action has been instituted by or on behalf of the Commission for violation of a provision of section 2, or of any rule prescribed pursuant to section 3, no State may, during the pendency of such action, institute a civil action under this section against any defendant named in the complaint in such action for violation of any provision or rule as alleged in the complaint.

(d) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section shall prevent an attorney general from exercising the powers conferred on the attorney general by the laws of the State concerned to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary or other evidence.

(e) VENUE; SERVICE OF PROCESS.—Any civil action brought under subsection (a) in a district court of the United States may be brought in the district in which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such an action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.

(f) DEFINITIONS.—In this section:

(1) ATTORNEY GENERAL.—The term ''attorney general'' means the chief legal officer of a State.

(2) STATE.—The term ''State'' means any State of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and any possession of the United States.

SEC. 6. ACTIONS BY INTERNET SERVICE PROVIDERS AND INTERACTIVE COMPUTER SERVICE PROVIDERS.

(a) ACTIONS AUTHORIZED.—In addition to any other remedies available under any other provision of law, any Internet service provider or interactive computer service provider adversely affected by a violation of section 2(b)(1) may, within 1 year after discovery of the violation, bring a civil action in a district court of the United States against a person who violates such section.

(b) RELIEF.—

(1) IN GENERAL.—An action may be brought under subsection (a) to enjoin a violation referred to in that subsection, to enforce compliance with the provision referred to in that subsection, to obtain damages as specified in paragraph (2), or to obtain such further and other relief as the court considers appropriate.

(2) DAMAGES.—

(A) IN GENERAL.—The amount of damages in an action under this section for a violation specified in subsection (a) may not exceed $50,000 per day in which electronic mail constituting such violation was received.

(B) RELATIONSHIP TO OTHER DAMAGES.—Damages awarded under this subsection for a violation under subsection (a) are in addition to any other damages awardable for the violation under any other provision of law.

(C) COST AND FEES.—The court may, in issuing any final order in any action brought under subsection (a), award costs of suit, reasonable costs of obtaining service of process, reasonable attorney fees, and expert witness fees for the prevailing party.

(c) VENUE; SERVICE OF PROCESS.—Any civil action brought under subsection (a) in a district court of the United States may be brought in the district in which the defendant or in which the Internet service provider or interactive computer service provider is located, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such an action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.

SEC. 7. PREEMPTION.

This Act preempts any State or local laws regarding the transmission or receipt of commercial electronic mail.

SEC. 8. DEFINITIONS.

In this Act:

(1) COMMERCIAL ELECTRONIC MAIL.—The term ''commercial electronic mail'' means any electronic mail or similar message whose primary purpose is to initiate a commercial transaction, not including messages sent by persons to others with whom they have a prior business relationship.

(2) INITIATE A TRANSMISSION.—

(A) IN GENERAL.—The term ''initiate the transmission'', in the case of an electronic mail message, means to originate the electronic mail message.

(B) EXCLUSION.—Such term does not include any intervening action to relay, handle, or otherwise retransmit an electronic mail message, unless such action is carried out in intentional violation of a provision of section 2.

(3) INTERACTIVE COMPUTER SERVICE PROVIDER.—The term ''interactive computer service provider'' means a provider of an interactive computer service (as that term is defined in section 230(e)(2) of the Communications Act of 1934 (47 U.S.C. 230(e)(2)).

(4) INTERNET.—The term ''Internet'' has the meaning given that term in section 230(e)(1) of the Communications Act of 1934 (47 U.S.C. 230(e)(1)).

INBOX PRIVACY ACT OF 1999

• Mr. TORRICELLI. Mr. President, I thank Senator MURKOWSKI, my distinguished colleague from Alaska, with whom I have worked many months in this effort. I also thank Senator BURNS, Chairman of the Communications subcommittee, who has greatly assisted us

with this legislation and Senator REID for joining with us on this important legislation.

Last year, I recognized the growing threat to Internet commerce and communication posed by the proliferation of unsolicited junk e-mail, or so-called ''Spam.'' Junk e-mail is an unfortunate side effect of the burgeoning world of Internet communication and commerce. While Internet traffic doubles every 100 days, as much as 30 percent of that traffic is junk e-mail.

Like many other Americans, I have an America Online account and am inundated with unsolicited messages, peddling every item imaginable. Similarly, I receive junk e-mail daily at my official Senate e-mail address, along with the complaints of dozens of constituents who forward me the Spam that they receive.

The incentive to abuse the Internet is obvious. Sending an e-mail to as many as 10 million people can cost as little as a couple of hundred dollars. Today, unsolicited commercial e-mailers are hiding their identities, falsifying their return addresses and refusing to respond to complaints or removal requests. Because the senders of these e-mails are generally unknown, they avoid any possible retribution from consumers. Their actions approach fraud, but our current laws are not strong enough to stop them.

I have long been concerned about executive—indeed any—government regulation of the Internet. Many of the best qualities of American life are represented and enhanced by the Internet, and I fear government regulation has the possibility to stifle the creativity and development of cyberspace.

However, a failure to address the problem of junk e-mail now poses a greater threat to the Internet than do minimal regulations. The massive amount of junk e-mail in an already strained system is increasingly responsible for slowdowns, and even breakdowns, of Internet services. For example, just last March spammers crashed Pacific Bell's Network, leaving customers without service for 24 hours.

Let me be clear, this legislation is not a de facto regulation of the Internet. In fact, it does not go as a complete ban on junk e-mail as some have suggested. While I understand the concerns of those who seek a complete ban, I believe that the government should not hastily pass broad legislation to regulate the Internet. The Inbox Privacy Act will address the Spam problem by giving citizens and Internet service providers the power to stop unwanted e-mail. But Congress must move quickly to address this situation before junk e-mail becomes a serious impediment to the flow of ideas and commerce on the Internet.●

By Mr. MURKOWSKI (for himself and Mr. BINGAMAN):

S. 760. A bill to include the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands in the 50 States Commemorative Coin Program; to the Committee on Banking, Housing, and Urban Affairs.

COMMEMORATIVE COIN AMENDMENTS ACT OF 1999

Mr. MURKOWSKI. Mr. President, I am joined today by Senator JEFF BINGAMAN in introducing the Commemorative Coin Amendments Act of 1999. Our legislation would extend the new commemorative quarter program to include the District of Columbia, Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Northern Mariana Islands. As one of the few Members of Congress who can remember when my home state was a territory and as Chairman of the Energy and Natural Resources Committee with jurisdiction over the territories of the United States, I feel that it is more than appropriate for the U.S. Mint to recognize the contributions of these six entities.

However, Mr. President, the reason for minting these six coins goes beyond historical significance. Americans who work in the mining and transportation industries will benefit from my legislation. The U.S. Treasury will benefit as collectors remove quarters from circulation. The government spends 5 cents to mint each quarter. Any quarter removed from circulation by collectors earns the U.S. Treasury a profit of 20 cents. A study by Coopers and Lybrand found that the the federal Treasury could take in more than $2 billion dollars for the first fifty quarter designs. Six more coins will certainly add to that revenue windfall.

Mr. President, let me turn to the historical reasons for this bill. The District of Columbia was the only land designated by the U.S. Constitution. It has served as the home of Congress and the White House for all but brief periods of time. Within its boundaries reside the Archives of the United States, home of the original Constitution and Declaration of Independence. The District of Columbia is home to numerous monuments honoring important Americans who have changed the course of history as well as events that have changed the course of our nation. The District of Columbia was where Martin Luther King spoke his moving ''I have a dream'' address. And finally, it is the place that the world looks to for political and economic leadership.

The inclusion of the territories of the United States in this legislation serves as an important reminder of our history. With very few exceptions, such as Texas and those States that formed the original thirteen Colonies, all of my colleagues come from States that at one time were territories. Four of us actually remember the days when our constituents were not represented in the Senate and were afforded only a non-voting delegate in the House. The history of our Nation is written in the development of the territories—the social and economic forces that forged our Nation.

Our current inhabited territories are an integral part of that heritage and are also a part of our future. Guam, the southernmost of the Mariana Islands, and the Commonwealth of Puerto Rico were acquired at the conclusion of the Spanish-American war, as was the Philippines. Their acquisition and subsequent development was the focus of a spirited debate in Congress, the Administration, and eventually in the Supreme Court over the nature and applicability of provisions of the Constitution. Not since the Louisiana Purchase a century earlier had there been such a debate over the boundaries of the United States. Guam, acquired in one war, was occupied by Japan in another. The sacrifices of the residents of Guam prior to liberation led to the granting of citizenship and the establishment of full local self-government. Former President Bush was forced to ditch his plane during the conflict in the Marianas and our former colleague, Senator Heflin, was wounded in the liberation of Guam.

Puerto Rico, with a population approaching 4 million and an economy larger than many States, has set the mark in political self-government for those territories that are not fully under the Constitution. Puerto Rico was the first territory to achieve local self-government pursuant to a locally drafted Constitution other than as part of either Statehood or Independence. Since that time, however, both American Samoa and the Commonwealth of the Northern Marianas have adopted local constitutions and both Guam and the Virgin Islands exercise similar authorities under their Organic legislation. Puerto Rico has the longest continually occupied capital in the United States, San Juan, and was the site where one of its Governors, Ponce de Leon, sailed for Florida.

American Samoa was acquired under Treaties of Cession in 1900 and 1904 following the Tripartite Agreement between Great Britain, Germany, and the United States. The history of the Samoas demonstrates both the European conflicts in the Pacific as well as the emergence of the United States as a Pacific power. American Samoa, the only territory south of the Equator, demonstrates the diversity that marks this Nation. American Samoa is the only territory where the residents are nationals rather than citizens of the United States. Past Governors, such as Peter Coleman, have been important representatives of the United States in the Pacific community and respected leaders.

The United States Virgin Islands were purchased from Denmark in 1916

for $25 million. The purchase did not provoke the divisive debates that surrounded the Louisiana Purchase nor some of the merriment that accompanied the purchase of Alaska. The Danish heritage continues to be evident in the capitol at Charlotte Amalie on St. Thomas as well as at Christiansted National Historic Site on St. Croix, the heart of the former Danish West Indies. Salt River Bay, on St. Croix, is the only known site where members of the Columbus expedition actually set foot on what is now United States soil.

The Commonwealth of the Northern Mariana Islands is the newest territory of the United States. The area had been part of a League of Nations Mandate to Japan prior to World War II and saw some of the fiercest fighting of the Pacific theater, especially on Saipan. The attacks on Hiroshima and Nagasaki which brought the war to an end were launched from Tinian. After the war, the area became part of a United Nation's Trust Territory of the Pacific Islands. In 1976 the United States approved a Covenant to establish a Commonwealth of the Northern Mariana Islands, a document that had been negotiated with representatives of the Marianas government and approved in a local U.N. observed plebescite. Formal extension of United States sovereignty came with the termination of the Trusteeship by the Security Council a decade later. As an interesting historical note, the acquisition of the Northern Mariana Islands ends the artificial division created in 1898 when the United States acquired Guam and Spain sold the remainder of its possessions in the Marianas to Germany.

Mr. President, the District of Columbia and the territories are an important part of our heritage and our future. They encompass territory where our nation's government resides, where Columbus landed in the Virgin Islands, and where ''America's Day Begins'' in the Pacific. It is altogether fitting that their unique character and contributions be recognized by the issuance of appropriate coins.

Mr. President, I ask unanimous consent that the text of the bill be included in the RECORD.

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

S. 760

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 ''Commemorative Coin Amendments Act of 1999''.

SEC. 2. AMENDMENT TO COIN PROGRAM.

Section 5112(*l*) of title 31, United States Code, is amended by adding at the end the following:

''(8) INCLUSION OF NON-STATES.—

''(A) IN GENERAL.—During the 1-year period beginning at the end of the period described in paragraph (1)(A), quarter dollar coins shall be minted and issued having designs on the reverse side that are emblematic of each of the 6 non-States.

''(B) APPLICABILITY.—The requirements of paragraphs (2) through (6) shall apply to coins issued in commemoration of the non-States, except that, for purposes of this paragraph—

''(i) references in those paragraphs to 'States' and 'the 50 States' shall be construed to be references to the 6 non-States;

''(ii) references in these paragraphs to the '10-year period' shall be construed to be references to the 1-year period described in subparagraph (A) of this paragraph; and

''(iii) references in those paragraphs to the '50 designs' shall be construed to be references to the 6 designs relating to the non-States.

''(C) ORDER.—Coins shall be minted and issued for non-States in the order in which they appear in subparagraph (D).

''(D) DEFINITION.—In this paragraph, the term 'non-States' means—

''(i) the District of Columbia;

''(ii) the Commonwealth of Puerto Rico;

''(iii) Guam;

''(iv) American Samoa;

''(v) the United States Virgin Islands; and

''(vi) the Commonwealth of the Northern Mariana Islands.''.

By Mr. GRAHAM:

S. 762. A bill to direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park; to the Committee on Energy and Natural Resources.

MIAMI CIRCLE FEASIBILITY STUDY

● Mr. GRAHAM. Mr. President, several months ago, workers preparing land for development at the mouth of the Miami River began to notice a mysterious circular formation in the limestone bedrock that forms the foundation of the City of Miami. Further examination revealed that this site, where the river meets the bay, was utilized by the prehistoric Tequesta civilization for over 2,000 years, perhaps serving as an astronomical tool or as a cultural center for their complex maritime society. Floridians marveled at this clue to our past, and Miami is rediscovering and rejoicing in the Ancient Tequesta culture which, so many centuries before us, survived and flourished in an environment once dominated by sawgrass and gators, not condos and cruise ships.

I strongly believe that we have a responsibility to save and study reminders of our heritage. So in order to save this particular landmark, I urge you to join me in asking the National Park Service to examine the feasibility of including the Miami Circle as a component of Biscayne National Park. This is an appropriate way of fulfilling our responsibility to preserve this historically significant Tequesta site. Since 1980, Biscayne National Park has stretched from Biscayne Bay near Miami to the northernmost Florida Keys, covering 180,000 acres, 95 percent of which is water. The Park is already home to over one hundred known archaeological sites, the majority of which are submerged, as well as ten historic structures. Among those archaeological sites are several smaller, ''satellite'' Tequesta camps. Protection of the Miami Circle within the boundaries of the Park, in conjunction with these other camps, would allow for comprehensive site comparison, investigation and study. We must take seriously our responsibility as guardians of this cultural landmark and recognize that only through conservation and analysis will we be able to fully grasp the magnitude of this discovery.

Discussions with experts in the field of historic preservation have made me aware that the challenges faced by the people of the State of Florida in their efforts to save the Circle are not unlike those encountered during other attempts to save threatened monuments to their heritage—be they tornado-damaged barns that housed soldiers during the Civil War or missing links in the Underground Railroad discovered in the course of site preparation for development. I'm working with experts in this field to identify ways that the federal government might become a partner in these types of emergency situations so that sites of cultural significance will not fall victim to natural occurrences or development. I hope to introduce legislation soon that will give Americans the opportunity to save historic landmarks that they have identified in their own communities.

There is no Federal emergency fund or program to save the Miami Circle. However, the annexation of the 2.2 acre Miami Circle property into Biscayne National Park, if found to be appropriate in a feasibility study, will save the Miami Circle from bulldozers and cement pourers, will allow us to gain a greater understanding of the Tequesta culture, and will be a valuable asset to our National Parks System. We will not only be preserving a valuable piece of history, but will also provide a fitting gateway to one of our Nation's newest National Parks.●

By Mr. SMITH of New Hampshire (for himself, Mr. SHELBY, and Mr. HELMS):

S.J. Res. 16. A joint resolution proposing a constitutional amendment to establish limited judicial terms of office; to the Committee on the Judiciary.

CONSTITUTIONAL AMENDMENT TO ESTABLISH LIMITED JUDICIAL TERMS OF OFFICE

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce the Term Limits for Judges Amendment to the Constitution of the United States. I first introduced this proposal in the 105th Congress, with Senators SHELBY and HELMS as co-sponsors. I am pleased that both of those distinguished colleagues are joining me again as original co-sponsors.

Mr. President, the Framers of our Constitution intended that the judicial

branch created by Article III would have a limited role. In Federalist No. 78, Alexander Hamilton argued that the judicial branch ''will always be the least dangerous to the political rights of the Constitution.'' Courts, wrote Hamilton, ''have neither force nor will but merely judgment'' and ''can take no active resolution whatever.'' Even as he advocated the ratification of the Constitution, however, Hamilton also issued a warning. ''The courts,'' he said, ''must declare the sense of the law; and if they should be disposed to exercise will instead of judgment the consequence would equally be the substitution of their pleasure to that of the legislative body.''

More than two hundred years after Alexander Hamilton issued his warning, it is abundantly clear that the abuse of judicial power that he feared has become a reality. In recent years, for example, activist judges have repeatedly abused their authority by blocking the implementation of entirely constitutional measures enacted through state ballot referenda simply because they disagree with the policy judgments of the voters. Activist judges have taken control or prisons and school districts. Activist judges have even ordered tax increases. Worst of all, activist judges have created new rules to protect criminal defendants that result in killers, rapists and other violent individuals being turned loose to continue preying on society. Former U.S. Attorney General Edwin Meese estimates that over 100,000 criminal cases each year cannot be successfully prosecuted because of these court-created rules.

Mr. President, judicial activism has become such a severe problem that former U.S. Appeals Court Judge Robert Bork has proposed that the Constitution should be amended to give the Congress the power to overturn Supreme Court decisions. I believe, however, that a better solution is a constitutional amendment providing term limits for judges.

The Term Limits for Judges Amendment would put an end to life tenure for judges. Judges at all three levels of the Article III judiciary—Supreme Court, Appeals Courts, and District Courts—would be nominated by the President and, by and with the advice and consent of the Senate, appointed for 10-year terms. After completing such a term, a judge would be eligible for reappointment, subject to Senate confirmation. Since under the Twenty-Second Amendment no person can be President for more than 10 consecutive years, no judge could be appointed twice by the same President. Finally, judges appointed before the Amendment takes effect would be protected by a ''grandfather'' clause.

Mr. President, activist judges are routinely violating the separation of powers by usurping legislative and executive powers. This widespread abuse of judicial authority is constitutional in dimension and it is serious enough to warrant a constitutional response. Term limits for judges would establish a check on the power of activists judges. No longer could they abuse their authority with impunity. Under the Term Limits for Judges Amendment, judges who abuse their offices by imposing their own policy views instead of interpreting the laws in good faith could be passed over for new terms by the President or rejected for reappointment by the Senate. Moreover, the Term Limits for Judges Amendment would make the President and the Senate more accountable to the people for their judicial selections.

Mr. President, I ask unanimous consent to have the text of the Term Limits for Judges Amendment printed in the RECORD.

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

S.J. RES. 16

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States.

''ARTICLE—

''The Chief Justice and the judges of both the Supreme Court and the inferior courts shall hold their offices for the term of ten years. They shall be eligible for nomination and, by and with the advice and consent of the Senate, for appointment by the President to additional terms. This article shall not apply to any Chief Justice or judge who was appointed before it becomes operative.''

By Mr. SHELBY:

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by the Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

• Mr. SHELBY. Mr. President, I rise today to introduce a balanced budget amendment to the Constitution. This is the same amendment which I have introduced in every Congress since the 97th Congress. Throughout my entire tenure in Congress, during the good economic times and the bad, I have devoted much time and attention to this idea because I believe that the most significant thing that the federal government can do to enhance the lives of all Americans and future generations is to ensure that we have a balanced federal budget.

Mr. President, our Founding Fathers, wise men indeed, had great concerns regarding the capability of those in government to operate within budgetary constraints. Alexander Hamilton once wrote that ''. . . there is a general propensity in those who govern, founded in the constitution of man, to shift the burden from the present to a future day.'' Thomas Jefferson commented on the moral significance of this ''shifting of the burden from the present to the future.'' He said: ''the question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts and morally bound to pay them ourselves.''

Mr. President, I completely agree with these sentiments. History has shown that Hamilton was correct. Those who govern have in fact saddled future generations with the responsibility of paying for their debts. Over the past 30 years, annual deficits became routine and the federal government built up massive debt. Furthermore, Jefferson's assessment of the significance of this is also correct: intergenerational debt shifting is morally wrong.

Mr. President, some may find it strange that I am talking about the problems of budget deficits and the need for a balanced budget amendment at a time when the budget is actually in balance. However, I raise this issue now, as I have time and time again in the past, because of the seminal importance involved in establishing a permanent mechanism to ensure that our annual federal budget is always balanced.

Mr. President, a permanently balanced budget would have a considerable impact in the everyday lives of the American people. A balanced budget would dramatically lower interest rates thereby saving money for anyone with a home mortgage, a student loan, a car loan, credit card debt, or any other interest rate sensitive payment responsibility. Simply by balancing its books, the federal government would put real money into the hands of hard working people. In all practical sense, the effect of such fiscal responsibility on the part of the government would be the same as a significant tax cut for the American people. Moreover, if the government demand for capital is reduced, more money would be available for private sector use, which in turn, would generate substantial economic growth and create thousands of new jobs.

More money in the pockets of Americans, more job creation by the economy, a simple step could make this reality—a balanced budget amendment.

Furthermore, a balanced budget amendment would also provide the discipline to keep us on the course towards reducing our massive national

debt. Currently, the federal government pays hundreds of billion of dollars in interest payments on the debt each year. This means we spend billions of dollars each year on exactly, nothing. At the end of the year we have nothing of substance to show for these expenditures. These expenditures do not provide better educations for our children, they do not make our nation safer, they do not further important medical research, they do not build new roads. They do nothing but pay the obligations created by the fiscal irresponsibility of those who came earlier. In the end, we need to ensure that we continue on the road to a balanced budget so that we can end the wasteful practice of making interest payments on the deficit.

However, Mr. President, opponents of a balanced budget amendment act like it is something extraordinary. In reality, a balanced budget amendment will only require the government to do what every American already has to do: balance their checkbook. It is simply a promise to the American people, and more importantly, to future generations of Americans, that the government will act responsibly.

Mr. President, thankfully the budget is currently balanced. However, there are no guarantees that it will stay as such. We could see dramatic changes in economic conditions. The drain on the government caused by the retirement of the Baby Boomers may exceed expectations. Future leaders may fall pray to the ''general propensity . . . to shift the burden'' that Alexander Hamilton wrote about so long ago. We need to establish guarantees for future generations. The balanced budget amendment is the best such mechanism available.●

ADDITIONAL COSPONSORS

S. 39

At the request of Mr. STEVENS, the names of the Senator from Mississippi (Mr. LOTT), the Senator from South Dakota (Mr. DASCHLE), the Senator from Hawaii (Mr. INOUYE), the Senator from Colorado (Mr. CAMPBELL), the Senator from Nevada (Mr. REID), the Senator from Indiana (Mr. LUGAR), the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Maryland (Ms. MIKULSKI), the Senator from Georgia (Mr. CLELAND), the Senator from Montana (Mr. BURNS), the Senator from California (Mrs. BOXER), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. BRYAN), the Senator from Nebraska (Mr. HAGEL), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 39, a bill to provide a national medal for public safety officers who act with extraordinary valor above the call of duty, and for other purposes.

S. 51

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 60

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 60, a bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for contributions by employees to pension plans.

S. 74

At the request of Mr. DASCHLE, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 74, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 216

At the request of Mr. MOYNIHAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of S. 216, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the use of foreign tax credits under the alternative minimum tax.

S. 247

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 247, a bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

S. 332

At the request of Mr. BROWNBACK, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 332, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kyrgyzstan.

S. 376

At the request of Mr. BURNS, the names of the Senator from Tennessee (Mr. FRIST), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 376, a bill to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes.

S. 394

At the request of Mr. DORGAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 394, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit a State to register a Canadian pesticide for distribution and use within that State.

S. 409

At the request of Mr. KENNEDY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 409, a bill to authorize qualified organizations to provide technical assistance and capacity building services to microenterprise development organizations and programs and to disadvantaged entrepreneurs using funds from the Community Development Financial Institutions Fund, and for other purposes.

S. 439

At the request of Mr. BRYAN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 439, a bill to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada.

S. 443

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 443, a bill to regulate the sale of firearms at gun shows.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 505

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Maine (Ms. SNOWE), and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 505, a bill to give gifted and talented students the opportunity to develop their capabilities.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Mississippi (Mr. LOTT) 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. 541

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 541, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for

graduate medical education under the medicare program.

S. 593

At the request of Mr. COVERDELL, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 593, a bill to amend the Internal Revenue Code of 1986 to increase maximum taxable income for the 15 percent rate bracket, to provide a partial exclusion from gross income for dividends and interest received by individuals, to provide a long-term capital gains deduction for individuals, to increase the traditional IRA contribution limit, and for other purposes.

S. 595

At the request of Mr. DOMENICI, the name of the Senator from Kansas (Mr. ROBERTS) 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. 608

At the request of Mr. MURKOWSKI, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 608, a bill to amend the Nuclear Waste Policy Act of 1982.

S. 625

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 625, a bill to amend title 11, United States Code, and for other purposes.

S. 645

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 645, a bill to amend the Clean Air Act to waive the oxygen content requirement for reformulated gasoline that results in no greater emissions of air pollutants than reformulated gasoline meeting the oxygen content requirement.

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 661

At the request of Mr. ABRAHAM, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 661, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 662

At the request of Mr. CHAFEE, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Indiana (Mr. BAYH) 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.

At the request of Mr. CHAFEE, the name of the Senator from North Dakota (Mr. DORGAN) was withdrawn as a cosponsor of S. 662, supra.

S. 681

At the request of Mr. DASCHLE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 681, a bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissections performed for the treatment of breast cancer.

S. 689

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 689, a bill to authorize appropriations for the United States Customs Service for fiscal years 2000 and 2001, and for other purposes.

S. 692

At the request of Mr. KYL, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from California (Mrs. FEINSTEIN), the Senator from Washington (Mr. GORTON), the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. NICKLES), the Senator from South Carolina (Mr. THURMOND), the Senator from Florida (Mr. MACK), the Senator from Georgia (Mr. COVERDELL), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 692, a bill to prohibit Internet gambling, and for other purposes.

S. 693

At the request of Mr. HELMS, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 706

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 706, a bill to create a National Museum of Women's History Advisory Committee.

SENATE RESOLUTION 19

At the request of Mr. SPECTER, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of Senate Resolution 19, A resolution to express the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 2000.

SENATE RESOLUTION 26

At the request of Mr. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of Senate Resolution 26, a resolution relating to Taiwan's Participation in the World Health Organization.

AMENDMENT NO. 154

At the request of Mr. CONRAD his name was added as a cosponsor of Amendment No. 154 proposed to S. Con. Res. 20, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009.

AMENDMENT NO. 167

At the request of Mr. SCHUMER the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of amendment No. 167 proposed to S. Con. Res. 20, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009.

AMENDMENT NO. 172

At the request of Mrs. MURRAY the names of the Senator from Connecticut (Mr. DODD), the Senator from Iowa (Mr. HARKIN), the Senator from Rhode Island (Mr. REED), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 172 proposed to S. Con. Res. 20, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009.

SENATE CONCURRENT RESOLUTION 23—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

Mr. LOTT submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, March 25, 1999, Friday, March 26, 1999, Saturday, March 27, 1999, or Sunday, March 28, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 12, 1999, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, March 25, 1999, or Friday, March 26, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Monday, April 12, 1999, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly

after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 24—TO EXPRESS THE SENSE OF CONGRESS ON THE NEED FOR THE UNITED STATES TO DEFEND THE AMERICAN AGRICULTURAL AND FOOD SUPPLY SYSTEM FROM INDUSTRIAL SABOTAGE AND TERRORIST THREATS

Mr. LUGAR submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 24

Whereas the President has begun to implement programs to protect the critical infrastructures of the United States from attack;

Whereas the American agricultural and food supply system, a highly technological and efficient system for growing, processing, distributing, and marketing food and other agricultural products for the world market, is vulnerable to threats and attacks, particularly threats and attacks employing weapons, technologies, and materials of mass destruction;

Whereas the American agricultural and food supply system has not been included in counterterrorism planning;

Whereas critical infrastructure protection efforts must include response planning for potential threats and attacks on the American agricultural and food supply system;

Whereas the Department of Agriculture must play an active role in the coun terterrorism and critical infrastructure preparedness plans of the United States; and

Whereas a successful strategy for protection of the American agricultural and food supply system must also include cooperation with State and local authorities and the private sector: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the United States should take steps that are necessary to protect the American agricultural and food supply system from attacks, particularly attacks employing weapons, technologies, and materials of mass destruction; and

(2) the Department of Agriculture should take the lead in protecting the American agricultural and food supply system.

SENATE RESOLUTION 75—RECONSTITUTING THE SENATE ARMS CONTROL OBSERVER GROUP AS THE SENATE NATIONAL SECURITY WORKING GROUP AND REVISING THE AUTHORITY OF THE GROUP

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. RES. 75

Resolved, That Senate Resolution 105 of the One Hundred First Congress, agreed to April 13, 1989, as amended by Senate Resolution 149 of the One Hundred Third Congress, agreed to October 5, 1993, is further amended as follows:

(1) In subsection (a) of the first section, by striking paragraph (1) and inserting the following:

''(1) the Senate Arms Control Observer Group, which was previously constituted and authorized by the authority described in paragraph (2), is hereby reconstituted and reauthorized as the Senate National Security Working Group (hereafter in this resolution referred to as the 'Working Group').''.

(2) By striking ''Observer Group'' each place it appears in the resolution, except paragraph (3) of subsection (a) of the first section, and inserting ''Working Group''.

(3) By striking ''Group'' in the second sentence of section 3(a) and inserting ''Working Group''.

(4) By striking paragraph (3) of subsection (a) of the first section and inserting the following:,

''(3)(A) The members of the Working Group shall act as official observers on the United States delegation to any negotiations, to which the United States is a party, on any of the following:

''(i) Reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons.

''(ii) Reduction, limitation, or control of missile defenses.

''(iii) Export controls.

''(B) In addition, the Working Group is encouraged to consult with legislators of foreign nations, including the members of the State Duma and Federal Council of the Russian Federation and, as appropriate, legislators of other foreign nations, regarding matters described in subparagraph (A).

''(C) The Working Group is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the Ninety-Fourth Congress, agreed to on May 19, 1976.''.

(5) In paragraph (4) of subsection (a) of the first section—

(A) in subparagraph (A)—

(i) by striking ''Five'' in the matter preceding clause (i) and inserting ''Seven'';

(ii) by striking ''two'' in clause (ii) and inserting ''three''; and

(iii) by striking ''two'' in clause (iii) and inserting ''three'';

(B) in subparagraph (C), by striking ''Six'' and inserting ''Five''; and

(C) in subparagraph (D), by striking ''Seven'' and inserting ''Six''.

(6) In section 2(b)(3), by striking ''five''.

(7) In the second sentence of section 3(a)—

(A) by striking ''$380,000'' and inserting ''$500,000''; and

(B) by striking ''except that not more than'' and inserting ''of which not more than''.

(8) By striking section 4.

(9) By amending the title to read as follows: ''Resolution reconstituting the Senate Arms Control Observer Group as the Senate National Security Working Group, and revising the authority of the Group.''.

AMENDMENTS SUBMITTED

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

ROTH (AND OTHERS) AMENDMENT NO. 176

Mr. ROTH (for himself, Mr. BREAUX, Mr. FRIST, Mr. KERREY, Mr. GRAMM, Mr. DOMENICI, Mr. NICKLES, Mr. THOMPSON, Mr. GRASSLEY, Mr. HATCH, Mr. JEFFORDS, Mr. MACK, Mr. MURKOWSKI, Mr. GRAMS, and Mr. ASHCROFT) proposed an amendment to the concurrent resolution (S. Con. Res. 20) setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE MODERNIZATION AND IMPROVEMENT OF THE MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) The health insurance coverage provided under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is an integral part of the financial security for retired and disabled individuals, as such coverage protects those individuals against the financially ruinous costs of a major illness.

(2) Expenditures under the medicare program for hospital, physician, and other essential health care services that are provided to nearly 39,000,000 retired and disabled individuals will be $232,000,000,000 in fiscal year 2000.

(3) During the nearly 35 years since the medicare program was established, the Nation's health care delivery and financing system has undergone major transformations. However, the medicare program has not kept pace with such transformations.

(4) Former Congressional Budget Office Director Robert Reischauer has described the medicare program as it exists today as failing on the following 4 key dimensions (known as the ''Four I's''):

(A) The program is inefficient.

(B) The program is inequitable.

(C) The program is inadequate.

(D) The program is insolvent.

(5) The President's budget framework does not devote 15 percent of the budget surpluses to the medicare program. The federal budget process does not provide a mechanism for setting aside current surpluses for future obligations. As a result, the notion of saving 15 percent of the surplus for the medicare program cannot practically be carried out.

(6) The President's budget framework would transfer to the Federal Hospital Insurance Trust Fund more than $900,000,000,000 over 15 years in new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public, and these new IOUs would increase the gross debt of the Federal Government by the amounts transferred.

(7) The Congressional Budget Office has stated that the transfers described in paragraph (6), which are strictly intragovernmental, have no effect on the unified budget surpluses or the on-budget surpluses and therefore have no effect on the debt held by the public.

(8) The President's budget framework does not provide access to, or financing for, prescription drugs.

(9) The Comptroller General of the United States has stated that the President's medicare proposal does not constitute reform of the program and ''is likely to create a public misperception that something meaningful is being done to reform the Medicare program''.

(10) The Balanced Budget Act of 1997 enacted changes to the medicare program which strengthen and extend the solvency of that program.

(11) The Congressional Budget Office has stated that without the changes made to the medicare program by the Balanced Budget Act of 1997, the depletion of the Federal Hospital Insurance Trust Fund would now be imminent.

(12) The President's budget proposes to cut medicare program spending by $19,400,000,000 over 10 years, primarily through reductions in payments to providers under that program.

(13) While the recommendations by Senator John Breaux and Representative William Thomas received the bipartisan support of a majority of members on the National Bipartisan Commission on the Future of Medicare, all of the President's appointees to that commission opposed the bipartisan reform plan.

(14) The Breaux-Thomas recommendations provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring new IOUs to the Federal Hospital Insurance Trust Fund that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume the following:

(1) This resolution does not adopt the President's proposals to reduce medicare program spending by $19,400,000,000 over 10 years, nor does this resolution adopt the President's proposal to spend $10,000,000,000 of medicare program funds on unrelated programs.

(2) Congress will not transfer to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public.

(3) Congress should work in a bipartisan fashion to extend the solvency of the medicare program and to ensure that benefits under that program will be available to beneficiaries in the future.

(4) The American public will be well and fairly served in this undertaking if the medicare program reform proposals are considered within a framework that is based on the following 5 key principles offered in testimony to the Senate Committee on Finance by the Comptroller General of the United States:

(A) Affordability.

(B) Equity.

(C) Adequacy.

(D) Feasibility.

(E) Public acceptance.

(5) The recommendations by Senator Breaux and Congressman Thomas provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(6) Congress should move expeditiously to consider the bipartisan recommendations of the Chairmen of the National Bipartisan Commission on the Future of Medicare.

(7) Congress should continue to work with the President as he develops and presents his plan to fix the problems of the medicare program.

KENNEDY AMENDMENT NO. 177

Mr. KENNEDY proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

Increase the levels of Federal revenues in section 101(1)(A) by the following amounts:

(1) Fiscal year 2000: $0.

(2) Fiscal year 2001: $3,000,000,000.

(3) Fiscal year 2002: $25,000,000,000.

(4) Fiscal year 2003: $13,000,000,000.

(5) Fiscal year 2004: $18,000,000,000.

(6) Fiscal year 2005: $31,000,000,000.

(7) Fiscal year 2006: $57,000,000,000.

(8) Fiscal year 2007: $58,000,000,000.

(9) Fiscal year 2008: $59,000,000,000.

(10) Fiscal year 2009: $56,000,000,000.

Change the levels of Federal revenues in section 101(1)(B) by the following amounts:

(1) Fiscal year 2000: $0;

(2) Fiscal year 2001: $3,000,000,000;

(3) Fiscal year 2002: $25,000,000,000;

(4) Fiscal year 2003: $13,000,000,000;

(5) Fiscal year 2004: $18,000,000,000;

(6) Fiscal year 2005: $31,000,000,000;

(7) Fiscal year 2006: $57,000,000,000;

(8) Fiscal year 2007: $58,000,000,000;

(9) Fiscal year 2008: $59,000,000,000; and

(10) Fiscal year 2009: $56,000,000,000.

Reduce the levels of total budget authority and outlays in section 101(2) and section 101(3) by the following amounts:

(1) Fiscal year 2000: $0;

(2) Fiscal year 2001: $0;

(3) Fiscal year 2002: $1,000,000,000;

(4) Fiscal year 2003: $2,000,000,000;

(5) Fiscal year 2004: $3,000,000,000;

(6) Fiscal year 2005: $4,000,000,000;

(7) Fiscal year 2006: $6,000,000,000;

(8) Fiscal year 2007: $10,000,000,000;

(9) Fiscal year 2008: $13,000,000,000; and

(10) Fiscal year 2009: $17,000,000,000.

Increase the levels of surpluses in section 101(4) by the following amounts:

(1) Fiscal year 2000: $0.

(2) Fiscal year 2001: $3,000,000,000.

(3) Fiscal year 2002: $26,000,000,000.

(4) Fiscal year 2003: $15,000,000,000.

(5) Fiscal year 2004: $21,000,000,000.

(6) Fiscal year 2005: $35,000,000,000.

(7) Fiscal year 2006: $63,000,000,000.

(8) Fiscal year 2007: $68,000,000,000.

(9) Fiscal year 2008: $72,000,000,000.

(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of public debt in section 101(5) by the following amounts:

(1) Fiscal year 2000: $0.

(2) Fiscal year 2001: $3,000,000,000.

(3) Fiscal year 2002: $26,000,000,000.

(4) Fiscal year 2003: $15,000,000,000.

(5) Fiscal year 2004: $21,000,000,000.

(6) Fiscal year 2005: $35,000,000,000.

(7) Fiscal year 2006: $63,000,000,000.

(8) Fiscal year 2007: $68,000,000,000.

(9) Fiscal year 2008: $72,000,000,000.

(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of debt held by the public in section 101(6) by the following amounts:

(1) Fiscal year 2000: $0.

(2) Fiscal year 2001: $3,000,000,000.

(3) Fiscal year 2002: $26,000,000,000.

(4) Fiscal year 2003: $15,000,000,000.

(5) Fiscal year 2004: $21,000,000,000.

(6) Fiscal year 2005: $35,000,000,000.

(7) Fiscal year 2006: $63,000,000,000.

(8) Fiscal year 2007: $68,000,000,000.

(9) Fiscal year 2008: $72,000,000,000.

(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of budget authority and outlays in section 103(18) for function 900, Net Interest, by the following amounts:

(1) Fiscal year 2000: $0.

(2) Fiscal year 2001: $0.

(3) Fiscal year 2002: $1,000,000,000.

(4) Fiscal year 2003: $2,000,000,000.

(5) Fiscal year 2004: $3,000,000,000.

(6) Fiscal year 2005: $4,000,000,000.

(7) Fiscal year 2006: $6,000,000,000.

(8) Fiscal year 2007: $10,000,000,000.

(9) Fiscal year 2008: $13,000,000,000.

(10) Fiscal year 2009: $17,000,000,000.

Reduce the levels in section 104(1) by which the Senate Committee on Finance is instructed to reduce revenues by the following amounts:

(1) $0 in fiscal year 2000.

(2) $59,000,000,000 for the period of fiscal years 2000 through 2004.

(3) $320,000,000,000 for the period of fiscal years 2000 through 2009.

On page 46, strike section 204.

At the end of title III, insert the following:

SEC. ____. SENSE OF THE SENATE ON EXTENDING THE SOLVENCY OF MEDICARE.

It is the sense of the Senate that the provisions of this resolution assume that the savings from the amendment reducing tax breaks for the wealthiest taxpayers should be reserved to strengthen and extend the solvency of the Medicare program.

DORGAN (AND OTHERS) AMENDMENT NO. 178

Mr. DORGAN (for himself, Mr. DASCHLE, Mr. HARKIN, Mr. CONRAD, Mr. BAUCUS, Mr. JOHNSON, Mr. DURBIN, Mr. BINGAMAN, Mr. KERREY, Mrs. LINCOLN, Mr. WELLSTONE, and Mr. LEAHY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 43, strike beginning with line 3 through line 6, page 45, and insert the following:

SEC. 201. RESERVE FUND FOR AN UPDATED BUDGET FORECAST.

(a) CONGRESSIONAL BUDGET OFFICE UPDATED BUDGET FORECAST FOR FISCAL YEARS 2000–2004.—Pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the Congressional Budget Office shall update its economic and budget forecast for fiscal years 2000 through 2004 by July 15, 1999.

(b) REPORTING A SURPLUS.—If the report provided pursuant to subsection (a) estimates an on-budget surplus for fiscal year 2000 or additional surpluses beyond those assumed in this resolution in following fiscal years, the Chairman of the Committee on the Budget shall make the appropriate adjustments to revenue and spending as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take the amount of the on-budget surplus for fiscal years 2000 through 2004 estimated in the report submitted pursuant to subsection (a) and in the following order in each of the fiscal years 2000 through 2004—

(1) increase the allocation to the Senate Committee on Agriculture, Nutrition and Forestry by $6,000,000,000 in budget authority and outlays in each of the fiscal years 2000 through 2004;

(2) reduce the on-budget revenue aggregate by that amount for fiscal year 2000;

(3) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by that amount for fiscal year 2000; and

(4) adjust the instruction in sections 104(1) and 105(1) of this resolution to—

(A) reduce revenues by that amount for fiscal year 2000; and

(B) increase the reduction in revenues for the period of fiscal years 2000 through 2004 and for the period of fiscal years 2000 through 2009 by that amount.

(d) BUDGETARY ENFORCEMENT.—Revised aggregates and other levels under subsection (c) shall be considered for the purposes of the Congressional Budget Act of 1974 as aggregates and other levels contained in this resolution.

SEC. 202. RESERVE FUND FOR AGRICULTURE.

(a) ADJUSTMENT.—If legislation is reported by the Senate Committee on Agriculture, Nutrition and Forestry that provides risk management and income assistance for agriculture producers, the Chairman of the Senate Committee on the Budget may increase the allocation of budget authority and outlays to that Committee by an amount that does not exceed—

(1) $6,500,000,000 in budget authority and in outlays for fiscal year 2000;

(2) $36,000,000,000 in budget authority and $35,165,000,000 in outlays for the period of fiscal years 2000 through 2004; and

(3) $36,000,000,000 in budget authority and in outlays for the period of fiscal years 2000 through 2009.

McCAIN AMENDMENTS NOS. 179–181

(Ordered to lie on the table.)

Mr. McCAIN submitted three amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 20, supra; as follows:

AMENDMENT NO. 179

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SOCIAL SECURITY EARNINGS TEST.

(a) FINDINGS.—Congress finds that—

(1) the Social Security Earnings Test is unfair and discriminates against America's senior citizens;

(2) low-income senior citizens who do not have significant savings or a private pension plan are hit hardest by the Social Security earnings test while wealthier senior citizens are not affected by this unfair penalty;

(3) according to the U.S. Chamber of Commerce, ''retaining older workers is a priority in labor intensive industries, and will become even more critical as we approach the year 2000'' and yet our Nation foolishly prevents diligent, knowledgeable and experienced workers out of the American work force just because they are 65 years old;

(4) our laws should encourage work, not discourage individual productivity; and

(5) eliminating the earnings test and permitting our Nation's elderly to work and improve their standard of living will also help increase our national prosperity.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) the Social Security earnings test should be repealed immediately; and

(2) the Senate Finance Committee should include a full repeal of the Social Security Earnings Test in any Social Security reform legislation.

• Mr. McCAIN. Mr. President, today I am offering an amendment to the Budget Resolution which would help our nation's senior citizens by requiring the repeal of the Social Security earnings test.

As many of my colleagues know, the Social Security earnings test penalizes Americans between the ages of 65 and 70 for working and remaining productive after retirement. Under this unfair law, a senior citizen loses $1 of Social Security benefits for every $3 earned over the established limit, which is $15,500 in 1999.

Due to this cap on earnings, our senior citizens are burdened with a 33.3 percent tax on their earned income. Combined with Federal, State, local and other Social Security taxes, this amounts to an outrageous 55 to 65 percent tax bite, and sometimes it can be even higher.

What is most disturbing about the earnings test is the tremendous burden it places upon our low-income senior citizens. Most of the older Americans penalized by the earnings test need to work in order to cover basic expenses: food, housing and health care. Our nation's low-income seniors are hit hardest by the earnings test, while most wealthy seniors escape unscathed. This is because supplemental ''unearned'' income from stocks, investments and savings is not affected by the earnings test.

This is simply wrong and must be stopped.

In 1996, Congress took a step in the right direction when we passed the ''Senior Citizens Right to Work Act'' increasing the earnings threshold for senior citizens from $11,520 to $30,000 by the year 2002. I was proud to be the sponsor of this legislation which helped alleviate the unfair economic penalties placed on hard working senior citizens.

While raising the limit was important it is time that we finally eliminate the Social Security earnings test and permit our nation's elderly to work and improve their standard of living while increasing our national prosperity.•

AMENDMENT NO. 180

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SOCIAL SECURITY EARNINGS TEST.

(a) FINDINGS.—Congress finds that—

(1) the Social Security Earnings Test is unfair and discriminates against America's senior citizens;

(2) low-income senior citizens who do not have significant savings or a private pension plan are hit hardest by the Social Security earnings test while wealthier senior citizens are not affected by this unfair penalty;

(3) according to the U.S. Chamber of Commerce, ''retaining older workers is a priority in labor intensive industries, and will become even more critical as we approach the year 2000'' and yet our Nation foolishly prevents diligent, knowledgeable and experienced workers out of the American work force just because they are 65 years old;

(4) our laws should encourage work, not discourage individual productivity; and

(5) eliminating the earnings test and permitting our Nation's elderly to work and improve their standard of living will also help increase our national prosperity.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) the Social Security earnings test should be repealed immediately; and

(2) the Senate Finance Committee should include a full repeal of the Social Security Earnings Test in any Social Security reform legislation.

AMENDMENT NO. 181

At the end of title III, add the following:

SEC. ___. BUDGET FOR EMBASSY SECURITY.

(a) FINDINGS.—Congress finds that—

(1) terrorism, both foreign and domestic, poses a grave threat to United States interests abroad and to the well-being of United States citizens at home;

(2) since the bombing of United States Embassies in Lebanon and Kuwait in 1983 and the truck bomb destruction of the United States facility in Saudi Arabia in 1996, the issue of physical security of United States diplomatic missions and military facilities abroad has been a growing concern to the United States Government and to the public it represents;

(3) the August 1998 bombings of the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, further illuminated the vulnerability of United States diplomatic missions to acts of terrorism directed against the United States;

(4) the report of the Secretary of State's Advisory Panel on Overseas Security of June 1985 specified certain measures that the United States should take to reduce the prospects of repeated bombings of United States Embassies abroad such as occurred in Lebanon and Kuwait in 1983;

(5) the Accountability Review Boards chaired by Admiral William J. Crowe, Jr. warned of continuing vulnerabilities to United States diplomatic missions cause by the failure of the United States Government to take necessary actions to reduce that vulnerability;

(6) the Accountability Review Boards recommended that the United States Government allocate the sum of $15,000,000,000 be spent over 10 years to address the vulnerabilities of United States diplomatic missions abroad; and

(7) the Administration has budgeted less than half the amount recommended by the Accountability Review Boards for improving the security of United States diplomatic missions abroad.

(b) SENSE OF CONGRESS.—It is the sense of Congress that budget levels in this concurrent resolution assume that—

(1) the President should propose a budget for embassy security consistent with the recommendations set forth by the Accountability Review Boards and including measures recommended by the 1985 Advisory Panel on Overseas Security; and

(2) the Secretary of State should provide Congress within 60 days of adoption of this concurrent resolution a comprehensive report on the Secretary's plans for implementing the recommendations of the Accountability Review Boards and the 1985 Advisory Panel on Overseas Security.

• Mr. McCAIN. Mr. President, I rise today to offer an amendment to the Budget Resolution that expresses the sense of Congress that the President should propose a budget for embassy

security consistent with the recommendations set forth by the Accountability Review Boards, otherwise known as the Crowe Commission, and include measures recommended by the 1985 Advisory Panel on Overseas Security, also known as the Inman Commission. It further directs the Secretary of State to provide to Congress within 60 days of passage of the resolution a comprehensive report on its plans for implementing the recommendations of these two commissions.

Our embassies and consulates abroad are sovereign United States territory, representing our country's presence around the world, advancing our foreign policy interests, and protecting American citizens traveling overseas on business and pleasure. The people who work in and visit our embassies deserve a level of physical security commensurate with the threat they face from terrorist organizations and individuals seeking to express their hostility to the United States through destruction of the most visible symbol of U.S. global presence. Their destruction, as occurred in Beirut and Kuwait City in 1983 and in Nairobi and Dar es Salaam in 1998, as well as the targeting of other U.S. military and diplomatic facilities overseas, is a direct attack on the United States.

It is for this reason that the Administration's five-year budget proposal for embassy security is so disappointing and irresponsible. Representing less than one-half the amount recommended by the Crowe Commission, it sends a worrisome signal to our representatives around the world about how we view their physical well-being, and invites further attacks on soft targets. The threat of terrorist attack on our embassies is very real. Such attacks not only result in the death of U.S. and host country citizens, but also carry with them the potential for destabilization of countries in which the attack occurs. My amendment seeks to address the large disparity between what is required and what is provided. I urge my colleagues to support its passage.●

ROBB (AND GRAHAM) AMENDMENT NO. 182

Mr. ROBB (for himself and Mr. GRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 46, strike section 204.

On page 42, strike lines 1 through 5, and strike lines 15 through 19. Insert at the appropriate place the following:

SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that the provisions of this resolution assume that the savings from this amendment shall be used to reduce publicly held debt and to strengthen and extend the solvency of the Medicare program.

LAUTENBERG (AND OTHERS) AMENDMENT NO. 183

Mr. LAUTENBERG (for himself, Mr. ROBB, Mr. HARKIN, Mr. KENNEDY, Mr. LEVIN, Ms. MIKULSKI, Mr. DODD, Mr. TORRICELLI, Mrs. MURRAY, Ms. LANDRIEU, and Mr. REID) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON MODERNIZING AMERICA'S SCHOOLS.

(a) FINDINGS.—The Senate finds the following:

(1) The General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States.

(2) The General Accounting Office has concluded that more than 14,000,000 children attend schools in need of extensive repair or replacement; 7,000,000 children attend schools with life safety code violations; and 12,000,000 children attend schools with leaky roofs.

(3) The General Accounting Office has found that the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least 1 building is in need of extensive repair or should be completely replaced.

(4) The condition of school facilities has a direct effect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility.

(5) The General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. 46 percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. 56 percent of schools have insufficient phone lines for modems.

(6) The Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools.

(7) The General Accounting Office has determined that the cost of bringing schools up to good, overall condition to be $112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollment levels.

(8) Schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is $754,000,000. The December 1997 report by the Comptroller General of the United States states that, "Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and are less able to support computer and communications technology.

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement.

(10) The Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction.

(11) The Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this budget resolution assume that Congress will enact measures to assist school districts in modernizing their facilities, including—

(1) legislation to allow States and school districts to issue at least $24,800,000,000 worth of zero-interest bonds to rebuild and modernize our Nation's schools, and to provide Federal income tax credits to the purchasers of those bonds in lieu of interest payments; and

(2) appropriate funding for the Education Infrastructure Act of 1994 during the period 2000 through 2004, which would provide grants to local school districts for the repair, renovation and construction of public school facilities.

LAUTENBERG AMENDMENT NO. 184

Mr. LAUTENBERG proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . BUDGET-NEUTRAL RESERVE FUND FOR ENVIRONMENTAL AND NATURAL RESOURCES.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation to improve the quality of our nation's air, water, land, and natural resources, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not (by virtue of either contemporaneous or previously-passed reinstatement or modification of expired excise or environmental taxes) increase the deficit or decrease the surplus for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) REVISED ALLOCATIONS.—

(1) Adjustments for legislation.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) Adjustments for amendments.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.

DURBIN (AND OTHERS) AMENDMENT NO. 185

Mr. LAUTENBERG (for Mr. DURBIN for himself, Mr. BYRD, and Mr. DOMENICI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 47, strike section 205 and insert the following:

SEC. 205. EMERGENCY DESIGNATION POINT OF ORDER.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In making a designation of a provision of legislation as an emergency requirement under section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the committee report and any statement of managers accompanying that legislation shall analyze whether a proposed emergency requirement meets all the criteria in paragraph (2).

(2) CRITERIA.—

(A) IN GENERAL.—The criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are whether it is—

(i) necessary, essential, or vital (not merely useful or beneficial);

(ii) sudden, quickly coming into being, and not building up over time;

(iii) an urgent, pressing, and compelling need requiring immediate action;

(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(v) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(3) JUSTIFICATION FOR FAILURE TO MEET CRITERIA.—If the proposed emergency requirement does not meet all the criteria set forth in paragraph (2), the committee report or the statement of managers, as the case may be, shall provide a written justification of why the requirement should be accorded emergency status.

(b) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, upon a point of order being made by a Senator against any provision in that measure designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the Presiding Officer sustains that point of order, that provision along with the language making the designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) GENERAL POINT OF ORDER.—A point of order under this subsection may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(3) CONFERENCE REPORTS.—If a point of order is sustained under this subsection against a conference report the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

DURBIN AMENDMENTS NOS. 186–187

Mr. LAUTENBERG (for Mr. DURBIN) proposed two amendments to the concurrent resolution, S. Con. Res. 20, supra; as follows:

AMENDMENT NO. 186

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE PROVISIONS OF THIS RESOLUTION ASSUME THAT IT IS THE POLICY OF THE UNITED STATES TO PROVIDE AS SOON AS IS TECHNOLOGICALLY POSSIBLE AN EDUCATION FOR EVERY AMERICAN CHILD THAT WILL ENABLE EACH CHILD TO EFFECTIVELY MEET THE CHALLENGES OF THE 21ST CENTURY.

(a) FINDINGS.—The Senate finds that—

(1) Pell Grants require an increase of $5 billion per year to fund the maximum award established in the Higher Education Act Amendments of 1998;

(2) IDEA needs at least $13 billion more per year to fund the federal commitment to fund 40% of the excess costs for special education services;

(3) Title I needs at least $4 billion more per year to serve all eligible children;

(4) over $11 billion over the next six years will be required to hire 100,000 teachers to reduce class size to an average of 18 in grades 1–3;

(5) according to the General Accounting Office, it will cost $112 billion just to bring existing school buildings up to good overall condition. According to GAO, one-third of schools serving 14 million children require extensive repair or replacement of one or more of their buildings. GAO also found that almost half of all schools lack even the basic electrical wiring needed to support full-scale use of computers;

(6) the federal share of education spending has declined from 11.9% in 1980 to 7.6% in 1998;

(7) federal spending for education has declined from 2.5% of all federal spending in FY 1980 to 2.0% in FY 1999;

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions of this resolution assume that it is the policy of the United States to provide as soon as is technologically possible an education for every American child that will enable each child to effectively meet the challenges of the 21ST century.

AMENDMENT NO. 187

At the end of Title II, insert the following:

"SEC. . DEFICIT-NEUTRAL RESERVE FUND TO FOSTER THE EMPLOYMENT AND INDEPENDENCE OF INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation that finances disability programs designed to allow individuals with disabilities to become employed and remain independent, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not increase (by virtue of either contemporaneous or previously-passed deficit reduction) the deficit in this resolution for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.''

DORGAN AMENDMENT NO. 188

Mr. LAUTENBERG (for Mr. DORGAN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING EXEMPTION OF AGRICULTURAL COMMODITIES AND PRODUCTS, MEDICINES, AND MEDICAL PRODUCTS FROM UNILATERAL ECONOMIC SANCTIONS.

(a) FINDINGS.—The Senate finds that—

(1) prohibiting or otherwise restricting the donation or sale of agricultural commodities or products, medicines, or medical products in order to unilaterally sanction a foreign government for actions or policies that the United States finds objectionable unnecessarily harms innocent populations in the targeted country and rarely causes the sanctioned government to alter its actions or policies;

(2) for the United States as a matter of policy to deny access to agricultural commodities or products, medicines, or medical products by innocent men, women, and children in other countries weakens the international leadership and moral authority of the United States; and

(3) unilateral sanctions on the sale or donation of agricultural commodities or products, medicines, or medical products needlessly harm agricultural producers and workers employed in the agricultural or medical

sectors in the United States by foreclosing markets for the commodities, products, or medicines.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that the President should—

(1) subject to paragraph (2), exempt agricultural commodities and products, medicines, and medical products from any unilateral economic sanction imposed on a foreign government; and

(2) apply the sanction to the commodities, products, or medicines if the application is necessary—

(A) for health or safety reasons; or

(B) due to a domestic shortage of the commodities, products, or medicines.

DORGAN AMENDMENT NO. 189

Mr. LAUTENBERG (for Mr. DORGAN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING CAPITAL GAINS TAX FAIRNESS FOR FAMILY FARMERS.

(a) FINDINGS.—The Senate finds that—

(1) one of the most popular provisions included in the Taxpayer Relief Act of 1997 permits many families to exclude from Federal income taxes up to $500,000 of gain from the sale of their principal residences;

(2) under current law, family farmers are not able to take full advantage of this $500,000 capital gains exclusion that families living in urban or suburban areas enjoy on the sale of their homes;

(3) for most urban and suburban residents, their homes are their major financial asset and as a result such families, who have owned their homes through many years of appreciation, can often benefit from a large portion of this new $500,000 capital gains exclusion;

(4) most family farmers plow any profits they make back into the whole farm rather than into the house which holds little or no value;

(5) unfortunately, farm families receive little benefit from this capital gains exclusion because the Internal Revenue Service separates the value of their homes from the value of the land the homes sit on;

(6) we should recognize in our tax laws the unique character and role of our farm families and their important contributions to our economy, and allow them to benefit more fully from the capital gains tax exclusion that urban and suburban homeowners already enjoy; and

(7) we should expand the $500,000 capital gains tax exclusion to cover sales of the farmhouse and the surrounding farmland over their lifetimes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that if we pass tax relief measures in accordance with the assumptions in the budget resolution, we should ensure that such legislation removes the disparity between farm families and their urban and suburban counterparts with respect to the new $500,000 capital gains tax exclusion for principal residence sales by expanding it to cover gains from the sale of farmland along with the sale of the farmhouse.

KERRY (AND OTHERS) AMENDMENT NO. 190

Mr. LAUTENBERG (for Mr. KERRY for himself, Mr. LAUTENBERG, Mr. REED, Mr. JOHNSON, Mr. HOLLINGS, Mr. KERREY, and Mr. CONRAD) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title II, insert the following:

SEC. ___. 1-YEAR DELAY OF PORTION OF CERTAIN TAX PROVISIONS NECESSARY TO AVOID FUTURE BUDGET DEFICITS.

(a) IN GENERAL.—The Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate shall provide in any reconciliation legislation provided pursuant to sections 104 and 105—

(1) a provision requiring the Congressional Budget Office to report to Congress on June 30 of each year (beginning in 2000) on the estimated Federal budget revenue impact over the next 1, 5, and 10-fiscal year period of that portion of any tax provision included in such reconciliation legislation which has not gone into effect in the taxable year in which such report is made, and

(2) in any tax provision to be included in such reconciliation legislation a provision delaying for 1 additional taxable year that portion of such provision which did not go into effect before a trigger year.

(b) TRIGGER YEAR.—For purposes of subsection (a)(2), the term ''trigger year'' means the 1st fiscal year in which the projected Federal on-budget surplus for the 1, 5, or 10-fiscal year period, as determined by the report under subsection (a)(1), is exceeded by the amount of the aggregate reduction in revenues for such period resulting from the enactment of all of the tax provisions in the reconciliation legislation described in subsection (a).

TORRICELLI (AND DURBIN) AMENDMENT NO. 191

Mr. LAUTENBERG (for Mr. TORRICELLI, for himself, and Mr. DURBIN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING FUNDING FOR THE URBAN PARKS AND RECREATION RECOVERY (UPARR) PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) every analysis of national recreation issues in the last 3 decades has identified the importance of close-to-home recreation opportunities, particularly for residents in densely-populated urban areas;

(2) the Land and Water Conservation Fund grants program under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.) was established partly to address the pressing needs of urban areas;

(3) the National Urban Recreation Study of 1978 and the President's Commission on Americans Outdoors of 1987 revealed that critical urban recreation resources were not being addressed;

(4) older city park structures and infrastructures worth billions of dollars are at risk because government incentives favored the development of new areas over the revitalization of existing resources, ranging from downtown parks established in the 19th century to neighborhood playgrounds and sports centers built from the 1920's to the 1950's;

(5) the Urban Parks and Recreation Recovery (UPARR) program, established under the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), authorized $725,000,000 to provide matching grants and technical assistance to economically distressed urban communities;

(6) the purposes of the UPARR program is to provide direct Federal assistance to urban localities for rehabilitation of critically needed recreation facilities, and to encourage local planning and a commitment to continuing operation and maintenance of recreation programs, sites, and facilities; and

(7) funding for UPARR is supported by a wide range of organizations, including the National Association of Police Athletic Leagues, the Sporting Goods Manufacturers Association, the Conference of Mayors, and Major League Baseball.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that Congress considers the UPARR program to be a high priority, and should appropriate such amounts as are necessary to carry out the Urban Parks and Recreation Recovery (UPARR) program established under the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

KENNEDY (AND OTHERS) AMENDMENT NO. 192

Mr. LAUTENBERG (for Mr. KENNEDY for himself, Mr. DODD, Mr. MURRAY, Mr. HARKIN, Mr. DASCHLE, Ms. MIKULSKI, Mr. TORRICELLI, Mr. REED, Mr. FEINGOLD, Mr. LIEBERMAN, and Mr. LEVIN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,604,382,000,000.
Fiscal year 2005: $1,668,856,000,000.
Fiscal year 2006: $1,703,047,000,000.
Fiscal year 2007: $1,756,420,000,000.
Fiscal year 2008: $1,826,649,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,539,000,000.
Fiscal year 2002: −$40,713,000,000.
Fiscal year 2003: −$14,724,000,000.
Fiscal year 2004: −$29,767,000,000.
Fiscal year 2005: −$42,040,000,000.
Fiscal year 2006: −$87,666,000,000.
Fiscal year 2007: −$114,980,000,000.
Fiscal year 2008: −$129,560,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,474,165,000,000.
Fiscal year 2002: $1,506,259,000,000.
Fiscal year 2003: $1,580,072,000,000.
Fiscal year 2004: $1,633,179,000,000.

Fiscal year 2005: $1,688,032,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,601,483,000,000.
Fiscal year 2005: $1,659,025,000,000.
Fiscal year 2006: $1,688,217,000,000.
Fiscal year 2007: $1,736,657,000,000.
Fiscal year 2008: $1,801,829,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $84,420,000,000.
(B) Outlays, $66,249,000,000.
Fiscal year 2002:
(A) New budget authority, $86,077,000,000.
(B) Outlays, $78,442,000,000.
Fiscal year 2003:
(A) New budget authority, $92,893,000,000.
(B) Outlays, $86,110,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $91,867,000,000.
Fiscal year 2005:
(A) New budget authority, $99,653,000,000.
(B) Outlays, $96,488,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $98,798,000,000.
Fiscal year 2007:
(A) New budget authority, $106,245,000,000.
(B) Outlays, $98,893,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $100,241,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $91,744,000,000 for the period of fiscal years 2000 through 2004, and $621,426,000,000 for the period of fiscal years 2000 through 2009; and

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KENNEDY AMENDMENT NO. 193

Mr. LAUTENBERG (for Mr. KENNEDY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 43, strike beginning with line 13 through line page 44, line 10, and insert the following: for fiscal year 2000 or increases in the surplus for any of the outyears, the Chairman of the Committee on the Budget shall make the adjustments as provided in subsection (c).

(c) ADJUSTMENTS.—The Chairman of the Committee on the Budget shall take a portion of the amount of increases in the on-budget surplus for fiscal years 2000 through 2004 estimated in the report submitted pursuant to subsection (a) and—

(1) increase the allocation by these amounts to the Committee on Health, Education, Labor and Pensions only for legislation that promotes early educational development and well-being of children for fiscal years 2000 through 2004; and

(2) provide for or increase the on-budget surplus levels used for determining compliance with the pay-as-you-go requirements of section 202 of H. Con. Res. 67 (104th Congress) by those amounts for fiscal year 2000 through 2004.

KENNEDY (AND OTHERS) AMENDMENT NO. 194

Mr. LAUTENBERG (for Mr. KENNEDY for himself, Mr. DODD, Mrs. MURRAY, Mr. HARKIN, Ms. MIKULSKI, Mr. TORRICELLI, Mr. REED, Mr. FEINGOLD, Mr. LIEBERMAN, and Mr. LEVIN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,604,382,000,000.
Fiscal year 2005: $1,668,856,000,000.
Fiscal year 2006: $1,703,047,000,000.
Fiscal year 2007: $1,756,420,000,000.
Fiscal year 2008: $1,826,649,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: −$0.
Fiscal year 2001: −$6,539,000,000.
Fiscal year 2002: −$40,713,000,000.
Fiscal year 2003: −$14,724,000,000.
Fiscal year 2004: −$29,767,000,000.
Fiscal year 2005: −$42,040,000,000.
Fiscal year 2006: −$87,666,000,000.
Fiscal year 2007: −$114,980,000,000.
Fiscal year 2008: −$129,560,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,474,165,000,000.
Fiscal year 2002: $1,506,259,000,000.
Fiscal year 2003: $1,580,072,000,000.
Fiscal year 2004: $1,633,179,000,000.
Fiscal year 2005: $1,688,032,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,108,000,000.
Fiscal year 2002: $1,467,563,000,000.
Fiscal year 2003: $1,548,594,000,000.
Fiscal year 2004: $1,601,483,000,000.
Fiscal year 2005: $1,659,025,000,000.
Fiscal year 2006: $1,688,217,000,000.
Fiscal year 2007: $1,736,657,000,000.
Fiscal year 2008: $1,801,829,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $84,420,000,000.
(B) Outlays, $66,249,000,000.
Fiscal year 2002:
(A) New budget authority, $86,077,000,000.
(B) Outlays, $78,442,000,000.
Fiscal year 2003:
(A) New budget authority, $92,893,000,000.
(B) Outlays, $86,170,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $91,867,000,000.
Fiscal year 2005:
(A) New budget authority, $99,653,000,000.
(B) Outlays, $96,488,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $98,798,000,000.
Fiscal year 2007:
(A) New budget authority, $100,245,000,000.
(B) Outlays, $98,893,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $100,241,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $91,744,000,000 for the period of fiscal years 2000 through 2004, and $621,426,000,000 for the period of fiscal years 2000 through 2009; and

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KENNEDY (AND OTHERS) AMENDMENT NO. 195

Mr. LAUTENBERG (for Mr. KENNEDY for himself, Mr. WELLSTONE, and Mr. TORRICELLI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING AN INCREASE IN THE MINIMUM WAGE.

It is the sense of the Senate that the minimum hourly wage under section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) should be increased by 50 cents on September 1, 1999, and again on September 1, 2000, to bring the minimum hourly wage to $6.15 an hour, and that such section should apply to the Commonwealth of the Northern Mariana Islands.

KENNEDY (AND ROCKEFELLER) AMENDMENT NO. 196

Mr. LAUTENBERG (for Mr. KENNEDY for himself and Mr. ROCKEFELLER) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title II, insert the following:

SEC. ___. RESERVE FUND FOR MEDICARE PRESCRIPTION DRUG BENEFITS.

(a) ADJUSTMENT.—If legislation is considered that modernizes and strengthens the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and includes a benefit under such title providing affordable prescription drug coverage for all medicare beneficiaries, the Chairman of the Committee on the Budget may change committee allocations, revenue aggregates, and spending aggregates if such legislation will not cause an on-budget deficit for—

(1) fiscal year 2000;

(2) the period of fiscal years 2000 through 2004; or

(3) the period of fiscal years 2005 through 2009.

(b) BUDGETARY ENFORCEMENT.—The revision of allocations and aggregates made under this section shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

LIEBERMAN (AND OTHERS) AMENDMENT NO. 197

Mr. LAUTENBERG (for Mr. LIEBERMAN for himself, Mr. SANTORUM, Mr. BINGAMAN, and Mr. ABRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF SENATE REGARDING ASSET-BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—The Senate finds the following:

(1) 33 percent of all American households 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 incentives, including individual development accounts, are demonstrating success at empowering low-income workers.

(5) Middle and upper income Americans currently benefit from tax incentives for building assets.

(6) The Federal Government should utilize the Federal tax code to provide low-income Americans with incentives to work and build assets in order to escape poverty permanently.

(b) SENSE OF SENATE.—It is the sense of the Senate that the provisions of this resolution assume that Congress should modify the Federal tax law to include provisions which encourage low-income workers and their families to save for buying a first home, starting a business, obtaining an education, or taking other measures to prepare for the future.

FEINSTEIN (AND BOXER) AMENDMENT NO. 198

Mr. LAUTENBERG (for Mrs. FEINSTEIN for herself and Mrs. BOXER) proposed an amendment to the concurrent resolution. S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SCAAP FUNDING.

(a) FINDINGS.—The Senate finds the following:

(1) The Federal Government has the responsibility for ensuring that our Nation's borders are safe and secure.

(2) States and localities, particularly in high immigrant States, face disproportionate costs in implementing our Nation's immigration policies, particularly in the case of incarcerating criminal illegal aliens.

(3) Federal reimbursements have continually failed to cover the actual costs borne by States and localities in incarcerating criminal illegal aliens. In fiscal year 1999, the costs to States and localities for incarcerating criminal aliens reached over $1,700,000,000, but the Federal Government reimbursed States only $585,000,000.

(4) In fiscal year 1998, the State of California spent approximately $577,000,000 for the incarceration and parole supervision of criminal alien felons, but received just $244,000,000 in reimbursements. The State of Texas spent $133,000,000, but the Federal Government provided only a $53,000,000 reimbursement. The State of Arizona incurred $38,000,000 in costs, but only received $15,000,000 in reimbursements. The State of New Mexico incurred $3,000,000 in cost, but only received $1,000,000 in reimbursements.

(5) The current Administration request of $500,000,000 is significantly below last year's Federal appropriation, despite the fact that more aliens are now being detained in State and local jails.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the State Criminal Alien Assistance program budget proposal should increase to $970,000,000 and that the budget resolution appropriately reflects sufficient funds to achieve this objective.

BINGAMAN (AND OTHERS) AMENDMENT NO. 199

Mr. LAUTENBERG (for Mr. Bingaman for himself, Mr. DEWINE, Mr. KENNEDY, Mrs. HUTCHISON, Mr. GRAHAM, Mr. SANTORUM, Mr. SCHUMER, Mr. CHAFEE, Mr. MOYNIHAN, and Mr. LIEBERMAN) proposed an amendment to the concurrent resolution, S. Con Res. 20, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . BUDGETING FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.

''It is the sense of the Senate that the budgetary levels for National Defense (function 050) for fiscal years 2000 through 2008 assume funding for the Defense Science and Technology program that is consistent with Section 214 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, which expresses a sense of the Congress that for each of those fiscal years it should be an objective of the Secretary of Defense to increase the budget request for the Defense Science and Technology program by at least 2 percent over inflation.''.

WYDEN AMENDMENT NO. 200

Mr. LAUTENBERG (for Mr. WYDEN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 53, line 4, after ''may change committee allocations'' insert '', revenue aggregates for legislation that increases taxes on tobacco or tobacco products (only),''.

DODD (AND OTHERS) AMENDMENT NO. 201

Mr. LAUTENBERG (for Mr. DODD, for himself, Mrs. MURRAY, Mr. KENNEDY, and Mr. REED) proposed an amendment to the concurrent resolution, S. Con. Res. 20, surpa; as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,436,033,000,000.
Fiscal year 2002: $1,466,653,000,000.
Fiscal year 2003: $1,547,102,000,000.
Fiscal year 2004: $1,602,574,000,000.
Fiscal year 2005: $1,666,629,000,000.
Fiscal year 2006: $1,700,594,000,000.
Fiscal year 2007: $1,755,630,000,000.
Fiscal year 2008: $1,826,369,000,000.
Fiscal year 2009: $1,890,274,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,614,000,000.
Fiscal year 2002: −$41,623,000,000.
Fiscal year 2003: −$16,216,000,000.
Fiscal year 2004: −$31,574,000,000.
Fiscal year 2005: −$44,267,000,000.
Fiscal year 2006: −$90,119,000,000.
Fiscal year 2007: −$115,770,000,000.
Fiscal year 2008: −$129,840,000,000.
Fiscal year 2009: −$155,436,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,472,665,000,000.
Fiscal year 2002: $1,504,559,000,000.
Fiscal year 2003: $1,578,337,000,000.
Fiscal year 2004: $1,630,879,000,000.
Fiscal year 2005: $1,685,232,000,000.
Fiscal year 2006: $1,717,635,000,000.
Fiscal year 2007: $1,773,679,000,000.
Fiscal year 2008: $1,835,769,000,000.
Fiscal year 2009: $1,896,955,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,436,033,000,000.
Fiscal year 2002: $1,466,653,000,000.
Fiscal year 2003: $1,547,102,000,000.
Fiscal year 2004: $1,599,675,000,000.
Fiscal year 2005: $1,656,798,000,000.
Fiscal year 2006: $1,685,764,000,000.
Fiscal year 2007: $1,735,867,000,000.
Fiscal year 2008: $1,801,549,000,000.
Fiscal year 2009: $1,862,458,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $82,920,000,000.
(B) Outlays, $66,174,000,000.
Fiscal year 2002:
(A) New budget authority, $84,377,000,000.
(B) Outlays, $77,532,000,000.
Fiscal year 2003:
(A) New budget authority, $91,158,000,000.
(B) Outlays, $84,618,000,000.
Fiscal year 2004:
(A) New budget authority, $95,249,000,000.
(B) Outlays, $90,059,000,000.
Fiscal year 2005:
(A) New budget authority, $96,853,000,000.
(B) Outlays, $94,261,000,000.
Fiscal year 2006:
(A) New budget authority, $98,462,000,000.
(B) Outlays, $96,345,000,000.
Fiscal year 2007:
(A) New budget authority, $100,245,000,000.
(B) Outlays, $98,103,000,000.
Fiscal year 2008:
(A) New budget authority, $102,174,000,000.
(B) Outlays, $99,961,000,000.
Fiscal year 2009:
(A) New budget authority, $103,037,000,000.
(B) Outlays, $100,818,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $96,028,000,000 for the period of fiscal years 2000 through 2004, and $631,461,000,000 for the period of fiscal years 2000 through 2009; and

BIDEN AMENDMENT NO. 202

Mr. LAUTENBERG (for Mr. BIDEN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place in the bill, insert the following new section

SEC. . SENSE OF THE SENATE ON IMPORTANCE OF FUNDING FOR EMBASSY SECURITY.

(a) FINDINGS.—The Senate finds that—

(1) Enhancing security at U.S. diplomatic missions overseas is essential to protect U.S. government personnel serving on the front lines of our national defense;

(2) 80 percent of U.S. diplomatic missions do not meet current security standards;

(3) the Accountability Review Boards on the Embassy Bombings in Nairobi and Dar Es Salaam recommended that the Department of State spend $1.4 billion annually on embassy security over each of the next ten years;

(4) the amount of spending recommended for embassy security by the Accountability Review Boards is approximately 36 percent of the operating budget requested for the Department of State in Fiscal Year 2000; and

(5) the funding requirements necessary to improve security for United States diplomatic missions and personnel abroad cannot be borne within the current budgetary resources of the Department of State;

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the budgetary levels in this budget resolution assume that as the Congress contemplates changes in the Congressional Budget Act of 1974 to reflect projected on-budget surpluses, provisions similar to those set forth in Section 314(b) of that Act should be considered to ensure adequate funding for enhancements to the security of U.S. diplomatic missions.

HARKIN (AND SPECTER) AMENDMENT NO. 203

Mr. LAUTENBERG (for HARKIN for himself and Mr. SPECTER) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

Page 3, line 9: reduce the figure by $1,400,000,000.

Page 3, line 10: reduce the figure by $1,400,000,000.

Page 3, line 11: reduce the figure by $1,400,000,000.

Page 3, line 12: reduce the figure by $1,400,000,000.

Page 3, line 13: reduce the figure by $1,400,000,000.

Page 3, line 14: reduce the figure by $1,400,000,000.

Page 3, line 15: reduce the figure by $1,400,000,000.

Page 3, line 16: reduce the figure by $1,400,000,000.

Page 3, line 17: reduce the figure by $1,400,000,000.

Page 3, line 18: reduce the figure by $1,400,000,000.

Page 4, line 4: change the figure by −$1,400,000,000.

Page 4, line 5: reduce the figure by $1,400,000,000.

Page 4, line 6: reduce the figure by $1,400,000,000.

Page 4, line 7: reduce the figure by $1,400,000,000.

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Page 25, line 19: increase the figure by $1,400,000,000.

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Page 25, line 23: increase the figure by $1,400,000,000.

Page 25, line 24: increase the figure by $1,400,000,000.

Page 26, line 2: increase the figure by $1,400,000,000.

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Page 26, line 15: increase the figure by $1,400,000,000.

Page 26, line 18: increase the figure by $1,400,000,000.

Page 26, line 19: increase the figure by $1,400,000,000.

BIDEN (AND HATCH) AMENDMENT NO. 204

Mr. LAUTENBERG (for Mr. BIDEN, for himself and Mr. HATCH) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title II, insert the following:

SEC. ___. EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.

(a) DISCRETIONARY LIMITS.—In the Senate, in this section, and for the purposes of allocations made for the discretionary category pursuant to section 302(a) of the Congressional Budget Act of 1974,

(1) with respect to fiscal year 2001—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,025,000,000 in new budget authority and $5,718,000,000 in outlays;

(2) with respect to fiscal year 2002—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,169,000,000 in new budget authority and $6,020,000,000 in outlays; and

(3) with respect to fiscal year 2003—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,316,000,000 in new budget authority and $6,161,000,000 in outlays;

(4) with respect to fiscal year 2004—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,458,000 in new budget authority and $6,303,000,000 in outlays; and

(5) with respect to fiscal year 2005—

(A) the Chairman of the Budget Committee shall make the necessary adjustments in the discretionary spending limits to reflect the changes in (B); and

(B) for the violent crime reduction category: $6,616,000 in new budget authority and $6,452,000,000 in outlays;

as adjusted in strict conformance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 314 of the Congressional Budget Act of 1974.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

(A) a revision of this resolution or any concurrent resolution on the budget for any of the fiscal years 2000 through 2005 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the discretionary spending limit or limits for such fiscal year; or

(B) any bill or resolution (or amendment, motion, or conference report on such bill or resolution) for any of the fiscal years 2000 through 2005 that would cause any of the limits in this section (or suballocations of the discretionary limits made pursuant to section 302(b) of the Congressional Budget Act of 1974) to be exceeded.

(2) EXCEPTION.—This section shall not apply if a declaration of war by Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, revenues, and deficits for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

LANDRIEU AMENDMENT NO. 205

Mr. LAUTENBERG (for Ms. LANDRIEU) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 46, after line 10, add a new subsection (c) that reads as follows:

(c) LIMITATION.—This reserve fund will only be available for the following types of tax relief:

(1) Tax relief to help working families afford child care, including assistance for families with a parent staying out of the workforce in order to care for young children;

(2) Tax relief to help individuals and their families afford the expense of long-term health care;

(3) Tax relief to ease the tax code's marriage penalties on working families;

(4) Any other individual tax relief targeted exclusively for families in the bottom 90 percent of the family income distribution;

(5) The extension of the Research and Experimentation tax credit, the Work Opportunity tax credit, and other expiring tax provisions, a number of which are important to help American businesses compete in the modern international economy and to help bring the benefits of a strong economy to disadvantaged individuals and communities; and,

(6) Tax incentives to help small businesses offer pension plans to their employees, and other proposals to increase pension access, portability, and security.''

HATCH (AND OTHERS) AMENDMENT NO. 206

Mr. DOMENICI (for Mr. HATCH for himself, Mr. BIDEN, Mr. KENNEDY, and Mr. THURMOND) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

''SEC. . SENSE OF THE SENATE REGARDING SUPPORT FOR FEDERAL, STATE AND LOCAL LAW ENFORCEMENT AND FOR THE VIOLENT CRIME REDUCTION TRUST FUND

''(a) FINDINGS.—The Senate finds that:—

''(1) Our Federal, State and local law enforcement officers provide essential services that preserve and protect our freedom and safety, and with the support of federal assistance such as the Local Law Enforcement Block Grant program, the Juvenile Accountability Incentive Block Grant Program, the COPS Program, and the Byrne Grant program, state and local law enforcement officers have succeeded in reducing the national scourge of violent crime, illustrated by a violent crime rate that has dropped in each of the past four years;

''(2) Assistance, such as the Violent Offender Incarceration/Truth in Sentencing Incentive Grants, provided to State corrections systems to encourage truth in sentencing laws for violent offenders has resulted in longer time served by violent criminals and safer streets for law abiding people across the Nation;

''(3) Through a comprehensive effort by state and local law enforcement to attack violence against women, in concert with the efforts of dedicated volunteers and professionals who provide victim services, shelter, counseling and advocacy to battered women and their children, important strides have been made against the national scourge of violence against women;

''(4) Despite recent gains, the violent crime rate remains high by historical standards;

''(5) Federal efforts to investigate and prosecute international terrorism and complex interstate and international crime are vital aspects of a National anticrime strategy, and should be maintained;

''(6) The recent gains by Federal, State and local law enforcement in the fight against violent crime and violence against women are fragile, and continued financial commitment from the Federal Government for funding and financial assistance is required to sustain and build upon these gains; and

''(7) The Violent Crime Reduction Trust Fund, enacted as a part of the Violent Crime Control and Law Enforcement Act of 1994, funds the Violent Crime Control and Law Enforcement Act of 1994, the Violence Against Women Act of 1994, and the Antiterrorism and Effective Death Penalty Act of 1996, without adding to the federal budget deficit.

''(B) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions and the functional totals underlying this resolution assume that the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts to combat violent crime, such as the Local Law Enforcement Block Grant Program, the Juvenile Accountability Incentive Block Grant Program, the Violent Offender Incarceration/Truth in Sentencing Incentive Grants program, the Violence Against Women Act, the COPS Program, and the Byrne Grant program, shall be maintained, and that funding for the Violent Crime Reduction Trust Fund shall continue to at least fiscal year 2005.''

HATCH AMENDMENT NO. 207

Mr. DOMENICI (for Mr. HATCH) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following new section:

''SEC. . SENSE OF THE SENATE ON MERGER ENFORCEMENT BY DEPARTMENT OF JUSTICE.

''(a) FINDINGS.—Congress find that—

''(1) The Antitrust Division of the Department of Justice is charged with the civil and criminal enforcement of the antitrust laws, including review of corporate mergers likely to reduce competition in particular markets, with a goal to promote and protect the competitive process;

''(2) the Antitrust Division requests a 16 percent increase in funding for fiscal year 2000;

''(3) justification for such an increase is based, in part, increasingly numerous and complex merger filings pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976;

''(4) the Hart-Scott-Rodino Antitrust Improvements Act of 1976 sets value threshold which trigger the requirement for filing premerger notification;

''(5) the number of merger filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which the Department, in conjunction with the Federal Trade Commission, is required to review, increased by 38 percent in fiscal year 1998;

''(6) the Department expects the number of merger filings to increase in fiscal years 1999 and 2000;

''(7) the value thresholds, which relate to both the size of the companies involved and the size of the transaction, under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 have not been adjusted since passage of that Act.

''(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Antitrust Division will have adequate resources to enable it to meet its statutory requirements, including those related to reviewing and investigating increasingly numerous and complex mergers, but that Congress should make modest, budget neutral, adjustments to the Hart-Scott-Rodino Antitrust Improvements Act of 1976 to account for inflation in the value thresholds of the Act, and in so doing, ensure that the Antitrust Division's resources are focused on matters and transactions most deserving of the Division's attention.

ENZI AMENDMENT NO. 208

Mr. DOMENICI (for Mr. ENZI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

SEC. . SENSE OF THE SENATE ON ELIMINATING THE MARRIAGE PENALTY AND ACROSS THE BOARD INCOME TAX RATE CUTS.

(a) FINDINGS.—THE SENATE FINDS THAT—

(1) The institution of marriage is the cornerstone of the family and civil society;

(2) Strengthening of the marriage commitment and the family is an indispensable step in the renewal of America's culture;

(3) The Federal income tax punishes marriage by imposing a greater tax burden on married couples than on their single counterparts;

(4) America's tax code should give each married couple the choice to be treated as one economic unit, regardless of which spouse earns the income; and

(5) All American taxpayers are responsible for any budget surplus and deserve broad-based tax relief after the Social Security Trust fund has been protected.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should eliminate the marriage penalty in a manner that treats all married couples equally, regardless of which spouse earns the income; and

(2) Congress should implement an equal; across the board reduction in each of the current federal income tax rates as soon as there is a non-Social Security surplus.

SHELBY AMENDMENT NO. 209

Mr. DOMENICI (for Mr. SHELBY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE REGARDING REFORM OF THE INTERNAL REVENUE CODE OF 1986.

(a) FINDINGS.—The Senate finds that—

(1) the Internal Revenue Code of 1986 (referred to in this section as the ''tax code'') is unnecessarily complex and burdensome, consisting of 2,000 pages of tax code, and resulting in 12,000 pages of regulations and 200,000 pages of court proceedings;

(2) the complexity of the tax code results in taxpayers spending approximately 5,400,000,000 hours and $200,000,000,000 on tax compliance each year;

(3) the impact of the complexity of the tax code is inherently inequitable, rewarding taxpayers which hire professional tax preparers and penalizing taxpayers which seek to comply with the tax code without professional assistance;

(4) the percentage of the income of an average family of four that is paid for taxes has grown significantly, comprising nearly 40 percent of the family's earnings, a percentage which represents more than a family spends in the aggregate on food, clothing, and housing;

(5) the total amount of Federal, State, and local tax collections in 1998 increased approximately 5.7 percent over such collections in 1997;

(6) the tax code penalizes saving and investment by imposing tax on these important activities twice while promoting consumption by only taxing income used for consumption once;

(7) the tax code stifles economic growth by discouraging work and capital formation through high tax rates;

(8) Congress and the President have found it necessary on several occasions to enact laws to protect taxpayers from abusive actions and procedures of the Internal Revenue Service in enforcement of the tax code; and

(9) the complexity of the tax code is largely responsible for the growth in size of the Internal Revenue Service.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that —

(1) the Internal Revenue Code of 1986 needs comprehensive reform; and

(2) Congress should move expeditiously to consider comprehensive proposals to reform the Internal Revenue Code of 1986.

SESSIONS (AND OTHERS) AMENDMENT NO. 210

Mr. DOMENICI (for Mr. SESSIONS for himself, Mr. ABRAHAM, and Mr. GRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE REGARDING TAX INCENTIVES FOR EDUCATION SAVINGS.

(a) FINDINGS.—The Senate finds that—

(1) families in the United States have accrued more college debt in the 1990s than during the previous 3 decades combined; and

(2) families should have every resource available to them to meet the rising cost of higher education.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that additional tax incentives should be provided for education savings, including—

(1) excluding from gross income distributions from qualified State tuition plans; and

(2) providing a tax deferral for private prepaid tuition plans in years 2000 through 2003 and excluding from gross income distributions from such plans in years 2004 and after.

SANTORUM AMENDMENT NO. 211

Mr. DOMENICI (for Mr. SANTORUM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE REGARDING DAVIS-BACON.

It is the Sense of the Senate that in carrying out the assumptions in this budget resolution, the Senate will consider reform of the Davis-Bacon Act as an alternative to repeal.

SANTORUM (AND OTHERS) AMENDMENT NO. 212

Mr. DOMENICI (for Mr. SANTORUM for himself, Mr. LEAHY, and Mr. TORRICELLI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE THAT THE 106TH CONGRESS, 1ST SESSION SHOULD REAUTHORIZE FUNDS FOR THE FARMLAND PROTECTION PROGRAM.

(a) FINDINGS.—The Senate makes the following findings—

(1) Nineteen states and dozens of localities have spent nearly $1 billion to protect over 600,000 acres of important farmland;

(2) The Farmland Protection Program has provided cost-sharing for nineteen states and dozens of localities to protect over 123,000 acres on 432 farms since 1996;

(3) The Farmland Protection Program has generated new interest in saving farmland in communities around the country;

(4) The Farmland Protection Program represents an innovative and voluntary partnership, rewards local ingenuity, and supports local priorities;

(5) The Farmland Protection Program is a matching grant program that is completely voluntary in which the federal government does not acquire the land or easement;

(6) Funds authorized for the Farmland Protection Program were expended at the end of Fiscal Year 1998, and no funds were appropriated in Fiscal Year 1999;

(7) The United States is losing two acres of our best farmland to development every minute of every day;

(8) These lands produce three quarters of the fruits and vegetables and over one half of the dairy in the United States;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals contained in this resolution assume that the 106th Congress, 1st Session will reauthorize funds for the Farmland Protection Program.

DEWINE (AND OTHERS) AMENDMENT NO. 213

Mr. DOMENICI (for Mr. DEWINE for himself, Mr. COVERDELL, Mr. SESSIONS, and Mr. ABRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING SUPPORT FOR STATE AND LOCAL LAW ENFORCEMENT.

(a) FINDINGS.—The Senate finds that—

(1) the President's budget request for fiscal year 2000 proposes significant reductions in Federal support for State and local law enforcement efforts to combat crime by eliminating more than $1,000,000,000 from State and local law enforcement programs that directly support the Nation's communities, including—

(A) zero funding for Local Law Enforcement Block Grants, for which $523,000,000 was made available for fiscal year 1999;

(B) a reduction from the amount made available for fiscal year 1999 of $645,000,000 for State prison grants (including Violent Offender Incarceration Grants and Truth-in-Sentencing Incentive Grants);

(C) a reduction from the amount made available for fiscal year 1999 of more than $85,000,000 from the State Criminal Alien Incarceration Program, which reimburses States for the incarceration of illegal aliens;

(D) a reduction in funding for the popular Byrne grant program under part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968; and

(E) elimination of funding for Juvenile Accountability Block Grants, which have provided $500,000,000 over the last 2 years to communities attempting to control the plague of youth violence;

(2) as national crime rates are beginning to fall as a result of State and local efforts, with Federal support, it is unwise to ignore the responsibility of the Federal Government to communities still overwhelmed by crime;

(3) Federal support is crucial to the provision of critical crime fighting services and the effective administration of justice in the States, such as the approximately 600 qualified State and local crime laboratories and medical examiners' offices, which deliver over 90 percent of the forensic services in the United States;

(4) dramatic increases in crime rates over the last decade have generally exceeded the capacity of State and local crime laboratories to process their forensic examinations, resulting in tremendous backlogs that prevent the swift administration of justice and impede fundamental individual rights, such as the right to a speedy trial and to exculpatory evidence;

(5) last year, Congress passed the Crime Identification Technology Act of 1998, which authorizes $250,000,000 each year for 5 years to assist State and local law enforcement agencies in integrating their anticrime technology systems into national databases, and in upgrading their forensic laboratories and information and communications infrastructures upon which these crime fighting systems rely; and

(6) the Federal Government must continue efforts to significantly reduce crime by at least maintaining Federal funding for State

and local law enforcement, and wisely targeting these resources.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the amounts made available for fiscal year 2000 to assist State and local law enforcement efforts will be—

(A) greater than the amounts proposed in the President's budget request for fiscal year 2000; and

(B) comparable to amounts made available for that purpose for fiscal year 1999;

(2) the amounts made available for fiscal year 2000 for crime technology programs should be used to further the purposes of the program under section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); and

(3) Congress should consider legislation that specifically addresses the backlogs in State and local crime laboratories and medical examiners' offices.

DEWINE (AND OTHERS) AMENDMENT NO. 214

Mr. DOMENICI (for Mr. DEWINE for himself, Mr. ABRAHAM, Mr. COVERDELL, Mr. SMITH of Oregon, Mr. SANTORUM, Mr. GRAMS, Mr. BURNS, and Mr. HUTCHINSON) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING FUNDING FOR COUNTER-NARCOTICS INITIATIVES.

(a) FINDINGS.—The Senate finds that—

(1) from 1985–1992, the Federal Government's drug control budget was balanced among education, treatment, law enforcement, and international supply reduction activities and this resulted in a 13-percent reduction in total drug use from 1988 to 1991;

(2) since 1992, overall drug use among teens aged 12 to 17 rose by 70 percent, cocaine and marijuana use by high school seniors rose 80 percent, and heroin use by high school seniors rose 100 percent;

(3) during this same period, the Federal investment in reducing the flow of drugs outside our borders declined both in real dollars and as a proportion of the Federal drug control budget;

(4) while the Federal Government works with State and local governments and numerous private organizations to reduce the demand for illegal drugs, seize drugs, and break down drug trafficking organizations within our borders, only the Federal Government can seize and destroy drugs outside of our borders;

(5) in an effort to restore Federal international eradication and interdiction efforts, in 1998, Congress passed the Western Hemisphere Drug Elimination Act which authorized an additional $2,600,000,000 over 3 years for international interdiction, eradication, and alternative development activities;

(6) Congress appropriated over $800,000,000 in fiscal year 1999 for anti-drug activities authorized in the Western Hemisphere Drug Elimination Act;

(7) the President's Budget Request for fiscal year 2000 would invest $100,000,000 less than what Congress appropriated in fiscal year 1999;

(8) the President's Budget Request for fiscal year 2000 contains no funding for the Western Hemisphere Drug Elimination Act's top 5 priorities, namely, including funds for an enhanced United States Customs Service air interdiction program, counter-drug intelligence programs, security enhancements for our United States-Mexico border, and a promising eradication program against coca, opium, poppy, and marijuana; and

(9) the proposed Drug Free Century Act would build upon many of the initiatives authorized in the Western Hemisphere Drug Elimination Act, including additional funding for the Department of Defense for counter-drug intelligence and related activities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) funding for Federal drug control activities should be at a level higher than that proposed in the President's budget request for fiscal year 2000; and

(2) funding for Federal drug control activities should allow for investments in programs authorized in the Western Hemisphere Drug Elimination Act and in the proposed Drug Free Century Act.

GORTON AMENDMENT NO. 215

Mr. DOMENICI (for Mr. GORTON) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING AUTISM.

(a) FINDINGS.—Congress makes the following findings:

(1) Infantile autism and autism spectrum disorders are biologically-based neurodevelopmental diseases that cause severe impairments in language and communication and generally manifest in young children sometime during the first two years of life.

(2) Best estimates indicate that 1 in 500 children born today will be diagnosed with an autism spectrum disorder and that 400,000 Americans have autism or an autism spectrum disorder.

(3) There is little information on the prevalence of autism and other pervasive developmental disabilities in the United States. There have never been any national prevalence studies in the United States, and the two studies that were conducted in the 1980s examined only selected areas of the country. Recent studies in Canada, Europe, and Japan suggest that the prevalence of classic autism alone may be 300 percent to 400 percent higher than previously estimated.

(4) Three quarters of those with infantile autism spend their adult lives in institutions or group homes, and usually enter institutions by the age of 13.

(5) The cost of caring for individuals with autism and autism spectrum disorder is great, and is estimated to be $13.3 billion per year solely for direct costs.

(6) The rapid advancements in biomedical science suggest that effective treatments and a cure for autism are attainable if—

(A) there is appropriate coordination of the efforts of the various agencies of the Federal Government involved in biomedical research on autism and autism spectrum disorders;

(B) there is an increased understanding of autism and autism spectrum disorders by the scientific and medical communities involved in autism research and treatment; and

(C) sufficient funds are allocated to research.

(7) The discovery of effective treatments and a cure for autism will be greatly enhanced when scientists and epidemiologists have an accurate understanding of the prevalence and incidence of autism.

(8) Recent research suggests that environmental factors may contribute to autism. As a result, contributing causes of autism, if identified, may be preventable.

(9) Finding the answers to the causes of autism and related developmental disabilities may help researchers to understand other disorders, ranging from learning problems, to hyperactivity, to communications deficits that affect millions of Americans.

(10) Specifically, more knowledge is needed concerning—

(A) the underlying causes of autism and autism spectrum disorders, how to treat the underlying abnormality or abnormalities causing the severe symptoms of autism, and how to prevent these abnormalities from occurring in the future;

(B) the epidemiology of, and the identification of risk factors for, infantile autism and autism spectrum disorders;

(C) the development of methods for early medical diagnosis and functional assessment of individuals with autism and autism spectrum disorders, including identification and assessment of the subtypes within the autism spectrum disorders, for the purpose of monitoring the course of the disease and developing medically sound strategies for improving the outcomes of such individuals;

(D) existing biomedical and diagnostic data that are relevant to autism and autism spectrum disorders for dissemination to medical personnel, particularly pediatricians, to aid in the early diagnosis and treatment of this disease; and

(E) the costs incurred in educating and caring for individuals with autism and autism spectrum disorders.

(11) In 1998, the National Institutes of Health announced a program of research on autism and autism spectrum disorders. A sufficient level of funding should be made available for carrying out the program.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying this resolution assume that additional resources will be targeted towards autism research through the National Institutes of Health and the Centers for Disease Control and Prevention.

ROBERTS (AND OTHERS) AMENDMENT NO. 216

Mr. DOMENICI (for Mr. ROBERTS for himself, Mr. SMITH of Oregon, and Mr. SANTORUM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING ACCESS TO ITEMS AND SERVICES UNDER MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) Total hospital operating margins with respect to items and services provided to medicare beneficiaries are expected to decline from 4.3 percent in fiscal year 1997 to 0.1 percent in fiscal year 1999.

(2) Total operating margins for small rural hospitals are expected to decline from 4.2 percent in fiscal year 1998 to negative 5.6 percent in fiscal year 2002, a 233 percent decline.

(3) The Congressional Budget Office recently has estimated that the amount of savings to the medicare program in fiscal years 1998 through 2002 by reason of the amendments to that program contained in the Balanced Budget Act of 1997 is $88,500,000 more than the amount of savings to the program by reason of those amendments that the Congressional Budget Office estimated for

those fiscal years immediately prior to the enactment of that Act.

(b) SENSE OF SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume that the Senate should—

(1) consider whether the amendments to the medicare program contained in the Balanced Budget Act of 1997 have had an adverse impact on access to items and services under that program; and

(2) if it is determined that additional resources are available, additional budget authority and outlays shall be allocated to address the unintended consequences of change in medicare program policy made by the Balanced Budget Act, including inpatient and outpatient hospital services, to ensure fair and equitable access to all items and services under the program.

FITZGERALD AMENDMENT NO. 217

Mr. DOMENICI (for Mr. FITZGERALD) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. _____HONEST REPORTING OF THE DEFICIT.

It is the sense of the Senate that the levels in this resolution assume the following:

(1) IN GENERAL.—Effective for fiscal year 2001, the President's budget and the budget report of CBO required under section 202(e) of the Congressional Budget Act of 1974 and the concurrent resolution on the budget should include—

(A) the receipts and disbursements totals of the on-budget trust funds, including the projected levels for at least the next 5 fiscal year; and

(B) the deficit or surplus excluding the on budget trust funds, including the projected levels for at least the next 5 fiscal years.

(2) ITEMIZATION.—Effective for fiscal year 2001, the President's budget and the budget report of CBO required under section 202(e) of the Congressional Budget Act of 1974 should include an itemization of the on-budget trust funds for the budget year, including receipts, outlays, and balances.

HELMS AMENDMENT NO. 218

Mr. DOMENICI (for Mr. HELMS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place in the concurrent resolution, insert the following:

SEC. ___. INTERNATIONAL AFFAIRS BUDGET.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Administration has attacked the Senate budget resolution which stays within the caps set in the Balanced Budget Agreement reached with the President in 1997. The Administration accuses the Senate of taking a ''meat axe'' to American leadership, and placing a ''foreign policy straitjacket'' on the United States. In fact, the fiscal year 2000 budget continues to fund programs and projects that advance United States interests, while eliminating funding for wasteful or duplicative programs and activities.

(2) The Administration claims that the Senate resolution would cut funds for international affairs in fiscal year 2000 by 15.3 percent. The reality is that the reduction is a five percent decrease from spending in fiscal year 1999. Much of the decrease is a result of savings from reductions assumed by the President in his budget: the President assumes savings from ''one time costs'' in the fiscal year 1999 budget, as well as fiscal year 2000 budget reductions for OPIC, P.L. 480 Programs, and historic levels of foreign assistance to Israel and Egypt . When adjusted for arrearages, the Senate Resolution is only a decrease of $.9 billion in budget authority and $.02 billion in outlays from the fiscal year 1999 levels.

(3) The Administration threatens the budget will hinder consular services and abandon our citizens who travel abroad and leave them to fend for themselves. The reality is that most consular services today are supplemented heavily by machine readable visa, expedited passport, and other fees. The State Department is able to retain these fees due to congressional authorization for the retention of these fees rather then returning them to the general fund of the Treasury. Due to this authority, in fiscal year 2000, the State Department expects to have at least $374,000,000 to expend from fee collections. These funds are in addition to the budget authority provided by the Senate budget resolution.

(4) The Administration argues that this budget will pull the plug on U.S. contributions to UNICEF and Child Survival. In fact, the United States provided more than $122,000,000 or 27 percent of all UNICEF funding in 1997, according to the State Department's most recent statistics (of course, this does not include private donations of United States citizens). At the same time, the United States Agency for International Development is requesting a funding increase of $119,000,000 for development assistance and $15,000,000 for operating expenses even as the General Accounting Office reports that the Agency for International Development cannot explain how its programs are performing or whether they are achieving their intended goals.

(5) The Administration argues that this budget will reduce the United States commitment to the war on drugs. In fiscal year 1999, Congress appropriated funds for drug interdiction programs far exceeding the Administration's request; moreover, the comprehensive Western Hemisphere Drug Elimination Act enacted in October 1998 authorizes nearly $1,000,000,000 in new funds, equipment, and technology to correct the dangerous imbalance in the Administration's anti-drug strategy that has underfunded and continues to underfund interdiction programs. (The President's fiscal year 2000 budget continues to short-change anti-drug activities by the Customs Service and the Coast Guard.)

(6) The Administration argues that this budget will erode support for peace in the Middle East, Bosnia, and Northern Ireland. However, funding for peacekeeping continues to skyrocket. However, the cost of peacekeeping has become a burden on the 050 defense budget rather than the 150 foreign affairs budget since the failure of the United Nations mission in Bosnia. Last year, the United States expended $4,277,500,000 on peacekeeping and related activities in Bosnia, Iraq, other Middle East peacekeeping, and in Africa. This amount does not include funds for humanitarian and development activities.

(7) The Administration argues that this budget will force the United States to close its embassies and turn its back on American interests. The budget will instead force the Executive branch to take on greater cost-based decisionmaking. According to the General Accounting Office, ''more needs to be done to create a well-tuned platform for conducting foreign affairs. Achieving this goal will require the State Department to make a strong commitment to management improvement, modernization, and 'cost-based' decisionmaking.'' The General Accounting Office reports that ''one of State's long-standing shortcomings has been the absence of an effective financial management system that can assist managers in making 'cost-based' decisions.''

(8) Prior to the start of fiscal year 2000, the United States Information Agency and the Arms Control and Disarmament Agency will be integrated into the State Department. In addition the Secretary of State will have more direct oversight over the Agency for International Development, and certain functions of that agency will be merged into the State Department. To date, no savings have been identified as a result of this merger. The General Accounting Office identifies potential areas for reduction of duplication as a result of integration in the areas of legal affairs, congressional liaison, press and public affairs, and management. In addition the General Accounting Office notes that in the State Department strategic plan, it has not adequately reviewed overlapping issues performed by State Department functional bureaus and other United States agencies.

(b) SENSE OF SENATE.—It is the sense of the Senate that the budget levels of this resolution assume that enactment of the Foreign Affairs Reform and Restructuring Act of 1998 provides a unique opportunity for the State Department to achieve management improvements and cost reductions, and that:

(1) The Senate believes that savings can be achieved by simply eliminating wasteful and duplicative programs, not the programs cited by the Administration, which generally receive broad bipartisan support. Just a few abuses that could be eliminated to achieve reductions include the following:

(A) $25,000,000 for UNFPA while UNFPA works hand-in-glove with the brutal Communist Chinese dictators to abuse women and children under the coercive one-child-per-family population control policy.

(B) $35,000,000 for the Inter-American Foundation, which funded groups in Ecuador clearly identified by the State Department as terrorist organizations that kidnaped Americans and threatened their lives, as well as the lives and safety of other United States citizens, while extorting money from them.

(C) $105,000,000 proposed for Haiti, which has abandoned democracy in favor of dictatorship and where United States taxpayer funds have been used, according to the International Planned Parenthood Federation's annual report, for ''a campaign to reach voodoo followers with sexual and reproductive health information..by performing short song-prayers about STDs [sexually transmitted diseases] and the benefits of family planning during voodoo ceremonies''.

(D) $60,000,000 over ten years to the American Center for International Labor Solidarity (ACILS), which is AFL-CIOs international nongovernment division. 100% of ACILS's funding is from taxpayers while AFL-CIO contributed $40,956,828 exclusively to Democratic candidates in the 1998 Federal election cycle.

(E) In fiscal year 1999, $200,000 in foreign aid to Canada to underwrite seminars on gender sensitivity for peacekeepers.

(F) In fiscal year 1999, the United States provided the International Labor Organization with $54,774,408. Work produced by that organization included a report advocating recognition of the sex trade as a flourishing economic enterprise and called for recognition of the trade in official statistics.

(G) According to the General Accounting Office, ''USAID has spent, by its own account, $92,000,000 to develop and maintain the NMS [new management system], the system does not work as intended and has created problems in mission operations and morale.''

(H) In fiscal year 1999, the State Department is attempting to send $28,000,000 to fund the Comprehensive Test Ban Treaty Organization, which is an organization established by a treaty the United States has not ratified.

(I) Despite sensitive deadlines in the Middle East Peace Process looming, the United Nations is calling for a conference under the auspices of the Fourth Geneva Convention. No conference has been held under that Convention since its inception in 1947. The topic for discussion is Israeli Settlements in the West Bank and Gaza. The United States opposes this conference yet contributes 25 percent of the United Nations budget.

(J) The United States has spent more than $3,000,000,000 to ''restore democracy in Haiti.'' The reality is that there has been no Prime Minister or Cabinet in Haiti for 19 months; the Parliament has been effectively dissolved; local officials serve at the whim of President Preval; the privatization process is stalled; political murders remain unsolved; drug trafficking is rampant. In short, billions of dollars in foreign aid have bought us no leverage with the Haitians.

(K) As a result of consolidation of United States foreign affairs agencies, 1,943 personnel will be transferred into the State Department prior to the start of fiscal year 2000. The fiscal year 2000 budget does not identify a reduction in a single staff position.

(2) Additional funds that may become available from elimination of some foreign assistance programs, management efficiencies as a result of reorganization of the foreign affairs agencies, and new estimates on the size of the budget surplus should be designated for United States embassy upgrades.

SPECTER (AND OTHERS) AMENDMENT NO. 219

Mr. DOMENICI (for Mr. SPECTER for himself, Mr. THURMOND, Mr. HATCH, Mr. SESSIONS, and Mr. ASHCROFT) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE REGARDING FUNDING FOR INTENSIVE FIREARMS PROSECUTION PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) gun violence in America, while declining somewhat in recent years, is still unacceptably high;

(2) keeping firearms out of the hands of criminals can dramatically reduce gun violence in America;

(3) States and localities often do not have the investigative or prosecutorial resources to locate and convict individuals who violate their firearms laws. Even when they do win convictions, states and localities often lack the jail space to hold such convicts for their full prison terms;

(4) there are a number of federal laws on the books which are designed to keep firearms out of the hands of criminals. These laws impose mandatory minimum sentences upon individuals who use firearms to commit crimes of violence and convicted felons caught in possession of a firearm;

(5) the federal government does have the resources to investigate and prosecute violations of these federal firearms laws. The federal government also has enough jail space to hold individuals for the length of their mandatory minimum sentences;

(6) an effort to aggressively and consistently apply these federal firearms laws in Richmond, Virginia, has cut violent crime in that city. This program, called Project Exile, has produced 288 indictments during its first two years of operation and has been credited with contributing to a 15% decrease in violent crimes in Richmond during the same period. In the first three-quarters of 1998, homicides with a firearm in Richmond were down 55% compared to 1997;

(7) the Fiscal Year 1999 Commerce-State-Justice Appropriations Act provided $1.5 million to hire additional federal prosecutors and investigators to enforce federal firearms laws in Philadelphia. The Philadelphia project—called Operation Cease Fire—started on January 1, 1999. Since it began, the project has resulted in 31 indictments of 52 defendants on firearms violations. The project has benefited from help from the Philadelphia Police Department and the Bureau of Alcohol, Tobacco and Firearms which was not paid for out of the $1.5 million grant;

(8) Senator Hatch has introduced legislation to authorize Project CUFF, a federal firearms prosecution program;

(9) the Administration has requested $5 million to conduct intensive firearms prosecution projects on a national level;

(10) given that at least $1.5 million is needed to run an effective program in one American city—Philadelphia—$5 million is far from enough funding to conduct such programs nationally.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Function 750 in the budget resolution assumes that $50,000,000 will be provided in fiscal year 2000 to conduct intensive firearms prosecution projects to combat violence in the twenty-five American cities with the highest crime rates.

SPECTER (AND GRAHAM) AMENDMENT NO. 220

Mr. DOMENICI (for Mr. SPECTER for himself and Mr. GRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE ON WOMEN'S ACCESS TO OBSTETRIC AND GYNECOLOGICAL SERVICES.

(A) FINDINGS.—Congress finds that—

In the 105th Congress, the House of Representatives acted favorably on The Patient Protection Act (H.R. 4250), which included provisions which required health plans to allow women direct access to a participating physician who specializes in obstetrics and gynecological services.

Women's health historically has received little attention.

Access to an obstetrician-gynecologist improves the health care of a woman by providing routine and preventive health care throughout the women's lifetime, encompassing care of the whole patient, while also focusing on the female reproductive system.

60 percent of all office visits to obstetrician-gynecologists are for preventive care.

Obstetrician-gynecologists are uniquely qualified on the basis of education and experience to provide basic women's health care services.

While more than 36 States have acted to promote residents' access to obstetrician-gynecologists, patients in other States or in Federally-governed health plans are not protected from access restrictions or limitations.

(B) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions in this concurrent resolution on the budget assume that the Congress shall enact legislation that requires health plans to provide women with direct access to a participating provider who specializes in obstetrics and gynecological services.

JEFFORDS (AND OTHERS) AMENDMENT NO. 221

Mr. DOMENICI (for Mr. JEFFORDS for himself, Mr. KENNEDY, Mr. ROTH, Mr. MOYNIHAN, and Mr. GRAMS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING FOSTERING THE EMPLOYMENT AND INDEPENDENCE OF INDIVIDUALS WITH DISABILITIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Health care is important to all Americans.

(2) Health care is particularly important to individuals with disabilities and special health care needs who often cannot afford the insurance available to them through the private market, are uninsurable by the plans available in the private sector, or are at great risk of incurring very high and economically devastating health care costs.

(3) Americans with significant disabilities often are unable to obtain health care insurance that provides coverage of the services and supports that enable them to live independently and enter or rejoin the workforce. Coverage for personal assistance services, prescription drugs, durable medical equipment, and basic health care are powerful and proven tools for individuals with significant disabilities to obtain and retain employment.

(4) For individuals with disabilities, the fear of losing health care and related services is one of the greatest barriers keeping the individuals from maximizing their employment, earning potential, and independence.

(5) Individuals with disabilities who are beneficiaries under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) risk losing medicare or medicaid coverage that is linked to their cash benefits, a risk that is an equal, or greater, work disincentive than the loss of cash benefits associated with working.

(6) Currently, less than ½ of 1 percent of social security disability insurance (SSDI) and supplemental security income (SSI) beneficiaries cease to receive benefits as a result of employment.

(7) Beneficiaries have cited the lack of adequate employment training and placement services as an additional barrier to employment.

(8) If an additional ½ of 1 percent of the current social security disability insurance (SSDI) and supplemental security income (SSI) recipients were to cease receiving benefits as a result of employment, the savings to the Social Security Trust Funds in cash assistance would total $3,500,000,000 over the worklife of the individuals.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the Work Incentives Improvement Act of 1999 (S. 331, 106th Congress) will be passed by the Senate and enacted early this year, and thereby provide individuals with disabilities with the health care and employment preparation and placement services that will enable those individuals to reduce their dependency on cash benefit programs.

JEFFORDS (AND OTHER) AMENDMENT NO. 222

Mr. DOMENICI (for Mr. JEFFORDS for himself, Mr. MOYNIHAN, Mr. CHAFEE, Ms. COLLINS, Mr. DODD, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LEAHY, Mr. LEVIN, Mr. REID, Ms. SNOWE, Mr. WELLSTONE, and Mr. BINGAMAN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE ON LIHEAP.

(a) FINDINGS.—The Senate finds that:

(1) Home energy assistance for working and low-income families with children, the elderly on fixed incomes, the disabled, and others who need such aid is a critical part of the social safety net in cold-weather areas during the winter, and a source of necessary cooling aid during the summer.

(2) LIHEAP is a highly targeted, cost-effective way to help millions of low-income Americans pay their home energy bills. More than two-thirds of LIHEAP-eligible households have annual incomes of less than $8,000, approximately one-half have annual incomes below $6,000; and

(3) LIHEAP funding has been substantially reduced in recent years, and cannot sustain further spending cuts if the program is to remain a viable means of meeting the home heating and other energy-related needs of low-income families, especially those in cold-weather states.

(b) SENSE OF THE SENATE.—The assumptions underlying this budget resolution assume that it is the sense of the Senate that the funds made available for LIHEAP for Fiscal Year 2000 will not be less than the current services for LIHEAP in Fiscal Year 1999.

HUTCHISON (AND OTHERS) AMENDMENT NO. 223

Mr. DOMENICI (for Mrs. HUTCHISON for herself, Mr. KYL, Mrs. FEINSTEIN, Ms. SNOWE, and Mr. GRAMM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON SOUTHWEST BORDER LAW ENFORCEMENT FUNDING.

(A) FINDINGS.—

(1) The Federal Government has not effectively secured the Southwest Border of the United States. According to the Drug Enforcement Administration, 50 to 70 percent of illegal drugs enter the United States through Texas, New Mexico, Arizona, and California. According to the State Department's 1999 International Narcotics Strategy Report, 60 percent of the Columbian cocaine sold in the United States passes through Mexico before entering the United States.

(2) General Barry McCaffrey, Director of the Office of National Drug Control Policy, has stated that 20,000 Border Patrol agents are needed to secure the United States' southern and northern borders. Currently, the Border Patrol has approximately 8,000 agents.

(3) The Illegal Immigration Reform and Immigrant Responsibility Act of 1996, requires the Attorney General to increase by not less than 1,000 the number of positions for full-time, active duty Border Patrol agents in fiscal years 1997, 1998, 1999, 2000, and 2001. The Administration's fiscal year 2000 budget provides no funding to hire additional full-time Border Patrol agents.

(4) The U.S. Customs Service plays an integral role in the detection, deterrence, disruption and seizure of illegal drugs as well as the facilitation of trade across the Southwest Border of the United States. Customs requested 506 additional inspectors in its fiscal year 2000 budget submission to the Office of Management and Budget. In their fiscal year 2000 budget request to Congress, however, the Administration provides no funding to hire additional, full-time Customs Service inspectors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this budget resolution assume full funding for the Immigration and Naturalization Service to hire 1,000 full-time, active-duty Border Patrol agents in fiscal year 2000, as authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Further, it is the sense of the Senate that the budgetary levels in this budget resolution assume funding for the Customs Service to hire necessary staff and purchase equipment for drug interdiction and traffic facilitation at United States land border crossings, including 506 full-time, active-duty Customs inspectors.

ASHCROFT (AND OTHERS) AMENDMENT NO. 224

Mr. DOMENICI (for Mr. ASHCROFT, Mr. BAUCUS, and Mr. BOND) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE CONGRESS REGARDING SOUTH KOREA'S INTERNATIONAL TRADE PRACTICES ON PORK AND BEEF.

FINDINGS.—The Congress finds that:

Asia is the largest regional export market for America's farmers and ranchers, traditionally purchasing approximately 40 percent of all U.S. agricultural exports;

The Department of Agriculture forecasts that over the next year American agricultural exports to Asian countries will decline by several billion dollars due to the Asian financial crisis;

The United States is the producer of the safest agricultural products from farm to table, customizing goods to meet the needs of customers worldwide, and has established the image and reputation as the world's best provider of agricultural products;

American farmers and ranchers, and more specifically, American pork and beef producers, are dependent on secure, open, and competitive Asian export markets for their products;

United States pork and beef producers not only have faced the adverse effects of depreciated and unstable currencies and lowered demand due to the Asian financial crisis, but also have been confronted with South Korea's pork subsidies and its failures to keep commitments on market access for beef;

It is the policy of the United States to prohibit South Korea from using United States and International Monetary Fund assistance to subsidize targeted industries and compete unfairly for market share against U.S. products;

The South Korean Government has been subsidizing its pork exports to Japan, resulting in a 973 percent increase in its exports to Japan since 1992, and a 71 percent increase in the last year;

Pork already comprises 70 percent of South Korea's agriculture exports to Japan, yet the South Korean Government has announced plans to invest 100,000,000,000 won in its agricultural sector in order to flood the Japanese market with even more South Korean pork;

The South Korean Ministry of Agriculture and Fisheries reportedly has earmarked 25,000,000,000 won for loans to Korea's pork processors in order for them to purchase more Korean pork and to increase exports to Japan;

Any export subsidies on pork, including those on exports from South Korea to Japan, would violate South Korea's international trade agreements and may be actionable under the World Trade Organization;

South Korea's subsidiaries are hindering U.S. pork and beef producers from capturing their full potential in the Japanese market, which is the largest export market for U.S. pork and beef, importing nearly $700,000,000 of U.S. pork and over $1,500,000,000 of U.S. beef last year alone;

Under the United States-Korea 1993 Record of Understanding on Market Access for Beef, which was negotiated pursuant to a 1989 GATT Panel decision against Korea, South Korea was allowed to delay full liberalization of its beef market (in an exception to WTO rules) if it would agree to import increasing minimum quantities of beef each year until the year 2001;

South Korea fell woefully short of its beef market access commitment for 1998; and

United States pork and beef producers are not able to compete fairly with Korean livestock producers, who have a high cost of production, because South Korea has violated trade agreements and implemented protectionist policies: Now, therefore, be it

It is the sense of the Congress that Congress:

(1) Believes strongly that while a stable global marketplace is in the best interest of America's farmers and ranchers, the United States should seek a mutually beneficial relationship without hindering the competitiveness of American agriculture;

(2) Calls on South Korea to abide by its trade commitments;

(3) Calls on the Secretary of the Treasury to instruct the United States Executive Director of the International Monetary Fund to promote vigorously policies that encourage the opening of markets for beef and pork products by requiring South Korea to abide by its existing international trade commitments and to reduce trade barriers, tariffs, and export subsidies;

(4) Calls on the President and the Secretaries of Treasury and Agriculture to monitor and report to Congress that resources will not be used to stabilize the South Korean market at the expense of U.S. agricultural goods or services; and

(5) Requests the United States Trade Representative and the U.S. Department of Agriculture to pursue the settlement of disputes with the Government of South Korea on its failure to abide by its international trade commitments on beef market access, to consider whether Korea's reported plans for subsidizing its pork industry would violate any

of its international trade commitments, and to determine what impact Korea's subsidy plans would have on U.S. agricultural interests, especially in Japan.

SHELBY (AND DOMENICI) AMENDMENT NO. 225

Mr. DOMENICI (for Mr. SHELBY for himself and Mr. DOMENICI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON TRANSPORTATION FIREWALLS.

(a) FINDINGS.—The Senate finds that—

(1) domestic firewalls greatly limit funding flexibility as Congress manages budget priorities in a fiscally constrained budget;

(2) domestic firewalls inhibit congressional oversight of programs and organizations under such artificial protections;

(3) domestic firewalls mask mandatory spending under the guise of discretionary spending, thereby presenting a distorted picture of overall discretionary spending;

(4) domestic firewalls impede the ability of Congress to react to changing circumstances or to fund other equally important programs;

(5) the Congress implemented ''domestic discretionary budget firewalls'' for approximately 70 percent of function 400 spending in the 105th Congress;

(6) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, over 100 percent of function 400 spending would be firewalled; and

(7) if the aviation firewall proposal circulating in the House of Representatives were to be enacted, drug interdiction activities by the Coast Guard, National Highway Traffic Safety Administration activities, rail safety inspections, Federal support for Amtrak, all National Transportation Safety Board activities, Pipeline and Hazardous materials safety programs, and Coast Guard search and rescue activities would be drastically cut or eliminated from function 400.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that no additional firewalls should be enacted for function 400 transportation activities.

ENZI AMENDMENT NO. 226

Mr. DOMENICI (for Mr. ENZI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. 316. . Sense of the Senate on funding existing, effective public health programs before creating new programs.

(a) FINDINGS.—the Senate finds that—

(1) the establishment of new categorical funding programs has led to proposed cuts in the Preventive Health and Health Services Block Grant to states for broad, public health missions;

(2) Preventive Health and Health Services Block Grant dollars fill gaps in the otherwise-categorical funding states and localities receive, funding such major public health threats as cardiovascular disease, injuries, emergency medical services and poor diet, for which there is often no other source of funding;

(3) in 1981, Congress consolidated a number of programs, including certain public health programs, into block grants for the purpose of best advancing the health, economics and well-being of communities across the country;

(4) The Preventive Health and Health Services Block Grant can be used for programs for screening, outreach, health education and laboratory services;

(5) The Preventive Health and Health Services Block Grant gives states the flexibility to determine how funding available for this purpose can be used to meet each state's preventive health priorities;

(6) The establishment of new public health programs that compete for funding with the Preventive Health and Health Services Block Grant could result in the elimination of effective, localized public health program in every state.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that there shall be a continuation of the level of funding support for existing public health programs, specifically the Prevention Block Grant, prior to the funding of new public health programs.

ABRAHAM (AND OTHERS) AMENDMENT NO. 227

Mr. DOMENICI (for Mr. ABRAHAM for himself and Mr. CRAPO, Mr. HAGEL, Mr. SANTORUM, Mr. INHOFE, and Ms. COLLINS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . FINDINGS; SENSE OF CONGRESS ON THE PRESIDENT'S FY 2000 BUDGET PROPOSAL TO TAX ASSOCIATION INVESTMENT INCOME.

(a) The Congress finds that—

(1) The President's fiscal year 2000 federal budget proposal to impose a tax on the interest, dividends, capital gains, rents, and royalties in excess of $10,000 of trade associations and professional societies exempt under sec. 501(c)(6) of the IRC of 1986 represents an unjust and unnecessary penalty on legitimate association activities.

(2) At a time when the government is projecting on-budget surpluses of more than $800,000,000,000 over the next ten years, the President proposes to increase the tax burden on trade and professional association by $1,440,000,000 over the next five years.

(3) The President's association tax increase proposal will impose a tremendous burden on thousands of small and mid-sized trade associations and professional societies.

(4) Under the President's association tax increase proposal, most associations with annual operating budgets of as low as $200,000 or more will be taxed on investment income and as many as 70,000 associations nationwide could be affected by this proposal.

(5) Associations rely on this targeted investment income to carry out tax-exempt status related activities, such as training individuals to adapt to the changing workplace, improving industry safety, providing statistical data, and providing community services.

(6) Keeping investment income free from tax encourages associations to maintain modest surplus funds that cushion against economic and fiscal downturns.

(7) Corporations can increase prices to cover increased costs, while small and medium sized local, regional, and State-based associations do not have such an option, and thus increased costs imposed by the President's association tax increase would reduce resources available for the important standard setting, educational training, and professionalism training performed by association.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall reject the President's proposed tax increase on investment income of associations as defined under section 501(c)(6) of the Internal Revenue Code of 1986.

ABRAHAM (AND OTHERS) AMENDMENT NO. 228

Mr. DOMENICI (for Mr. ABRAHAM for himself, Mr. COVERDELL, and Mr. ASHCROFT) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . FINDINGS; SENSE OF CONGRESS ON THE USE OF FEDERAL FUNDS FOR NEEDLE EXCHANGE PROGRAMS.

(a) The Congress finds that—

(1) Deaths from drug overdoses have increased over five times since 1988.

(2) A Montreal study published in the American Journal of Epidemiology, found that IV addicts who used a needle exchange program were over twice as likely to become infected with HIV as those who did not.

(3) A Vancouver study published in the Journal of AIDS, showed a stunning increase in HIV in drug addicts, from 1 to 2 percent to 23 percent, since that city's needle exchange program was begun in 1988. Deaths from drug overdoses have increased over five times since 1988 and Vancouver now has the highest death rate from heroin in North America.

(4) In November of 1995 the Manhattan Lower East Side Community Board #3 passed a resolution to terminate their needle exchange program due to the fact that ''the community has been inundated with drug dealers, . . . Law-abiding businesses are being abandoned; and much needed law enforcement is being withheld by the police.''

(5) The New York Times Magazine in 1997 reported that one New York City needle exchange program gave out 60 syringes to a single person, little pans to ''cook'' the heroin, instructions on how to inject the drug and a card exempting the user from arrest for possession of drug paraphernalia.

(6) Alcoholism and Drug Abuse Weekly reports that heroin use by American teenagers had doubled in the last five years.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall continue the statutory ban on the use of federal funds to implement or support any needle exchange program for drug addicts.

COLLINS (AND GREGG) AMENDMENT NO. 229

Mr. DOMENICI (for Ms. COLLINS for herself and Mr. GREGG) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING FUNDING FOR SPECIAL EDUCATION.

(a) FINDINGS.—Congress makes the following findings:

(1) In the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (referred to in this resolution as the ''Act''), Congress found that improving educational results for children with disabilities is an essential element of our national policy of ensuring

equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

(2) In the Act, the Secretary of Education is instructed to make grants to States to assist them in providing special education and related services to children with disabilities.

(3) The Act represents a commitment by the Federal Government to fund 40 percent of the average per-pupil expenditure in public elementary and secondary schools in the United States.

(4) The budget submitted by the President for fiscal year 2000 ignores the commitment by the Federal Government under the Act to fund special education and instead proposes the creation of new programs that limit the manner in which States may spend the limited Federal education dollars received.

(5) The budget submitted by the President for fiscal year 2000 fails to increase funding for special education, and leaves States and localities with an enormous unfunded mandate to pay for growing special education costs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that part B of the Individuals with Disabilities Act (20 U.S.C. 1400 et seq.) should be fully funded at the originally promised level before any funds are appropriated for new education programs.

STEVENS AMENDMENT NO. 230

Mr. DOMENICI (for Mr. STEVENS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of section 205 of the resolution, add the following:

''(f) EXCEPTION FOR DEFENSE SPENDING.—This section shall not apply to a provision making discretionary appropriations in the defense category.''.

GRAMS (AND OTHERS) AMENDMENT NO. 231

Mr. DOMENICI (for Mr. GRAMS for himself, Mr. ROTH, Mr. COVERDELL, Mr. ABRAHAM, Mr. HAGEL, Mr. BURNS, Mr. MCCAIN, and Mr. CRAIG) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. ___. SENSE OF SENATE ON PROVIDING TAX RELIEF TO ALL AMERICANS BY RETURNING NON-SOCIAL SECURITY SURPLUS TO TAXPAYERS.

(a) FINDINGS.—The Senate finds the following:

(1) Every cent of Social Security surplus should be reserved to pay Social Security benefits, for Social Security reform, or to pay down the debt held by the public and not be used for other purposes.

(2) Medicare should be fully funded.

(3) Even after safeguarding Social Security and Medicare, a recent Congressional Research Service study found that an average American family will pay $5,307 more in taxes over the next 10 years than the government needs to operate.

(4) The Administration's budget returns none of the excess surplus back to the taxpayers and instead increases net taxes and fees by $96,000,000,000 over 10 years.

(5) The burden of the Administration's tax increases falls disproportionately on low- and middle-income taxpayers. A recent Tax Foundation study found that individuals with incomes of less than $25,000 would bear 38.5 percent of the increased tax burden, while taxpayers with incomes between $25,000 and $50,000 would pay 22.4 percent of the new taxes.

(6) The budget resolution returns most of the non-Social Security surplus to those who worked so hard to produce it by providing $142,000,000,000 in real tax relief over 5 years and almost $800,000,000,000 in tax relief over 10 years.

(7) The budget resolution builds on the following tax relief that Republicans have provided since 1995:

(A) In 1995, Republicans proposed the Balanced Budget Act of 1995 which included tax relief for families, savings and investment incentives, health care-related tax relief, and relief for small business—tax relief that was vetoed by President Clinton.

(B) In 1996, Republicans provided, and the President signed, tax relief for small business and health care-related tax relief.

(C) In 1997, Republicans once again pushed for tax relief in the context of a balanced budget, and this time President Clinton signed into law a $500 per child tax credit, expanded individual retirement accounts and the new Roth IRA, a cut in the capital gains tax rate, education tax relief, and estate tax relief.

(D) In 1998, Republicans (initially opposed by the Administration) pushed for reform of the Internal Revenue Service, and provided tax relief for America's farmers.

(8) Americans deserve further tax relief because they are still overpaying. They deserve a refund. Federal taxes currently consume nearly 21 percent of national income, the highest percentage since World War II. Families are paying more in Federal, State, and local taxes than for food, clothing, and shelter combined.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the levels in this resolution assume that the Senate not only puts a priority on protecting Social Security and Medicare and reducing the Federal debt, but also on middle-class tax relief by returning some of the non-Social Security surplus to those from whom it was taken; and

(2) such middle-class tax relief could include broad-based tax relief, marriage penalty relief, retirement savings incentives, death tax relief, savings and investment incentives, health care-related tax relief, education-related tax relief, and tax simplification proposals.

SNOWE (AND OTHERS) AMENDMENT NO. 232

Mr. DOMENICI (for Ms. SNOWE for herself, Mr. WYDEN, and Mr. SMITH of Oregon) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 53, line 4, after ''may change committee allocations'' insert '', revenue aggregates for legislation that increases taxes on tobacco or tobacco products (only),''.

COVERDELL (AND OTHERS) AMENDMENT NO. 233

Mr. DOMENICI (for Mr. COVERDELL for himself, Mr. INHOFE, and Mr. ENZI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. RESTRICTION ON RETROACTIVE INCOME AND ESTATE TAX RATE INCREASES.

(a) PURPOSE.—The Senate declares that it is essential to ensure taxpayers are protected against retroactive income and estate tax rate increases.

(b) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that includes a retroactive Federal income tax rate increase.

(2) DEFINITION.—In this section—

(A) the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(B) a Federal income tax rate increase is retroactive if it applies to a period beginning prior to the enactment of the provision.

(c) SUPERMAJORITY WAIVER.—

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

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

(d) EFFECTIVE DATE.—This section takes effect on January 1, 1999.

COVERDELL (AND OTHERS) AMENDMENT NO. 234

Mr. DOMENICI (for Mr. COVERDELL for himself, Mr. TORRICELLI, and Mr. ABRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. _____. SENSE OF THE SENATE REGARDING INCENTIVES FOR SMALL SAVERS.

(a) FINDINGS.—The Senate finds that—

(1) in general, the Federal budget will accumulate nearly $800,000,000,000 in non-Social Security surpluses through 2009;

(2) such a level of surplus affords Congress the opportunity to return a portion to the taxpayers in the form of tax relief;

(3) the Federal tax burden is at its highest level in over 50 years;

(4) personal bankruptcy filings reached a record high in 1998 with $40,000,000,000 in debts discharged;

(5) the personal savings rate is at record lows not seen since the Great Depression;

(6) the personal savings rate was 9 percent of income in 1982;

(7) the personal savings rate was 5.7 percent of income in 1992;

(8) the personal savings rate plummeted to 0.5 percent in 1998;

(9) the personal savings rate could plummet to as low as negative 4.5 percent if current trends do not change;

(10) personal saving is important as a means for the American people to prepare for crisis, such as a job loss, health emergency, or some other personal tragedy, or to prepare for retirement;

(11) President Clinton recently acknowledged the low rate of personal savings as a concern;

(12) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years would move 7,000,000 middle-income taxpayers into the lowest income tax bracket;

(13) excluding the first $500 from interest and dividends income, or $250 for singles, would enable 30,000,000 low- and middle-income taxpayers to save tax-free and would translate into approximately $1,000,000,000,000 in savings;

(14) exempting the first $5,000 in capital gains income from capital gains taxation would mean 10,000,000 low- and middle-income taxpayers would no longer pay capital gains tax;

(15) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000, would mean over 5,000,000 taxpayers will be better equipped for retirement; and

(16) tax relief measures to encourage savings and investments for low- and middle-income savers would mean tax relief for nearly 112,000,000 individual taxpayers by—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this budget resolution and legislation enacted pursuant to this resolution assume that—

(1) Congress will adopt tax relief that provides incentives for savings and investment for low- and middle-income working families that assist in preparing for unexpected emergencies and retirement, such as—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000; and

(2) tax relief as described in this subsection is fully achievable within the parameters set forth under this budget resolution.

CHAFEE AMENDMENTS NOS. 235–237

Mr. DOMENICI (for Mr. CHAFEE) proposed three amendments to the concurrent resolution, S. Con. Res. 20, supra; as follows:

AMENDMENT NO. 235

On page 3, line 10, increase the amount by $3,717,000,000.

On page 3, line 11, increase the amount by $26,559,000,000.

On page 3, line 12, increase the amount by $16,152,000,000.

On page 3, line 13, increase the amount by $24,590,000,000.

On page 3, line 14, increase the amount by $31,319,000,000.

On page 3, line 15, increase the amount by $54,638,000,000.

On page 3, line 16, increase the amount by $67,877,000,000.

On page 3, line 17, increase the amount by $75,346,000,000.

On page 3, line 18, increase the amount by $88,598,000,000.

On page 4, line 5, increase the amount by $3,717,000,000.

On page 4, line 6, increase the amount by $26,559,000,000.

On page 4, line 7, increase the amount by $16,152,000,000.

On page 4, line 8, increase the amount by $24,590,000,000.

On page 4, line 9, increase the amount by $31,319,000,000.

On page 4, line 10, increase the amount by $54,638,000,000.

On page 4, line 11, increase the amount by $67,877,000,000.

On page 4, line 12, increase the amount by $75,346,000,000.

On page 4, line 13, increase the amount by $88,598,000,000.

On page 4, line 18, decrease the amount by $83,000,000.

On page 4, line 19, decrease the amount by $783,000,000.

On page 4, line 20, decrease the amount by $1,946,000,000.

On page 4, line 21, decrease the amount by $3,057,000,000.

On page 4, line 22, decrease the amount by $4,616,000,000.

On page 4, line 23, decrease the amount by $6,699,000,000.

On page 4, line 24, decrease the amount by $10,401,000,000.

On page 4, line 25, decrease the amount by $14,557,000,000.

On page 5, line 1, decrease the amount by $19,436,000,000.

On page 5, line 6, decrease the amount by $83,000,000.

On page 5, line 7, decrease the amount by $783,000,000.

On page 5, line 8, decrease the amount by $1,946,000,000.

On page 5, line 9, decrease the amount by $3,057,000,000.

On page 5, line 10, decrease the amount by $4,616,000,000.

On page 5, line 11, decrease the amount by $6,966,000,000.

On page 5, line 12, decrease the amount by $10,401,000,000.

On page 5, line 13, decrease the amount by $14,557,000,000.

On page 5, line 14, decrease the amount by $19,436,000,000.

On page 5, line 19, increase the amount by $3,800,000,000.

On page 5, line 20, increase the amount by $27,342,000,000.

On page 5, line 21, increase the amount by $18,098,000,000.

On page 5, line 22, increase the amount by $27,647,000,000.

On page 5, line 23, increase the amount by $35,935,000,000.

On page 5, line 24, increase the amount by $61,604,000,000.

On page 5, line 25, increase the amount by $78,278,000,000.

On page 6, line 1, increase the amount by $89,903,000,000.

On page 6, line 2, increase the amount by $108,034,000,000.

On page 6, line 6, decrease the amount by $3,800,000,000.

On page 6, line 7, decrease the amount by $31,142,000,000.

On page 6, line 8, decrease the amount by $49,240,000,000.

On page 6, line 9, decrease the amount by $76,887,000,000.

On page 6, line 10, decrease the amount by $112,822,000,000.

On page 6, line 11, decrease the amount by $174,426,000,000.

On page 6, line 12, decrease the amount by $252,704,000,000.

On page 6, line 13, decrease the amount by $342,607,000,000.

On page 6, line 14, decrease the amount by $450,641,000,000.

On page 6, line 18, decrease the amount by $3,800,000,000.

On page 6, line 19, decrease the amount by $31,142,000,000.

On page 6, line 20, decrease the amount by $49,240,000,000.

On page 6, line 21, decrease the amount by $76,887,000,000.

On page 6, line 22, decrease the amount by $112,822,000,000.

On page 6, line 23, decrease the amount by $174,426,000,000.

On page 6, line 24, decrease the amount by $252,704,000,000.

On page 6, line 25, decrease the amount by $342,607,000,000.

On page 7, line 1, decrease the amount by $450,641,000,000.

On page 37, line 2, decrease the amount by $83,000,000.

On page 37, line 3, decrease the amount by $83,000,000.

On page 37, line 6, decrease the amount by $783,000,000.

On page 37, line 7, decrease the amount by $783,000,000.

On page 37, line 10, decrease the amount by $1,946,000,000.

On page 37, line 11, decrease the amount by $1,946,000,000.

On page 37, line 14, decrease the amount by $3,057,000,000.

On page 37, line 15, decrease the amount by $3,057,000,000.

On page 37, line 18, decrease the amount by $4,616,000,000.

On page 37, line 19, decrease the amount by $4,616,000,000.

On page 37, line 22, decrease the amount by $6,966,000,000.

On page 37, line 23, decrease the amount by $6,966,000,000.

On page 38, line 2, decrease the amount by $10,401,000,000.

On page 38, line 3, decrease the amount by $10,401,000,000.

On page 38, line 6, decrease the amount by $14,557,000,000.

On page 38, line 7, decrease the amount by $14,557,000,000.

On page 38, line 10, decrease the amount by $19,436,000,000.

On page 38, line 11, decrease the amount by $19,436,000,000.

On page 42, line 2, strike the amount and insert ''$71,016,000,000''.

On page 42, line 4, strike the amount and insert ''$388,791,000,000''.

On page 42, line 16, strike the amount and insert ''$71,016,000,000''.

On page 42, line 18, strike the amount and insert ''$388,791,000,000''.

AMENDMENT NO. 236

Strike section 201.

AMENDMENT NO. 237

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON THE IMPORTANCE OF SOCIAL SECURITY FOR INDIVIDUALS WHO BECOME DISABLED.

(a) FINDINGS.—The Senate finds that—

(1) in addition to providing retirement income, Social Security also protects individuals from the loss of income due to disability;

(2) according to the most recent report from the Social Security Board of Trustees nearly 1 in 7 Social Security beneficiaries, 6,000,000 individuals in total, were receiving benefits as a result of disability;

(3) more than 60 percent of workers have no long-term disability insurance protection other than that provided by Social Security;

(4) according to statistics from the Society of Actuaries, the odds of a long-term disability versus death are 2.7 to 1 at age 27, 3.5 to 1 at age 42, and 2.2 to 1 at age 52; and

(5) in 1998, the average monthly benefit for a disabled worker was $722.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that levels in the resolution assume that—

(1) Social Security plays a vital role in providing adequate income for individuals who become disabled;

(2) individuals who become disabled face circumstances much different than those who rely on Social Security for retirement income;

(3) Social Security reform proposals that focus too heavily on retirement income may adversely affect the income protection provided to individuals with disabilities; and

(4) Congress and the President should take these factors into account when considering proposals to reform the Social Security program.

CHAFEE (AND OTHERS) AMENDMENT NO. 238

Mr. DOMENICI (for Mr. CHAFEE for himself, Mr. SMITH of New Hampshire, Mr. LEAHY, Mr. FEINGOLD, Mr. JEFFORDS, Mr. MOYNIHAN, Mr. ROTH, Mr. ALLARD, Ms. COLLINS, and Ms. SNOWE) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 15, line 8, increase the amount by $200,000,000.

On page 15, line 9, increase the amount by $200,000,000.

On page 18, line 15, decrease the amount by $200,000,000.

On page 18, line 16, decrease the amount by $200,000,000.

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING FUNDING FOR THE LAND AND WATER CONSERVATION FUND.

(a) FINDINGS.—The Senate finds that—

(1) amounts in the land and water conservation fund finance the primary Federal program for acquiring land for conservation and recreation and for supporting State and local efforts for conservation and recreation;

(2) Congress has appropriated only $10,000,000,000 out of the more than $21,000,000,000 covered into the fund from revenues payable to the United States under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(3) 38 Senators cosigned 2 letters to the Chairman and Ranking Member of the Committee on the Budget urging that the land and water conservation fund be fully funded.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that Congress should appropriate $200,000,000 for fiscal year 2000 to provide financial assistance to the States under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C 460*l*–8), in addition to such amounts as are made available for Federal land acquisition under that Act for fiscal year 2000.

ASHCROFT AMENDMENT NO. 239

Mr. DOMENICI (for Mr. ASHCROFT) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE SOCIAL SECURITY TRUST FUND SHALL BE MANAGED IN THE BEST INTEREST OF CURRENT AND FUTURE BENEFICIARIES.

It is the sense of the Senate that the Social Security Trust Fund surplus shall be invested in interest-bearing obligations of the United States in a manner consistent with the best interest of, and payment of benefits to, current and future Social Security beneficiaries.

ASHCROFT AMENDMENT NO. 240

Mr. DOMENICI (for Mr. ASHCROFT) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING FEDERAL TAX RELIEF.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Congressional Budget Office has reported that payroll taxes will exceed income taxes for 74 percent of all taxpayers in 1999.

(2) The federal government will collect nearly $50 billion in income taxes this year through its practice of taxing the income Americans sacrifice to the government in the form of social security payroll taxes.

(3) American taxpayers are currently shouldering the heaviest tax burden since 1944.

(4) According to the non-partisan Tax Foundation, the median dual-income family sacrificed a record 37.6 percent of its income to the government in 1997.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that a significant portion of the tax relief will be devoted to working families who are double-taxed by—

(1) providing taxpayers with an above-the-line income tax deduction for the social security payroll taxes they pay so that they no longer pay income taxes on such payroll taxes, and/or

(2) gradually reducing the lowest marginal income tax rate from 15 percent to 10 percent, and/or

(3) other tax reductions that do not reduce the tax revenue devoted to the social security trust fund.

GRASSLEY AMENDMENT NO. 241

Mr. DOMENICI (for Mr. GRASSLEY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SENSE OF THE SENATE REGARDING THE CLOSURE OF HOWARD AIR FORCE BASE AND REPOSITIONING OF ASSETS AND OPERATIONAL CAPABILITIES IN FORWARD OPERATING LOCATIONS.

(A) FINDINGS.—The Senate finds the following—

(1) at noon on the last day of 1999, the Panama Canal and its adjacent lands will revert from U.S. control to that of the government of Panama, as prescribed by the Cater-Torrijos treaties concluded in 1978.

(2) with this act, nearly ninety years of American presence in the Central American isthmus will come to an end.

(3) on September 25, 1998, the United States and Panama announced that talks aimed at establishing a Multinational Counter-narcotics Center (MCC) were ended through mutual agreement. The two countries had been engaged in discussions for two years.

(4) plans to meet the deadline are going forward and the U.S. is withdrawing all forces and proceeding with the return of all military installations to Panamanian control.

(5) Howard Air Force Base is scheduled to return to Panamanian control by May 1, 1999. Howard AFB provides a secure staging for detection, monitoring and intelligence collecting assets on counter-narcotics drug trafficking. Howard Air Force Base was the proposed location for the Multinational Counter-narcotics Center.

(6) AWACS (E–3) aircraft used for counter-drug surveillance is scheduled for relocation from Howard AFB to MacDill AFB in April. The E3's are scheduled to resume this mission in May from MacDill.

(7) USSOUTHCOM and the Department of State have been examining the potential for alternative forward operating locations (FOLs). A potential location would require the operational capacity to house E–3 AWACS KC–135 tankers, Night Hawk F–16s/F–15s, Navy P–3s, U.S. Customs P–3s and Citations, Army Airborne Reconnaissance Low, and Senior Scout C–130s. No agreement has been reached regarding the number of FOLs required, cost of relocating these assets, time to build ensuing facilities, or plans for housing these assets for long-term stays.

(B) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the United States is obligated to protect its citizens from the threats posed by illegal drugs crossing our borders. Interdiction in the transit and arrival zones disrupt the drug flow, increases risk to traffickers, drives them to less efficient routes and methods, and prevents significant amounts of drugs from reaching the United States.

(2) there has been an inordinate delay in identifying and securing appropriate alternate sites.

(3) the Senate must pursue every effort to explore, urge the President to arrange long-term agreements with countries that support reducing the flow of drugs, and fully fund forward operating locations so that we continue our balanced strategy of attacking drug smugglers before their deadly cargos reach our borders.

ASHCROFT (AND OTHERS) AMENDMENT NO. 242

Mr. DOMENICI (for Mr. ASHCROFT for himself, Mr. SESSIONS, Mr. GORTON, Mr. ABRAHAM, Mr. BOND, Mr. GREGG, and Mr. HELMS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 73, after line 10, insert the following:

(c) ADDITIONAL FINDINGS.—Congress makes the following findings:

(1) Children should be the primary beneficiaries of education spending, not bureaucrats.

(2) Parents have the primary responsibility for their children's education. Parents are the first and best educators of their children. Our Nation trusts parents along with teachers and State and local school officials to make the best decisions about the education of our Nation's children.

(3) Congress supports the goal of ensuring that the maximum amount of Federal education dollars are spent directly in the classrooms.

(4) Education initiatives should boost academic achievement for all students. Excellence in American classrooms means having high expectations for all students, teachers, and administrators, and holding schools accountable to the children and parents served by such schools.

(5) Successful schools and school systems are characterized by parental involvement in the education of their children, local control, emphasis on basic academics, emphasis on fundamental skills, and exceptional teachers in the classroom.

(6) Congress rejects a one-size-fits-all approach to education which often creates barriers to innovation and reform initiatives at the local level. America's rural schools face challenges quite different from their urban counterparts. Parents, teachers, and State and local school officials should have the freedom to tailor their education plans and reforms according to the unique educational needs of their children.

(7) The funding levels in this resolution assume that Congress will provide an additional $2,800,000,000 for fiscal year 2000 and an additional $33,000,000,000 for the period beginning with fiscal year 2000 and ending with fiscal year 2005 for elementary and secondary education.

(d) ADDITIONAL SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) increased Federal funding for elementary and secondary education should be directed to States and local school districts; and

(2) decisionmaking authority should be placed in the hands of States, localities, and families to implement innovative solutions to local educational challenges and to increase the performance of all students, unencumbered by unnecessary Federal rules and regulations.

HUTCHISON AMENDMENT NO. 243

Mr. DOMENICI (for Mrs. HUTCHISON) proposed an amendment to the concurrent resolution, S. Con, Res. 20, supra; as follows:

At the appropriate place, insert:

It is the sense of the Senate that a task force be created for the purpose creating a reserve fund for natural disasters. The Task Force should be composed of three Senators appointed by the majority leader, and two Senators appointed by the minority leader. The task force should also be composed of three members appointed by the Speaker of the House, and two members appointed by minority leader in the House.

It is the sense of the Senate that the task force make a report to the appropriate committees in Congress within 90 days of being convened. The report should be available for the purposes of consideration during comprehensive overhaul of budget procedures

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MOYNIHAN AMENDMENT NO. 244

Mr. DOMENICI (for Mr. MOYNIHAN) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 71, strike lines 3 through 7.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled ''Buried Alive: Small Business Consumed by Tax Filing Burdens.'' The hearing will be held on Monday, April 12, 1999, beginning at 1:00 p.m. in room 428A of the Russell Senate Office Building.

The hearing will be broadcast live on the Internet from our homepage address http://www.senate.gov/sbc

For further information, please contact Mark Warren at 224–5175.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Full Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 501, a bill to address resource management issues in Glacier Bay National Park, Alaska; S. 698, a bill to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in Alaska, and for other purposes; S. 711, to allow for the investment of joint Federal and State funds from the civil settlement of damages from the *Exxon Valdez* oil spill, and for other purposes; and two bills I will be introducing today, a bill to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes; and bill to provide for the continuation of higher education through the conveyance of certain lands in the State of Alaska to the University of Alaska, and for other purposes.

The hearing will take place on Thursday, April 15, 1999 at 9:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

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

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 109, a bill to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia; S. 340, a bill to amend the Cache La Poudre River Corridor Act to make technical corrections, and for other purposes; S. 582, a bill to authorize the Secretary of the Interior to enter into an arrangement for the construction and operation of the Gateway Visitor Center at Independence National Historical Park; S. 589, a bill to require the National Park Service to undertake a study of the Loess Hills Area in western Iowa to review options for the protection and interpretation of the area's natural, cultural, and historical resources; S. 591, a bill to authorize a feasibility study for the preservation of the Loess Hills in western Iowa; and H.R. 149, a bill to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

The hearing will take place on Thursday, April 15, 1999 at 2:00 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510—6150.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 441, a bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; S. 548, a bill to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio; S. 581, a bill to protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes; and S. 700, a bill to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail.

The hearing will take place on Thursday, April 22, 1999 at 2:00 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

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

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION AND THE SUBCOMMITTEE ON INTERIOR APPROPRIATIONS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a joint oversight hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources and the Subcommittee on Interior Appropriations of the Appropriations Committee. The purpose of this hearing is to review the report of the Government Accounting Office on the Everglades National Park Restoration Project.

The hearing will take place on Thursday, April 29, 1999 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

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

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

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 25, 1999, to conduct a hearing on ''Bankruptcy Reform: Financial Services Issues.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. 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 Thursday, March 25, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive testimony on the economic impacts of the Kyoto Protocol to the Framework Convention on Climate Change.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 25, 1999 at 10:00 am to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia to meet on Thursday, March 25, 1999, at 10:00 a.m. for a hearing on Multiple Program Coordination in Early Childhood Education.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on Bioterrorism during the session of the Senate on Thursday, March 25, 1999, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered

COMMITTEE ON THE JUDICIARY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an Executive business meeting during the session of the Senate on Thursday, March 25, 1999, at 10:00 a.m. in Room 226 of the Senate Dirksen Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 25, 1999 at 2:00 p.m. to hold a closed hearing on Intelligence matters.

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

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on March 25, 1999 at 2:00 p.m. for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON AVIATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Aviation Subcommittee on the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 25, 1999, at 10:00 a.m. on Air Traffic Control Modernization in Room SR–253 in the Russell Senate Office Building.

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Communications Subcommittee on the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 25, 1999, at 2:00 p.m. on Satellite Reform in Room SR–253 in the Russell Senate Office Building.

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

SUMBOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 25, 1999, to conduct a hearing on ''Challenges Facing the FHA Single Family Insurance Fund.''

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION/ MERCHANT MARINE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the surface Transportation/Merchant Marine Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 25, 1999, at 10:00 A.M. on grade crossing safety in room SD–106.

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

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Youth Violence, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Thursday, March 25, 1999 at 2:00 P.M. to hold a hearing in room 226, of the Senate Dirksen Office Building on: ''The President's FY2000 OJP Budget: Undercutting Local Law Enforcement in the 21st Century.''

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

ADDITIONAL STATEMENTS

DISASTER MITIGATION PILOT PROGRAM

• Mr. BOND. Mr. President, for the second time in less than a year, the Senate is considering legislation to establish a pilot disaster mitigation loan program at the Small Business Administration (SBA). Last year, the Committee on Small Business voted unanimously to include a proposal to establish a disaster mitigation pilot program introduced by my colleague from

Georgia, Senator CLELAND, as an amendment to H.R. 3412, the ''Year 2000 Readiness and Small Business Programs Restructuring and Reform Act of 1998.'' H.R. 3412 passed the Senate on September 30, 1998; however, the House of Representatives was not able to consider the bill before Congress adjourned last fall.

As the Chairman of Appropriations Subcommittee on VA, HUD and Independent Agencies, I have been concerned about our Nation's disaster relief program. I have worked at length with FEMA Director Witt and other Administration officials over the past several years to address the escalating costs of disaster relief and the need to tighten up this program. Since 1989, we have spent $25 billion on FEMA disaster relief, and there remains more than $2.6 billion in anticipated costs associated with open disasters. Much work needs to be accomplished to tighten the criteria for declaring disasters and eligibility for disaster relief funding, as well as stronger insurance requirements, so that we can bring these ever-escalating costs under control.

One way to mitigate against future disaster losses is to undertake preventive measures. Preventive measures to mitigate against future disaster losses, rather than the current strategy of response and recovery, could save as much as 50 percent of projected disaster relief loan costs.

S. 388 would create the Disaster Mitigation Pilot Program, which will permit SBA to establish a pilot program using up to $15 million of disaster loans annually from FY 2000–2004 to provide small businesses located in disaster prone areas with low interest, long-term disaster loans to finance preventive measures to mitigate against future disaster losses. The pilot program would operate in disaster prone areas designated by the Federal Emergency Management Agency (FEMA). FEMA has launched ''Project Impact,'' which emphasizes emergency preparedness, in response to the problem of increased costs and personal devastation caused by repeated natural disasters. I continue to have concerns about the criteria under Project Impact and urge FEMA to work to strengthen the criteria. I expect that SBA will develop the appropriate criteria for this new loan program that is consistent with FEMA's efforts to make improvements in this area. In the end, I do not believe we should have a proliferation of independent mitigation programs housed in numerous Federal agencies, and we should be working to develop a cohesive national strategy to deliver disaster relief assistance.

Under current law, SBA disaster loans may be used for mitigation purposes only to the extent that includes repairing or replacing existing protective devices that are destroyed or damaged in an area that has recently suffered a natural disaster. In addition, up to 20 percent of the disaster loan amount may be used to install new mitigation devices that will prevent future damage. Under S. 388, the Disaster Mitigation Pilot Program, a small business borrower would be allowed to use 100 percent of an SBA disaster loan for disaster mitigation purposes within an area designated by FEMA.

Mr. President, S. 388, the Disaster Mitigation Pilot Program, makes sense. It is a worthy program that needs to be tested, and I urge my colleagues to vote in favor of this bill.●

OPEN-MARKET REORGANIZATION FOR THE BETTERMENT OF INTERNATIONAL TELECOMMUNICATIONS ACT

● Mr. ROCKEFELLER. Mr. President, I rise to comment on the issue of international satellite reform. First I want to thank Senator BURNS for holding this important hearing. International satellite reform is critical to consumers across the United States.

Yesterday I agreed to become a cosponsor of this bill—along with Senators BURNS, MCCAIN, BRYAN, BROWNBACK, CLELAND, FRIST and DORGAN. I support Senator BURNS' bill because I believe that it is in the consumer interest to have a private INTELSAT. Such a competitive entity will lead to lower prices, better service, and more efficiency across the globe.

Additionally, removing ownership restrictions on COMSAT will help to bring new services to American consumers. I believe that broadband satellite services will play a very important role in West Virginia's future, and this bill will lead to further deployment of these services by lifting the ownership restriction on COMSAT. I am excited by the possibility of a new competitor in domestic satellite services, and the resulting advances in these satellite services. Our mountainous terrain and the high cost of providing traditional telecommunications services make satellite services particularly important to West Virginia.

Furthermore, INTELSAT has a history of serving all parts of the world at reasonable prices. We have an interest in making sure that developing nations are part of the global information infrastructure. I will work to make sure that this bill will allow a privatized INTELSAT to continue to serve these areas at reasonable prices.

I must state, however, that while I support this bill, we are still in the middle of the legislative process. I am eager to continue working with Senators HOLLINGS, BREAUX, and other Senators who are working on important ideas with great promise. I want to stress that while I agree that this bill is the right platform for international satellite reform, I intend to keep working hard on this issue.●

NATIONAL INHALANTS AND POISONS AWARENESS WEEK

● Mr. GRAMS. Mr. President, I rise today to express my support for increasing public awareness about the dangers of inhalant abuse. I am proud to be a cosponsor of S. Res. 47, recently passed by the Senate, which designates this week as ''National Inhalants and Poisons Awareness Week.''

Our nation's drug control policy correctly places emphasis upon finding solutions for combating the illegal sale, manufacture and trafficking of well-known abused substances such as cocaine and methamphetamine. However, I believe Congress and the President should do more to focus attention on an emerging but equally dangerous threat—inhalant abuse.

As my colleagues may know, inhalant abuse is the intentional breathing of gas or vapors for the purpose of reaching a high. Most people are familiar with common household products such as furniture polish, paint thinner, glue, felt tip markers, and deodorants. However, many families are not aware of how misuse of these inhalants by children can result in sickness or death.

Far too often, these inhalants have caused heart, brain, and liver damage in thousands of children across the country. Sadly, many children have died as a result of inhalant abuse, a condition known as Sudden Sniffing Death Syndrome. In 1990, four young people in my home state of Minnesota died in separate incidents after experimenting with inhalants. Continued misuse of these products may also lead to additional illicit drug use.

Additionally, the National Institute on Drug Abuse reported in 1996 that one in five American teenagers have used inhalants to get high. Over the last few years, our nation has witnessed an increase in new inhalant abusers from 382,000 in 1991 to an estimated 805,000 in 1996. In my view, these troubling trends can be reversed by educating the public about the dangers of this abuse and encouraging communities to develop effective treatment and prevention programs.

In my view, greater awareness of inhalant abuse can best be achieved through passage of S. 609, legislation introduced by Senator FRANK MURKOWSKI that would amend the Safe and Drug Free Schools and Communities Act of 1994 to include inhalant abuse among the Act's definition of ''substance abuse.'' Passage of this bill will give Minnesota and other states the opportunity to develop federally-funded inhalant abuse prevention and education programs. Importantly, these programs will be based on the active involvement of parents, teachers and

local communities. I am proud to be a cosponsor of this legislation which is an important element of our war on drugs.

Mr. President, the federal government should not regulate the sale of these legal and inexpensive products which are found in almost every household. Instead, communities, parents and teachers should be encouraged to develop local solutions to this problem. A united effort toward this epidemic will help the United States make significant progress in our fight against drug abuse.●

SPRINGTIME

● Mrs. BOXER. Mr. President, I rise to salute the Springtime and the birth of Caroline Byrd Fatemi, great-granddaughter of the distinguished Senator from West Virginia.

Last week, Senator BYRD took the floor to bring us glad tidings of spring and of Caroline's birth. Today, before we fly to the four corners of America, I would like to salute our beloved colleague and his progeny.

Time and again, Senator BYRD has graced this chamber with the lessons of history and the sweet music of poetry. Last week he ushered in Springtime with a stanza from Algernon Charles Swinburne. Let me quote the same poet to welcome Caroline to the world:

Where shall we find her, how shall we sing to her,
Fold our hands round her knees, and cling?
O that man's heart were as fire and could spring to her,
Fire, or the strength of the streams that spring!

For the stars and the winds are unto her
As raiment, as songs of the harp-player;
For the risen stars and the fallen cling to her,
And the south-west wind and the west-wind sing.

For winter's rains and ruins are over,
And all the season of snows and sins;
The days dividing lover and lover,
The light that loses, the night that wins;
And time remember'd is grief forgotten,
And frosts are slain and flowers begotten,
And in green underwood and cover
Blossom by blossom the Spring begins.

Mr. President, the link between the elder BYRD and the younger symbolizes for me what our job here is all about: Looking forward every day, every month, every year to the eternal Spring that is America—and keeping faith with every generation of American.

Whether we are working to improve education or save Social Security, we who are privileged to serve in the United States Senate can, by our actions, strengthen the bonds that unite our nation from generation to generation.

As we strive to make the world a better place for Caroline and every child of her generation, let us follow the advice in Laurence Binyon's poem ''O World, be Nobler''—

O World, be nobler, for her sake!
If she but knew thee what thou art,
What wrongs are borne, what deeds are done
In thee, beneath thy daily sun,
Know'st thou not that her tender heart
For pain and very shame would break?
O world, be nobler, for her sake!●

''BEST GRADUATE SCHOOLS'' IN THE NATION

● Mr. FRIST. Mr. President, when East Tennessee State University opened its doors in 1911, it had 29 students and one primary mission: the education of future teachers. A lot has changed in 85 years.

While teacher preparation is still a crucial part of its mission, ETSU today consists of nine schools and colleges that offer over 125 different programs of study to more than 12,000 students every year—including some fairly unique offerings such as its one-of-a-kind master's degree in reading and storytelling, and the only bluegrass and country music program offered at a four-year institution.

Over the last two decades, there has been an increasing emphasis on the health sciences at ETSU—an emphasis that began in 1974 with the establishment of the James H. Quillen College of Medicine which was created to help alleviate a critical shortage of primary care physicians in East Tennessee.

Mr. President, this year the Quillen College of Medicine celebrates its 25th anniversary. But that proud accomplishment, although noteworthy, is not the basis for my remarks this morning. Rather, I rise to commend its recent listing in U.S. News and World Report as one of the ''Best Graduate Schools'' in the Nation—a ranking well-deserved and well-earned.

According to the magazine, Quillen College earned the distinction of placing third among all the schools in the Nation for its programs in rural medicine. Last year, it placed sixth in the same category.

I also rise, Mr. President, to commend the ETSU College of Nursing—which was also ranked among the Nation's best. And, like Quillen College, this is also the second year in a row it was so honored.

Both these schools, Mr. President, embrace the values of the people of Tennessee. Both are community oriented, both provide a valuable resource to local citizens and businesses, and both are making valuable and needed contributions to the practice and the quality of medicine.

My heartiest congratulations to the entire staff, faculty, students and alumni of both East Tennessee State University School of Nursing and the James H. Quillen College of Medicine for their splendid accomplishment.●

ANNIVERSARY OF GREEK INDEPENDENCE

● Mr. REED. Mr. President, today we celebrate the 178th Anniversary of the revolution that won Greece's independence from the Ottoman Empire. I am proud to join with forty-nine of my colleagues in sponsoring Senate Resolution 20 which designates today ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

The Greeks have been members of the community in Rhode Island for over one hundred years. Over 6,000 residents of the state claimed Greek heritage in the last Census. When the Greeks first came to the New England, they worked in factories and on the waterfront. The descendants of these first immigrants continue to prosper and enrich the Northeast and the rest of the country through their contributions to banking, medicine, the tourism industry, and the arts.

Edith Hamilton praised Greeks in this quote, ''to rejoice in life, to find the world beautiful and delightful to live in, was a mark of the Greek spirit which distinguished it from all that had gone before. It is a vital distinction.''

I have been grateful for this spirit, energy, and support in the Rhode Island Greek community, and, for a very long time, I wished to visit Greece and Cyprus. This summer, I finally had that opportunity. On my trip, I had the pleasure of meeting Ambassador Burns and the U.S. Ambassador to Cyprus, Kenneth Brill. I also met and had candid conversations with Greece's Minister of Foreign Affairs and the Greek Defense Minister. In addition, I had the chance to tour the Green Line in Cyprus and speak with Dame Ann Hercus, the newly appointed Chief of the United Nations mission and General De Vagera, the force commander.

During my visit, I was impressed by the beauty of these countries and the hospitality of the people of Cyprus and Greece. However, I was also overwhelmed by the consequences of Turkey's 1974 invasion of Cyprus. The division of the island saps the economic vitality of a region rich in resources. The inability to move goods, people, or services between the two parts of the island stymies growth.

We must continue to work to resolve the Cyprus problem and reduce the tensions that exist between Greece and Turkey. When I was a member of the House of Representatives, I cosponsored numerous legislative initiatives to this end, and I will continue to advocate for such solutions as a Senator.

For today, let us celebrate the anniversary of Greek Independence, the richness of the Greek heritage and legacy of democracy that country gave to the world.●

TRIBUTE TO CONTOOCOOK VALLEY REGIONAL HIGH SCHOOL

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Contoocook Valley Regional High School for winning the regional competition of the Second Annual Ocean Sciences Bowl. I commend them for their accomplishment.

The regional competition included teams from fifteen other schools in New Hampshire, Vermont and Maine. Their final match, which was held at the University of New Hampshire, was played against high school students from Bridgeton Maine. It was a close call and Contoocook Valley won by the narrow margin of two points!

Contoocook Valley's team consists of five students. The team members are Amber Carter, Megan Cahill, Sonja Fritz, Cissy Courtemanche, and Emily Dark. Jon Manley, science teacher at the Contoocook Valley, is the coach for the team.

The students train very hard every year for this competition. This is the second year in a row that Contoocook Valley Regional High School has won this competition. They will soon be traveling to Washington, D.C. to compete in the nationals.

As a former high school teacher, I appreciate the hard work the students and the coach have dedicated to this team effort. I look forward to their visit to Washington and wish them the best of luck. It is an honor to represent them in the United States Senate.•

RECOGNITION OF THE WAYNE COUNTY MEDICAL SOCIETY

• Mr. LEVIN. Mr. President, I rise today to pay tribute to the Wayne County Medical Society, which is celebrating its sesquicentennial anniversary on April 14, 1999. The Wayne County Medical Society has been an important part of the Metro Detroit community for the past 150 years.

The Wayne County Medical Society was formed in 1849 with 50 physicians, who committed themselves to providing the best quality medical care to the people of Wayne County. The Society has been engaged in many important public health campaigns throughout its history. One of the most notable examples was the Society's massive polio immunization drive of 1964, led by Dr. Francis P. Rhoades, which virtually eliminated the disease from the City of Detroit.

Today, the 4,200 members of the Wayne County Medical Society work together to provide free health care services for people in need. The Society maintains a free medical and dental clinic in Detroit, where needy children receive physical exams, health education and dental treatment. The Society also sponsors an annual Christmas party for children in foster care. In 1998, the Wayne County Medical Society held a conference for more than 500 Detroit Public School children on the subject of teen pregnancy. In addition to its public service endeavors, the Society encourages excellence in health care by offering Continuing Medical Education credits to its members and by joining with the Michigan State Medical Society and the American Medical Association to promote issues of importance to the medical community at large.

Mr. President, the Wayne County Medical Society has been a valued member of the Metro Detroit community since 1849. I invite my colleagues to join me in thanking the members of the Society for their commitment, and in wishing them continued success as they address the health needs of the 21st century.•

SUBMISS: PART III

• Mr. MOYNIHAN. Mr. President, today I wish to have printed in the RECORD the final portion of Mark A. Bradley's award winning article on the disappearance of the U.S.S. *Scorpion*. I have had the previous two parts of this article printed in the last two RECORDS. I would like to applaud Mr. Bradley once more for his outstanding achievements, and thank him for serving as a loyal and valued member of my staff.

The material follows:

SUBMISS: THE MYSTERIOUS DEATH OF THE U.S.S. ''SCORPION'' (SSN 589), PART III

(By Mark A. Bradley)

Such dire predictions prompted Admiral David McDonald, then Chief of Naval Operations, to follow Admiral Schade's request and approve the development and testing of the experimental ''Planned or Reduced Availability'' overhaul concept in the submarine fleet. In a June 17, 1966, message to the commanders of both the Navy's Atlantic and Pacific fleets, he wrote that in response to ''concerns about [the] percent [of] SSN off-line time due to length of shipyard overhauls, [I have] requested NAVSHIPS develop [a] program to test 'Planned Availability' concept with U.S.S. *Scorpion* (SSN 589) and U.S.S. *Tinosa* (SSN 606). On July 20, 1966, he officially approved the *Scorpion's* participation in this program which aimed at providing the service's submarines with shorter and cheaper but more frequent overhauls between missions. An undated and unsigned confidential memorandum entitled ''Submarine Safety Program Status Report'' summarizes what lay behind the creation of this new concept: ''The deferral of SUBSAFE certification work during certain submarine overhauls was necessitated by the need to reduce submarine off-line time by minimizing the time spent in overhaul and to achieve a more timely delivery of submarines under construction by making more of the industrial capacity available to new construction.''

Admiral Moorer, who succeeded Admiral McDonald as CNO, expanded upon what he hoped this new plan would accomplish in a September 6, 1967, letter to Congressman William Bates. In that letter, he stated that ''it is the policy of the Navy to provide submarines that have been delivered without certification with safety certification modifications during regular overhauls. However, urgent operational commitments sometimes dictate that some items of the full safety certification package be deferred until a subsequent overhaul in order to reduce the time spent in overhaul, thus shortening off-line time and increasing operational availability. In these cases, a minimum package of submarine safety work items is authorized which provides enhanced safety but results in certification for unrestricted operations to a depth shallower than the designed test depth.'' According to an April 5, 1968 confidential memorandum, the Navy did not expect the *Scorpion* to be fully certified under SUBSAFE until 1974, six years after she was lost.

On February 1, 1967, the *Scorpion* entered the Norfolk yard and began her ''Reduced Availability'' overhaul. By the time she sailed out on October 6, she had received the cheapest submarine overhaul in United States Navy history. Originally scheduled for more extensive reconditioning, the *Scorpion* was further hurt by manpower and material shortages in the yard because of the overhaul of the U.S.S. *Skate* (SSN 578), Norfolk's first of a nuclear submarine. This retrofit had gobbled up both workmen and resources at an unprecedented rate. This meant that a submarine tender—a maintenance ship—and the *Scorpion's* own crew had to perform most of the work normally done by yard workers. She received little more than the emergency repairs required to get her back to sea and the refueling of her reactor. Out of the $3.2 million spent on her during these eight months, $2.3 million went into refueling and altering her nuclear reactor. A standard submarine overhaul of this era lasted almost two years and cost over $20 million.

When the *Scorpion* left Norfolk on February 15, 1968, on her Mediterranean deployment she was a last minute replacement for the U.S.S. *Sea Wolf* (SSN 575), which had collided with another vessel in Boston Harbor. During her last deployment, the *Scorpion* had 109 work orders still unfilled—one was for a new trash disposal unit latch—and she still lacked a working emergency blow system and decentralized emergency sea water shutoff valves. She also suffered from chronic problems in her hydraulics. This system operated both her stern and sail planes, winglike structures that controlled her movement. This problem came to the forefront in early and mid-November 1967 during the *Scorpion* test voyage to Puerto Rico and the U.S. Virgin Islands as she began violently to corkscrew in the water. Although she was put back in dry dock, this problem remained unsolved. On February 16, 1968, she lost over 1,500 gallons of oil from her conning tower as she sailed out of Hampton Roads toward the Mediterranean. By that time, she was called ''U.S.S. Scrapiron'' by many of her crew.

On May 23, 1993, the Houston Chronicle published an article that highlighted these mechanical problems. The article quoted from letters mailed home from doomed crew members who complained about these deficiencies. In one of these, Machinist's Mate Second Class David Burton Stone wrote that the crew had repaired, replaced or jury-rigged every piece of the *Scorpion* equipment. Commander Slattery also was worried about her mechanical reliability. On March 23, 1968, he drafted an emergency request for repairs that warned, among other things, that ''the hull was in a very poor state of preservation''—the *Scorpion* had been forced to undergo an emergency drydocking in New London

immediately after her reduced overhaul because of this—and bluntly stated that ''[d]elay of the work an additional year could seriously jeopardize the *Scorpion* material readiness.'' He was particularly concerned about a series of leaking valves that caused the *Scorpion* to be restricted to an operating depth of just 300 feet, 200 less than SUBSAFE restrictions and 400 less than her pre-*Thresher* standards.

This portrait is sharply at odds with the one the Navy painted after the *Scorpion* was lost. From the outset, the service claimed the submarine was in excellent mechanical condition. At his first press conference on May 27, 1968, Admiral Moorer told the gathered newsmen that the *Scorpion* had not reported any mechanical problems and that she was not headed home for any repairs. This was followed by other Navy statements that claimed the *Scorpion* suffered only from a minor hydraulic leak and scarred linoleum on her deck before her Mediterranean deployment. On May 29, however, then Secretary of Defense Clark Clifford pointedly asked the Navy's high command for information about the *Scorpion's* participation in SUBSAFE, her overhaul status in general and any known mechanical deficiencies.

The Court of Inquiry did not ignore these questions and asked several of its witnesses what they knew about the *Scorpion's* mechanical condition and her maintenance history. Vice Admiral Schade told the Court that her overall condition was above average and that her problems were normal reoccurring maintenance items. He added that the *Scorpion* suffered from no known material problems that affected her ability to operate effectively. Schade's testimony was supported by Captain C.N. Mitchell, the Deputy Chief of Staff for Logistics and Management and a member of the Vice Admiral's staff. Mitchell testified about the *Scorpion's* Reduced Availability overhaul and stated that she was in ''good material condition.''

Captain Jared E. Clarke, III, the commander of Submarine Squadron 6, also told the Court the *Scorpion* was sound and ''combat ready.'' In his testimony he said, ''I know of nothing about her material condition upon her departure for the Mediterranean that in any way represented an unsafe condition.'' When asked about the *Scorpion's* lack of an operable emergency blow system, Clarke replied that this was not a concern because her other blow systems were more than adequate to meet the depth restrictions she was operating under.

Admiral Austin also summoned the two surviving crew members the *Scorpion* had offloaded for medical and family reasons on the night of May 16, 1968. When asked about any material problems, crewman Joseph W. Underwood told the Court that he knew of no deficiencies other than ''a couple of hydraulic problems.'' Similarly, crewman Bill G. Elrod testified the submarine was operating smoothly with high morale. When asked to speculate on what did happen, Elrod could not. After hearing all this testimony, the Court determined that the *Scorpion's* loss had nothing to do with her lack of a full SUBSAFE package and that both here ability to overcome flooding and her material condition were ''excellent.'' Although at least one of the dead crewmen's families sent their son's letters spelling out the *Scorpion's* poor state of repair to the Navy, there is no evidence the Court ever received or considered them.

Whatever the truth, the *Scorpion's* loss triggered neither the klieg lights of the national media nor the congressional investigations that followed the *Thresher's* demise. Lost somewhere in the murky twilight among the North Koreans' seizure of the U.S.S. *Pueblo* and the Tet offensive that January and the assassinations of Martin Luther King that April and Robert Kennedy that June, the *Scorpion's* death failed to arouse much interest in a nation whose streets were on fire and whose very fiber was being ripped apart by an increasingly unpopular and bloody war in Vietnam. With phrases like ''body count'' and acronyms like ''MIA'' and ''KIA'' becoming part of the national vernacular, the loss of one nuclear submarine and her crew of 99 men hardly made a ripple.

The Navy added to the country's amnesia by conducting its inquiries under a cloak of extraordinary secrecy. Even now, much about the *Scorpion's* fate remains highly classified and beyond the public's reach, and the crew's 64 widows and over 100 children know little more today about what happened to their husbands and fathers than they did 30 years ago. This gap between what is known and what is not has spawned many conspiracy theories. The most popular is that the Soviets finished the *Scorpion* in an underwater dogfight.

This theory had some credibility after the Federal Bureau of Investigation arrested master spy John Walker on May 20, 1985. Walker, a U.S. Navy warrant officer and the leader of a Soviet-sponsored spy right for almost 20 years, did enormous damage to America's security by giving his KGB masters many of the Navy's most closely guarded secrets. On May 20, 1968, he was working as a watch officer in the Navy's closely guarded submarine message center in Norfolk. Although there is evidence to believe that Walker gave the Soviets intelligence about the Atlantic Submarine Force, particularly about its coded communications, there is nothing to suggest that he played any direct in the *Scorpion's* demise.

He appears to have played a much more important role when he passed on to his Russian handlers much of the top secret traffic that came through the message center immediately after the submarine was reported lost. This highly classified information included how the Navy conducted its search, what the U.S. intelligence community knew about the Soviet vessels operating off the Canary Islands, what part SOSUS had played in detecting the disaster and what the service's main theories were for the *Scorpion's* loss. While it is tempting to blame the Soviets and Walker for this disaster, the probable truth is far different but no less disturbing.

Although the theory of a weapons accident on board the *Scorpion* has officially never been discounted, the physical evidence does not seem to support it. None of the thousands of photographs taken of the wreckage show any torpedo damage nor does the *Scorpion's* approximately 3,000 feet by 1,800 feet debris field contain any items from her torpedo room as would be expected if that area had suffered a major explosion. All the debris is from her operations center, the locus of her galley and above her huge battery.

The more likely cause of the *Scorpion's* death lies in the Navy's failure to absorb the lessons learned from the *Thresher*. Hyman Rickover, the father of the Navy's nuclear program, warned after that disaster that another would occur if the service did not correct the inadequate design, poor fabrication methods and inadequate inspections that caused it. Through SUBSAFE, the Navy instituted a program to correct these and maintain and build a nuclear submarine fleet that was both safe and effective. Unfortunately, the strains of competing with the Soviets in the Cold War while fighting an actual one in Vietnam derailed this concept and forced the service to look for ways to decrease the off-line time of the submarines it already had while freeing its already choked yards to build more.

The Reduced Availability concept arose from these pressures and allowed the Navy to defer what the *Thresher* taught could not be delayed. Through an accident of timing, the *Scorpion* was the first nuclear submarine chosen for this program. She was selected because her next regulatory scheduled overhaul was predicted to set a record in duration, and the Navy's high command believed that the work she received during her 1963–1964 reconditioning in Charleston provided enough of a safety margin to see her through until her next overhauls. She also was chosen because her 1967 overhaul came due during a time when the service was feeling enormous pressure to compete with the Soviets and reduce the amount of time its submarines and yards were tied up with safety retrofits.

Rushed to the Mediterranean after the cheapest overhaul in U.S. nuclear submarine history and lacking full SUBSAFE certification, the *Scorpion's* mechanical condition and safety capabilities were far from what the Navy advertised. A trash disposal unit flood could have set into train a deadly chain of events that triggered a succession of material and systemic failures in an already weakened submarine that left her unable to recover. Although the Court doubted that a hydrogen gas explosion from the *Scorpion's* battery could have generated enough force to rupture her hull, it did not consider its exploding after being swamped with cold sea water from uncontrollable flooding and filling her with deadly chlorine gas.

Even under the best of circumstances, the submarine force was a dangerous place to serve in the 1960s. Its sailors and officers often were engaged in extremely hazardous missions in warships that were like no others that had come before them. With far greater speeds, diving capabilities and complex operating systems, nuclear submarines required far greater care in their construction and maintenance than their diesel predecessors. This was the key lesson from the *Thresher* and it may well have taken the loss of the *Scorpion* finally to hammer home this point to the Navy's high command.

After this tragedy, the Navy quietly dropped the Reduced Availability concept. In a May 21, 1995, article published by the Houston Chronicle, the Naval Sea Systems Command stated that it had no record of any such maintenance program. The reason for this may lie in a March 25, 1966, confidential memorandum from the Submarine Force: [The] ''success of this 'major-minor' overhaul concept depends essentially on the results of our first case at hand: *Scorpion*.'' Although the cause of her death is still officially listed as unknown, the United States has never lost another nuclear submarine.

A NOTE ON SOURCES

In the 30 years since the *Scorpion's* loss, not one book has been written on her. The only newspaper articles written about her are eight by Ed Offley for the Virginian-Pilot & Ledger-Star and the Seattle Post-Intelligencer and four written by Stephen Johnson for the Houston Chronicle. The most important primary sources are the U.S. Navy Court of Inquiry Record of Proceedings and the Supplementary Record of Proceedings. In addition, the Naval Historical Center has

over 11 boxes of *Scorpion* material currently available to researchers and expects to have more as already declassified material is cataloged. These boxes include the sanitized testimony of many of the witnesses who appeared before the two courts of inquiry. Although the Chief of Naval Operations currently is considering releasing more of the Navy's *Scorpion* material, much still remains beyond the reach of researchers and the Freedom of Information Act. On December 19, 1997, the Navy denied my attempt to get copies of the first Court of Inquiry's Annex. Those documents still retain their top secret rating and are withheld because ''of information that is classified in the interest of national defense and foreign policy.''

The most useful books for this article have been the following:

On submarines, Modern Submarine Warfare by David Miller and John Jordan, New York: Military Press (1987); Jane's Pocket Book of Submarine Development, ed. By John Moore, New York: MacMillan (1976); The American Submarine by Norman Polmar, Annapolis: The Nautical & Aviation Publishing Co., (1981); and Nuclear Navy 1946–1962 by Richard Hewlett and Francis Duncan, Chicago: The University of Chicago Press (1974).

On intelligence matters, Jeffrey Richelson, The U.S. Intelligence Community, Cambridge: Ballenger Publishing Company (1989) and Pete Early, Family of Spies, New York: Bantam Books (1988).

Stephen Johnson, a reporter for the Houston Chronicle, was the first to concentrate on the *Scorpion's* maintenance and overhaul history and was very generous with both his time and research. Vice Admiral Robert F. Fountain (Ret), a former executive officer on the *Scorpion*, very kindly consented to an interview as did Rear Admiral Hank McKinney (Ret), the former commander of the U.S. Navy's Pacific Submarine Force.

In May 1998, the Chief of Naval Operations declassified a 1970 study undertaken by a specially appointed Structural Analysis Group that pointed to a battery casualty as the most likely cause for the *Scorpion's* loss.●

SENATOR KENNEDY AND THE AMERICAN IRELAND FUND AWARD

● Mr. LEAHY. Mr. President, on March 16, the American Ireland Fund hosted a dinner to honor Senator EDWARD KENNEDY and his longstanding efforts to promote peaceful and constructive change throughout Ireland. The individuals that gathered together that night—Taoiseach Bertie Ahearn, Nobel Prize Winners John Hume and David Trimble, Sinn Fein Leader Gerry Adams, Secretary of State for Northern Ireland Mo Mowlan, among many others—are the best indication of the significant progress that has been made to replace violence and mistrust with cooperation and dialogue. It is also an indication of the Irish community's high esteem for Senator KENNEDY and his key role in bringing the parties to the negotiating table. While differences still impede full implementation of the Good Friday Agreement, pride in Ireland's past and present, and a strong commitment to a peaceful and prosperous future was the common bond that united all of those in attendance on the eve of Saint Patrick's Day.

Mr. President, Senator CHRISTOPHER DODD was among those who introduced Senator KENNEDY that night, and I ask that Senator DODD's insightful remarks from the evening be printed in the RECORD.

The remarks follow:

Members of the clergy, leaders of Ireland—both north and south—with a particularly warm welcome to the Taoiseach, Bertie Ahern, my colleagues from Congress, members of the diplomatic corps, members of the Kennedy family—Eunice Kennedy Shriver, Ethel Kennedy, my colleague in the House of Representatives, Patrick Kennedy, and a special welcome to the former American Ambassador, Jean Kennedy Smith, and a warm welcome to the light of our honoree's eyes, Vicki Kennedy; distinguished guests and friends, and, while he is not with us this evening, a particularly warm greeting to the President of the United States, William Jefferson Clinton; and, last but not least, our honoree, the recipient of the National Leadership Award, my colleague and best friend in the Senate, Ted Kennedy.

At the outset, I want to commend the American Ireland Fund for the marvelous work it has done on behalf of the people of Ireland;

Secondly, I want to pay a special tribute to the two most recent recipients of the Nobel Peace Prize who are with us this evening and ask you to join me in expressing our admiration for the work that these two men have done for peace in Northern Ireland and will continue to do—John Hume and David Trimble.

As we gather here tonight on the Eve of Saint Patrick's Day to honor Ted Kennedy with the International Leadership Award, I want to begin by recalling the ancient Kennedy/Fitzgerald Gaelic Prayer:

For you who are with us, may God turn your fortunes bright;
For you who are against us, may God turn your hearts toward us;
And if God cannot turn your hearts, may He at least turn your ankles,
So we may know you by your limp!

I have the unique pleasure of presenting to you tonight a man with whom I have served in the United States Senate for nearly twenty years.

Most of you know the classic story of success in American politics:

Born of a poor and obscure family; deprived of all but the barest necessities; forced to quit school to support the family and finally overcoming all odds working his way through college by waiting tables in the cafeteria.

You know that story. So does Ted Kennedy. But he never let it get in the way. He knew there was another way to do things. And somehow even though he did none of those things, he got elected to the Senate in 1962 when the previous Senator changed his address. And for these past 37 years what a record he has compiled.

He was a friend of Ireland when friends of Ireland were few. In fact, he—and his family—have presided so long and so firmly at the confluence of Ireland and America that a writer in the Irish Times recently observed that it was sometimes difficult to tell whether Senator Kennedy's distinguished sister was the United States' Ambassador to Ireland or Ireland's Ambassador to the United States.

There is a reason for this, and it's quite simple. Throughout the adult lives of most people in this room, Ted Kennedy has worked unremittingly, day in and day out, to better the lot of the least fortunate of our fellow men and women. Ted Kennedy's efforts regularly reach across the borders of nation, race and religion.

It was only natural, then, that the conflict and injustice in Northern Ireland would make a claim on Senator Kennedy's conscience. His unceasing interest in achieving peace in Northern Ireland was, and is, the one constant over the many ups and downs on the still fragile road to resolving that conflict.

Ted Kennedy's efforts to find the path to peace have not been limited by the category of nationality. He labors not only as a distinguished representative of the United States, and a loyal son of Ireland, but as an ambassador from what the Irish poet Seamus Heaney refers to as ''the Republic of Conscience.''

''The Republic of Conscience'', according to Heaney's poem of that name, is a quiet place, and one where you might meet some of your ancestors. According to Heaney's narrator:

When I landed in the Republic of Conscience;
It was so noiseless when the engines stopped;
I could hear a curlew high above the runway.
At Immigration, the clerk was an old man;
Who produced a wallet from his homespun coat;
And showed me a photograph of my grandfather.

When Heaney's narrator was leaving the republic, that old man told him what all of us here tonight would tell Senator Kennedy, namely that he is a ''dual citizen'' and, therefore, on permanent assignment. Heaney's narrator put it this way: The Republic of Conscience

. . . Desired me when I got home;
To consider myself a representative;
And to speak on their behalf in my own tongue.
Their embassies, he said, were everywhere;
But operated independently;
And no Ambassador would ever be relieved.

Teddy, you will never be relieved of your portfolio to speak on behalf of the ''Republic of Conscience'' for the rights of those least able to speak for themselves, and to continue your splendid work in furthering peace and reconciliation in Ireland and in the United States.

Reflecting on the way you have led so many of your colleagues over so many years—many of whom are here tonight—down the tortured path that must inevitably lead to peace, I am reminded of the figure of the great Irish poet, William Butler Yeats, standing amidst the portraits of his contemporaries in the Dublin Municipal Gallery of Art, and urging history to judge him not on this or that isolated deed but to:

Think where man's glory most begins and ends;
And say my glory was I had such friends.

I know that all of us here tonight are proud to say that it is our glory to have you, Teddy, as our friend, and unstinting friend of the United States, an unwavering friend of Ireland, and an Ambassador from the ''Republic of Conscience'' who will never be relieved.●

SUPPORT FOR U.S. TROOPS IN KOSOVO

● Mr. JOHNSON. Mr. President, yesterday, American men and women joined their military counterparts from 18

NATO countries in attacking the forces of Slobodan Milosevic in Yugoslavia. I had hoped that recent diplomatic efforts by the United States and others would have led instead to a peace agreement in the Balkans. However, Slobodan Milosevic's continued aggression toward Kosovar Albanians and his unwillingness to seek a lasting peace could no longer go unchecked.

My wife and I know first hand what thousands of American families are feeling today, seeing their husbands, wives, sons, or daughters in the military travel overseas to face combat. My son, Brooks, recently returned from a tour of duty with the U.S. Army in Bosnia where he was part of the multi-national effort to maintain peace in that war-torn country. The decision to commit U.S. troops overseas is never easy, nor should it be done without a clear understanding of our country's interests and goals. In the case of Kosovo, our country's interests are clear and warrant the current military action. A lasting peace is directly linked with stability in Europe, and it is our duty to participate in a multinational effort to prevent the ethnic cleansing currently occurring in Kosovo.

This century's major wars started in the Balkans. Hundreds of thousands of Americans and millions of others around the world died as a result of conflict in this region. Slobodan Milosevic directly threatens the current political and economic stability of Europe, and today's military action against Milosevic is necessary to prevent an inevitable escalation of violence. The fighting in Kosovo could easily spread to neighboring Montenegro, Macedonia, and Albania, and has already destabilized the region. A sea of ethnic Albanian refugees have attempted to flee Kosovo, only to be denied entry in some countries while further straining age-old tensions in others. There is an undeniable possibility for widespread conflict among Kosovo's neighbors, Bulgaria, Turkey, and Greece, and it is in our national strategic interest to prevent a fourth Balkan war.

The United States and NATO have an opportunity to stop the cold blooded murders of thousands of ethnic Albanians in Kosovo. Since Slobodan Milosevic began his reign of terror against Albanians in Kosovo, over 250,000 people—10 percent of the population—have been forced from their homes. Another 170,000 have fled the Yugoslav province in the past year. Milosevic's police forces and military have burned homes, preventing the return of entire villages. The reports of atrocities by Milosevic against the ethnic Albanians are sickening and invoke images of Bosnia and Nazi Germany. Since the first massacre of ethnic Albanians at Drenica, last year, thousands more ethnic Albanians have been killed by Serb paramilitary units and the Yugoslav Army, including the January 16 discovery of 45 slaughtered ethnic Albanians in the Kosovo village of Racak.

While I support air strikes now to prevent further bloodshed, I will continue to promote diplomatic efforts to ultimately resolve this crisis in Kosovo. This multi-national military action will illustrate to Slobodan Milosevic the resolve of all democratic nations in the world to reject oppression, and it is my hope that Slobodan Milosevic will bring the people of Yugoslavia back from the brink of one man's madness.

My thoughts and prayers are with our men and women overseas and their families here at home. I fully support their efforts to bring peace and stability to the region and wish them all a quick and safe return home.●

RECOGNITION OF THE KNIGHTS OF COLUMBUS COUNCIL 414

● Mr. LEVIN. Mr. President, I rise today to recognize the Knights of Columbus Council 414, of Bay City, Michigan. Council 414 is celebrating its 100th anniversary on April 16, 1999.

The history of the Knights of Columbus stretches back 117 years, when Father Michael J. McGivney founded the fraternal order in 1882. Since the order's founding, Knights of Columbus have promoted the Catholic faith and have practiced the principles of charity, unity and fraternity. When Father McGivney passed away in 1890, there were 5,000 Knights of Columbus located in 57 councils in Connecticut and Rhode Island. Just 15 years after his death, the Knights of Columbus was established in every state of the Union, as well as in Canada, Mexico and the Philippines.

Bay City Council 414, known then as Valley Council 414, was established in 1899, 17 years after the founding of the order by Father McGivney. It is the third oldest Knights of Columbus council in the State of Michigan. The driving force behind the founding of Council 414 was Edward J. Schreiber. He and 48 other men were responsible for establishing Council 414's charter, which was issued on April 16, 1899.

Since its chartering, Council 414 has helped to establish other Knights of Columbus councils in the area, and has participated in the many community service activities for which the Knights of Columbus are renowned. Perhaps most notably, Council 414's members raise money each year in ''Tootsie Roll Drives'' to support organizations like Special Olympics, the Bay Arenac School District and special education programs.

Mr. President, the members of the Knights of Columbus Council 414 of Bay City, Michigan, are truly deserving of recognition for their century-long dedication to promoting the teachings of the Catholic Church, and for living those teachings by serving those in need in their community. I hope my colleagues will join me in offering congratulations to Council 414's members on its 100th anniversary, and in wishing them continued success in their next 100 years.●

TRIBUTE TO THE MIDDLEBURY COLLEGE MEN'S AND WOMEN'S ICE HOCKEY TEAMS FOR THEIR OUTSTANDING SEASONS

● Mr. JEFFORDS. Mr. President, today I rise to honor the men's and women's ice hockey teams of Middlebury College. This small school nestled in the heart of the Green Mountains boasts not only extremely talented and motivated students, but some of the finest winter athletes in the country. On behalf of the Vermonters who are proud to call Middlebury College their own, I wish to congratulate both the men's and women's ice hockey teams for a most outstanding season.

This year, the top-ranked Middlebury College women's ice hockey team finished the season with a record of 23–2–1, won their fourth straight Eastern College Athletic Conference Championship and set the school record for most wins in one season.

The men's ice hockey team, with a record of 21–5–1, won their fifth straight NCAA Division III National Championship, an accomplishment never before achieved in college hockey at any level.

Mr. President, again I wish to honor these outstanding student athletes who have devoted themselves to excellence in play, sportsmanship, and academics. I also commend those who have supported them on and off the ice: men's coach Bill Beaney, women's coach Bill Mandigo, and their many friends and family.●

NEW YORK YANKEE MANAGER JOE TORRE'S BATTLE WITH PROSTATE CANCER

● Mr. SCHUMER. Mr. President, last year the New York Yankees set a new baseball record—125 wins in a single season, the most ever in major league history. Today, I want to speak about another—sadder and more tragic—legacy that has befallen current and former members of this great baseball team. That legacy is cancer.

We remember that the house that Ruth built lost its founder, the great Bambino, ''the sultan of swat,'' to cancer. During last year's season, Darryl Strawberry was stricken with colon cancer. Former General Manager Bob Watson is battling prostate cancer. Earlier this month, Joe DiMaggio lost his life to lung cancer. And recently we learned that Yankee manager, Joe

Torre, is another victim of prostate cancer.

I join millions of New Yorkers—and millions of Americans—in wishing Joe Torre a continued recovery, who joins a team of almost 200,000 American men who will learn they have prostate cancer in 1999. It is the most commonly diagnosed non-skin cancer in this country. And, like other cancers, prostate cancer must be stopped. For, it will claim the lives of nearly 40,000 Americans this year. My own state, New York, has the third highest rate of diagnoses and deaths due to prostate cancer.

Unfortunately, this country invests only about one of every twenty cancer research dollars trying to stem the epidemic of prostate cancer, which accounts for about one in every six cancer cases. It is a disproportion that must be corrected, Mr. President. On behalf of Joe Torre, Bob Watson, Senator Bob Dole, General Norman Schwarzkopf, Andy Grove, Harry Belafonte—and millions of other men and their families whose lives have been affected by prostate cancer—now is the time to renew those efforts.

I am pleased that Congress established a prostate cancer research program in the Department of Defense in 1996. I supported the establishment of that program, just as I supported last year's increase in funding of the National Institutes of Health, with strong language to assure that $175 million become dedicated to prostate cancer research in 1999.

We must continue to develop these critical research initiatives. I congratulate Senators STEVENS, INOUYE and many others in the Senate for their championship of the important program at the Department of Defense, and I hope to work with you to help fully fund this program over the next three years. We must work collaboratively with NIH to accelerate their sponsorship of clinical prostate cancer research, and I look forward to reports, due next month, by the NCI and NIH directors about their five-year investment strategy for prostate cancer research. Even though this year promises some daunting budget challenges, we must not let our commitment to end the war on cancer waver.

One in six American men will develop prostate cancer in his lifetime. As frightening as that statistic may be for the general population, it is even more pointed in the African-American community. African-Americans have the highest rates of prostate cancer incidence and mortality in the world, with occurrences 35% higher than among Caucasians and death rates twice higher than white males.

The battle that Joe Torre faced gives testimony to the fact that prostate cancer does not affect men only in their retirement years. About 25% of cases occur in men younger than 65 years old, and, with the aging of our baby boom generation, we can fully expect both incidence and mortality to increase if the disease is unchecked.

Mr. President, I call on our membership to join with national organizations, like the National Prostate Cancer Coalition, CaP CURE, the American Cancer Society and 100 Black Men, and take action to end the toll prostate cancer takes on American men and their families.●

STRENGTHENING OUR FRONTLINES

● Mr. GRASSLEY. Mr. President, earlier this week, Senator GRAHAM of Forida and I introduced a bill to revitalize and modernize our efforts to defend U.S. borders from drug traffickers. This bill, the ''Comprehensive Border Protection Act'', S. 689, is part of a bipartisan effort by Congress to provide the resources for this critical effort. Its goal is to stop dangerous drugs and other contraband from reaching our streets. Last year, we took an important step in this direction with increased funding for our counter-drug efforts in the Western Hemisphere Drug Elimination Act. As needed as that funding was, we left something undone.

One of the critical frontline agencies in our counter-drug efforts in the U.S. Customs Service. Despite the fact that trade has increased exponentially in the last several years, we have not provided the resources to expand the ability of Customs to manage this increased volume. Every year, more than the total population of the United States crosses our borders. In practice, that means more than 400 million people annually coming into our airports, across our land borders, and into our seaports. Nearly 15 million containers enter our ports. Some 125 million privately owned vehicles come into the country. That is every year. To deal with this volume, Customs has fewer than 20,000 employees and equipment that is outdated.

Most of this traffic is legal. But criminal gangs, terrorists, and drug traffickers willfully and cynically seek to hide their illegal acts in this flow. They use every means that vast resources and ruthless intent puts into their hands to commit their crimes. And they have increasingly sophisticated means to conceal their illegal activities. Short of sealing our borders to all trade and financial transactions, we must depend upon agencies like Customs to secure our borders We must, however, do this while facilitating the flow of people and legitimate trade. It is a daunting task.

Recognizing that our borders were under intense pressure from illegal alien smuggling, the Congress increased the resources to the Immigration Service. We almost doubled that agency's capacity. The challenge facing Customs is far greater. Yet, we have not provided the resources, the technological improvements, or the support that is needed to get the job done.

We have not given our men and women who do this job the support that the task requires. And it is a demanding and dangerous job. It's not glamorous to spend hours a day at a major U.S. port of entry watching tens of thousands of vehicles and people cross the border. It's a lonely and risky livelihood to patrol long stretches of our border. The long hours spent in undercover investigations and in analyzing reams of information go largely unnoticed. But being out of sight should not put their efforts or why they are undertaken out of mind.

That is what the legislation that we are offering today aims to do—to remind us of what we must be doing and to give the tools and support needed to do the job to those we ask to do it. I have for the passed several years urged the Administration to provide Congress with a comprehensive plan. We know that drug thugs have no respect for national sovereignty, for the rule of law, or for international borders. These criminal gangs are ruthless and shrewd. And they are flexible. We have to be flexible also.

I have repeatedly noted that we need to develop a capacity to guard our borders with flexibility and forethought. Too often we simply react. We respond to a threat in one area only to find the traffickers have switched tactics. We need a comprehensive approach and a sustainable plan. Such a plan, however, has not been forthcoming. For too long, we have been merely reactive to the initiative of traffickers, moving resources around to meet their latest tactic. We need to be anticipating their efforts and we need to be comprehensive. That is why this legislation addresses both our northern and southern borders, our ports and airports and our coastlines. We need the intelligence and investigative resources to focus our efforts. And we need that consistency of purpose and sustained effort that characterizes resolve. We cannot affort to be less committed in our purpose than drug traffickers are in theirs. We must not be any less comprehensive.

While this bill is not the whole solution to our quest for a coherent and comprehensive approach, it is an important step. I urge my colleagues in the Senate and the House to join us in making this effort a reality.●

PENSION COVERAGE AND PORTABILITY ACT

● Mr. BAUCUS. Mr. President, most people my age have known the heartache of having to watch their parents grow old. It is a sad day in a person's

life when they see their father get his first gray hair. Or the day you notice lines in your mother's face where previously, there were none.

This aging process is made worse by the scary and very real possibility that too many people who will become senior citizens in the next several years are not at all prepared for the transition from work to retirement.

To be honest, it isn't our parents who we need to worry about so much. They survived the Depression. They know what it takes to get by during the lean years—it takes planning and saving. Putting money aside, when it might be easier to spend it in the moment.

Those are the values that our parents live by. They are the values we would do well to heed. And even better to teach those who will follow us.

We as a nation have lost our imperative to save. Personal savings rates have dropped to one-half of one percent of our Gross Domestic Product, the lowest since 1933.

Fifty-one million Americans in our nation's workforce have no pension coverage. But statistics like those don't tell the whole story. They don't do justice to the hardscrabble struggles that real people go through every day. Struggles that involve agonizing questions like: ''Should I eat today or take my medication?'' or ''Will I be able to heat my house this winter?''

Make no mistake, our nation's lack of saving for retirement is a tragedy in the making.

That is why I am so proud to join my colleagues in introducing this legislation.

A bill that will make it easier for Americans to put money aside, and a bill that will help move pension issues to the forefront of Americans' minds. A bill that will:

Expand coverage for small businesses because they have a harder time affording health care and retirement plans;

Enhance pension fairness for women because they fall into categories that have a harder time saving;

Increase the portability of pension plans so that when you change jobs you don't have to worry about where your savings will go;

Strengthen pension security and enforcement so you can rest easy at night, knowing your money is safe;

Reduce red tape so it's easier for employers to give their workers retirement options;

And encourage retirement education so that husbands and wives, parents and children, talk to each other—make plans for their future. And know what to expect tomorrow and down the road.

One aspect of the bill I am particularly proud of are the small business provisions. Thirty-eight million of the people in this country who do not have a pension plan work at small businesses. Eighty percent of all small business employees have no pension coverage.

In my state of Montana, more than 95 percent of our businesses are small businesses. And almost 9 out of 10 offer no pension plans. We cannot let these hard-working Americans down.

Currently, most small businesses can't afford pension plans. They would like to, but they just can't make ends meet.

Our bill makes it a smart business decision for small business owners to offer retirement plans.

I have made it my priority to work with members of the small business community, both back in Montana and nationally, to identify legislative solutions that will most readily enable small businesses to offer pension plans to their employees. While this bill does not include every recommendation we received, it does represent a collection of high-priority proposals which we believe could be supported by a bi-partisan majority of Congress.

The major provisions in this bill which would help small businesses start and maintain pension plans include the following:

To help make pension plans more affordable we have included two new tax credits: one to help defray start-up costs and the other to defray the cost of employer contributions to pension plans;

In addition, we provide for the elimination of some fees.

To address the problems the small business community has identified as a major impediment to establishing pension plans, we make significant changes in the top-heavy rules that limit employer contributions to plans.

To address concerns of our smallest businesses, who want to provide pensions but can only afford 'start-up' plans at first, we provide increases in income limits that apply to SIMPLE pension plans, along with a new, salary-reduction SIMPLE plan;

And for those employers that want to provide the security of a defined benefit plan for their employees but cannot because of the increased regulatory burden, we create a simplified defined benefit plan for small business.

These provisions are designed to address the problems of cost and complexity that are a barrier to so many small businesses. They will help small employers establish a pattern of saving for themselves and their employees.

Mr. President, I hope the Pension Coverage and Portability Act will spearhead a national debate on how to improve employer-provided pensions in this country.

This debate is essential if we are to achieve our goal of making America in the next century, not only strong as a nation, but strong as a community of individuals confident in the security of their financial futures.

This is a good, bi-partisan bill. It takes the positive steps we as a nation need to put our future in safe hands.

I am eager for the coming debate on this bill.

I hope it sparks a debate in the coffee shops and kitchen tables all across the country. Working together, and with this bill, we can turn a nation of spenders, into a nation of savers.●

NATIONAL SCHOOL VIOLENCE VICTIMS MEMORIAL DAY

● Mr. FITZGERALD. Mr. President, school violence is a horrible, senseless tragedy that must not continue. Last year's horrific shootings in Jonesboro, AR; Pakucah, KY; Pearl, MS; Richmond, VA; and Edinboro, PA, were meaningless acts of violence and should never have occurred. That's why I wholeheartedly support and have cosponsored National School Violence Victims Memorial Day. This important resolution recognizes victims of school violence and encourages school administrators to conduct programs on March 24 designed to help prevent further occurrences of school violence.

Mr. President, the statistics on school violence are truly frightening. According to the National School Safety Center, there have been 225 school-associated violent deaths between July 1992 and June 1998. What is going on in our classrooms that our Nation's youth feel like the only way to resolve problems is through a gun? This resolution recognizes victims of school violence and says to our children, that there is a better way to resolve problems. By focusing community efforts on teaching students peaceful alternatives to conflict, we can equip our children to stop violent tendencies before they get out of control. This resolution is a step in the right direction and I urge my colleagues to put partisan politics aside and join me in encouraging local school districts and administrators to use their resources on violence prevention programs. All of us—teachers, administrators, parents—must work together to show our children peaceful alternatives before violence erupts in our schools again.●

ADMINISTRATION LETTER REGARDING STEEL IMPORTS

● Mr. MOYNIHAN. Mr. President, at the request of the Administration, I ask unanimous consent that a letter received today from Secretary of Commerce William M. Daley and U.S. Trade Representative Charlene Barshefsky be printed in the RECORD.

The letter follows:

SECRETARY OF COMMERCE,
Washington, DC, March 25, 1999.

Hon. DANIEL PATRICK MOYNIHAN,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR SENATOR MOYNIHAN: Following up on our testimony at Tuesday's Senate Finance hearing on steel issues, we wanted to apprise you of the most recent developments in our

steel policy and the effect on the steel industry. The President and the Vice President are deeply concerned about the impact on our steelworkers, communities, and companies of the recent surge in steel imports, and they are fully and actively committed to effectively addressing it. They are determined to maintain the United States' strong manufacturing base and the good jobs it provides by ensuring that our trading partners play by the rules governing international trade.

This Administration has implemented a comprehensive strategy that combines full and timely enforcement of our trade laws, expedited administrative action, and intensified engagement with major foreign steel producing nations to address unfair trade practices injuring our steel industry and its workers.

The import numbers for the past three months demonstrate clearly that our strategy is producing results. The preliminary data for February, released earlier today by the Commerce Department, show that total steel imports in February were 45 percent below November 1998 levels—and reached the second lowest monthly level since April 1996. Imports of hot-rolled steel have dropped 81 percent since November. We will work to sustain the positive trends of the past three months are sustained.

Our strategy has focused on Japan, Russia, and Korea, which together accounted for 80 percent of the surge in steel imports last year. Through strong public and private statements by the President and other senior Administration officials, we have put Japan on notice that we expect its imports to reach pre-crisis levels, or we stand ready to take appropriate action under our trade laws, including self-initiation of trade cases. We have, in addition, negotiated agreements with Russia that will reduce our overall steel imports from Russia by almost 70 percent, and hot-rolled steel imports from Russia by almost 90 percent this year. We have sought firm commitments from Korea to ensure that its steel industry is fully privatized and placed on a market footing, including through the elimination of improper subsidies.

The declines in imports from these countries since November have been dramatic. Hot-rolled exports from Russia fell from over 600,000 metric tons in November to roughly ten tons in February—a nearly 100 percent decline. Imports of hot-rolled steel from Japan fell in that period from over 400,000 tons to less than 5000 tons—a nearly 99 percent drop. Hot-rolled imports from Korea dropped 35 percent since November, while total steel imports from Korea are down 17 percent. And total steel imports from Brazil, which, along with those from Russia and Japan, are subject to an ongoing antidumping investigation, have dropped 64 percent since November.

The Department of Commerce has taken forceful steps to eliminate dumping, including issuing critical circumstances determinations only 45 days after initiating dumping investigations on hot-rolled steel, a policy that could result in retroactive application of dumping duties back to last November. Last month, following an expedited investigation, Commerce announced—a full month ahead of the usual time schedule—preliminary determinations that exporters in Japan, Russia and Brazil have dumped hot-rolled steel into our market. The Commerce Department is currently enforcing more than 100 antidumping and countervailing duty orders and suspension agreements on steel products and is currently conducting 45 new steel investigations.

We will continue to closely monitor steel imports, and—in an unprecedented new policy—have made preliminary steel import statistics available to the public up to 25 days earlier than under past practice. This will help the Administration, industry, and workers identify and respond to import trends more quickly.

At the same time, last year's import surge demonstrated that we need to look closely at our trade laws to ensure that they deliver strong, effective relief in an expeditious manner, while remaining consistent with our international trade obligations. We believe the legislation introduced in the House by Congressman Levin and Houghton constitutes a constructive approach, and we stand ready to work with Members of Congress to develop a bill we can recommend that the President sign.

In contrast, we strongly oppose legislation mandating quotas because it would constitute a violation of our international obligations under the World Trade Organization (WTO) and would not be in our nation's economic interest. We are the world's largest exporter, and our firms and workers benefit tremendously from the international trading rules we helped put into place. Quotas or other import restraints imposed outside of WTO-consistent processes contained our trade laws (such as through our ''section 201'' safeguards law or antidumping and countervailing duty laws) violate our international trade obligations. Such quotas or import restraints would not be based on a determination of whether the imports are causing or threatening serious injury, or whether unfair trade or subsidization is involved, as required by the WTO and our laws.

Our current trade laws allow U.S. industry and workers to seek such determinations, based upon which we can impose quotas or other trade remedies consistent with our international trade obligations. In addition, when the procedures provided by our trade laws are followed, we can take into account the full range of U.S. industry and worker concerns and fashion remedies that do not result in additional market distortions, import shortages, excessive price hikes or retaliation that could harm U.S. export industries and customers.

This Administration firmly believes that the best way to address unfair trade practices or import surges is through vigorous and timely enforcement and use of strong U.S. trade laws that are consistent with our international obligations, and we and our colleagues stand ready to work with you to ensure that objective is fully realized.

Sincerely,

WILLIAM M. DALEY,
Secretary of Commerce.

CHARLENE BARSHEFSKY,
U.S. Trade Representative.●

RULES OF PROCEDURE OF THE SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

● Mr. BENNETT. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedures of the Committee and to publish those rules in the CONGRESSIONAL RECORD of the first year of each Congress. The rules adopted by the Special Committee on the Year 2000 Technology Problem to govern the Committee's procedures remain in effect and unchanged for the current Congress. Consistent with Standing Rule XXVI, today I am submitting for printing in the RECORD a copy of the Rules of the Senate Special Committee on the Year 2000 Technology Problem.

The Rules follow:

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

(S. Res. 208, 105th Cong., 2nd Sess. (1998))

RULES OF PROCEDURE

(Adopted March 25, 1999)

I. CONVENING OF MEETINGS AND HEARINGS

1. *Meetings.*—The Committee shall meet to conduct Committee business at the call of the Chairman.

2. *Special meetings.*—The Members of the Committee may call additional meetings as provided in Senate Rule XXVI (3).

3. *Notice and agenda:*

(a) *Hearings.*—The Committee shall make public announcement of the date, place, and subject matter of any hearing at least 1 week before its commencement.

(b) *Meetings.*—The Chairman shall give the Members written notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(c) *Shortened notice.*—A hearing or meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Vice Chairman, determines that there is good cause to begin the hearing or meeting on an expedited basis. An agenda will be furnished prior to such a meeting.

4. *Presiding officer.*—The Chairman shall preside when present. If the Chairman is not present at any meeting or hearing, the Ranking Majority Member present shall preside. Any Member of the Committee may preside over the conduct of a hearing.

II. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. *Procedure.*—All meetings and hearings shall be open to the public unless closed pursuant to paragraph 3 of this section. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern the matters enumerated in Rule II.3. Immediately after such discussion, the meeting or hearing may be closed by a vote in open session of a majority of the Members of the Committee present.

2. *Witness request.*—Any witness called for a hearing may submit a written request to the Chairman no later than 24 hours in advance for his examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. *Closed session subjects.*—A meeting or hearing or portion thereof may be closed if the matters are consistent with Senate Rule XXVI (5)(b).

4. *Confidential matter.*—No record made of a closed session, or material declared confidential by the Chairman and Vice Chairman, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Vice Chairman.

5. *Radio, television, and photography.*—The Committee may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television, or both, subject to such conditions as the Committee may impose.

III. QUORUMS AND VOTING

1. *Reporting.*—A majority of voting members shall constitute a quorum for reporting a resolution, recommendation, or report to the Senate.

2. *Committee business.*—Three voting members shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

3. *Polling:*

(a) *Subjects.*—The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) authorizing subpoenas; and (3) other Committee business which has been designated for polling at a meeting.

(b) *Procedure.*—The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is one of the areas enumerated in Rule II.3, the record of the poll shall be confidential. Any Member may move at the Committee meeting following a poll for a vote on the polled decision.

IV. SUBPOENAS

1. *Subpoenas.*—Subpoenas may be authorized by the Committee at a meeting of the Committee or pursuant to Rule III.3(a). Subpoenas authorized by the Committee may be issued over the signature of the Chairman after consultation with the Vice Chairman, or any member of the special committee designated by the Chairman after consultation with the Vice Chairman, and may be served by any person designated by the Chairman or the member signing the subpoena.

V. HEARINGS

1. *Notice.*—Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

2. *Oath.*—All witnesses who testify to matters of fact shall be sworn. The Chairman or any Member may administer the oath.

3. *Statement.*—Any witness desiring to make an introductory statement shall file 50 copies of such statement with the clerk of the Committee 24 hours in advance of his appearance, unless the Chairman and Vice Chairman determine that there is good cause for a witness's failure to do so.

4. *Counsel:*

(a) A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing, or staff interview to advise the witness of his rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not associated with the government, corporation, or association.

(b) A witness who is unable for economic reasons to obtain counsel may inform the Committee of this circumstance at least 48 hours prior to his appearance, and the Committee will endeavor to obtain volunteer counsel for the witness. Such counsel shall be subject solely to the control of the witness and not the Committee. Failure to obtain counsel shall not excuse the witness from appearing and testifying.

5. *Transcript.*—An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting the transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious errors of fact. The Chairman or a designated staff officer shall rule on such requests.

6. *Minority witnesses.*—Whenever any hearing is conducted by the Committee, the minority on the Committee shall be entitled, upon request made by a majority of the minority Members to the Chairman, to call witnesses selected by the minority to testify or produce documents with respect to the measure or matter under consideration during at least one day of the hearing. Such request must be made before the completion of the hearing.

7. *Conduct of witnesses, counsel and members of the audience.*—If, during public or executive sessions, a witness, his counsel, or any spectator conducts himself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative, or any law enforcement official to eject said person from the hearing room.

VI. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, by a majority vote of the Committee, provided that no less than 3 days notice of the amendments or revisions proposed was provided to all members of the committee.

JURISDICTION AND AUTHORITY

(a)(1) There is established a Special Committee on the Year 2000 Technology Problem (hereafter in this section referred to as the ''Special Committee'') which shall consist of seven voting Members and two non-voting, ex-officio Members. The two non-voting, ex-officio Members shall be the Chairman and the ranking minority Member of the Appropriations Committee. The Members and Chairman of the Special Committee shall be appointed in the same manner and at the same time as the Members and Chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the Special Committee are initially appointed, but not before the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the Special Committee, it shall be filled in the same manner as original appointments to it are made.

(2) For purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1 and 4 rule XXVII of the Standing Rules of the Senate; and for purposes of section 72a (i) and (j), title 2, USCA, the Special Committee shall be treated as a standing committee of the Senate.

(b)(1) It shall be the duty of the Special Committee to study the impact of the year 2000 technology problem on the Executive and Judicial Branches of the Federal Government, State governments, and private sector operations in the United States and abroad; to make such findings of fact as are warranted and appropriate; and to make such recommendations, including recommendations for new legislation and amendments to existing laws and any administrative or other actions, as the Special Committee may determine to be necessary or desirable. No proposed legislation shall be referred to the Special Committee, and the Special Committee shall not have the power to report by bill, or otherwise have legislative jurisdiction.

(2) The Special Committee shall, from time to time, report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendations as the Special Committee considers appropriate.

(c)(1) For the purposes of this section, the Special Committee is authorized, in its discretion; (A) to make expenditures from the contingent fund of the Senate; (B) to employ personnel; (C) to hold hearings on any matter; (D) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate; (E) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents; (F) to take depositions and other testimony; (G) to procure the services of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and (H) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a non-reimbursable basis the services of personnel of any such department or agency.

(2) The Chairman of the Special Committee or any Member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the Special Committee may be issued over the signature of the Chairman after consultation with the Vice Chairman, or any Member of the Special Committee designated by the Chairman after consultation with the Vice Chairman, and may be served by any person designated by the Chairman or the Member signing the subpoena.

EXCERPTS FROM THE STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

RULE XXV—STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * *

RULE XXVI—COMMITTEE PROCEDURE

* * *

3. Each standing committee (except the Committee on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee and additional meetings may be called by the chairman as he may deem necessary. If at least three members of any such committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the

requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

* * *

5. (a) * * *

* * *

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

* * *

7. (a)(1) Except as provided in this paragraph, each committee, and each subcommittee thereof is authorized to fix the number of its members (but not less than one third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, except that no measure or matter or recommendation shall be reported from any committee unless a majority of the committee were physically present.

(2) Each such committee, or subcommittee, is authorized to fix a lesser number than one third of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

* * *

9. (a) Except as provided in subparagraph (b), each committee shall report one authorization resolution each year authorizing the committee to make expenditures out of the contingent fund of the Senate to defray its expenses, including the compensation of members of its staff and agency contributions related to such compensation, during the period beginning on March 1 of such year and ending on the last day of February of the following year. Such annual authorization resolution shall be reported not later than January 31 of each year, except that, whenever the designation of members of standing committees of the Senate occurs during the first session of a Congress at a date later than January 20, such resolution may be reported at any time within thirty days after the date on which the designation of such members is completed. After the annual authorization resolution of a committee for a year has been agreed to, such committee may procure authorization to make additional expenditures out of the contingent fund of the Senate during that year only by reporting a supplemental authorization resolution. Each supplemental authorization resolution reported by a committee shall amend the annual authorization resolution of such committee for that year and shall be accompanied by a report specifying with particularity the purpose for which such authorization is sought and the reason why such authorization could not have been sought at the time of the submission by such committee of its annual authorization resolution for that year.

(b) In lieu of the procedure provided in subparagraph (a), the Committee on Rules and Administration may—

(1) direct each committee to report an authorization resolution for a two-year budget period beginning on March 1 of the first session of a Congress; and

(2) report one authorization resolution containing more than one committee authorization resolution for a one-year or two-year budget period.

* * *

RULE XXVII—COMMITTEE STAFF

1. Staff members appointed to assist minority members of committees pursuant to authority of a resolution described in paragraph 9 of rule XXVI or other Senate resolution shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

* * *

4. No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration.

* * *

UNITED STATES CODE ANNOTATED

TITLE 2.—THE CONGRESS

* * *

§ 72a. Committee staffs

* * *

(i) Consultants for Senate and House standing committees; procurement of temporary or intermittent services; contracts; advertisement requirements inapplicable; selection method; qualifications report to Congressional committees

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Oversight in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent fund of the Senate or the applicable accounts of the House of Representatives pursuant to resolutions which, in the case of the Senate, shall specify the maximum amounts which may be used for such purpose, approved by the appropriate House, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction or with respect to the administration of the affairs of the committee.

(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts shall not be subject to the provisions of section 5 of title 41 or any other provision of law requiring advertising.

(3) With respect to the standing committees of the Senate, any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. With respect to the standing committees of the House of Representatives, the standing committee concerned shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Oversight in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

(j) Specialized training for professional staffs of Senate and House standing committees, Senate Appropriations Committee, Senate Majority and Minority Policy Committees, and joint committees whose funding is disbursed by Secretary of Senate or Chief Administrative Officer of House; assistance: pay, tuition, etc. while training; continued employment agreement; service credit: retirement, life insurance and health insurance

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the committee involved in the case of standing committees of the House of Representatives, and within the limits of funds made available

from the contingent fund of the Senate or the applicable accounts of the House of Representatives pursuant to resolutions, which, in the case of the Senate, shall specify the maximum amounts which may be used for such purpose, approved by the appropriate House pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever that committee determines that such training will aid the committee in the discharge of its responsibilities. Any joint committee of the Congress whose expenses are paid out of funds disbursed by the Secretary of the Senate or by the Chief Administrative Officer of the House of Representatives, the Committee on Appropriations of the Senate, and the Majority Policy Committee and Minority Policy Committee of the Senate are each authorized to expend, for the purpose of providing assistance in accordance with paragraphs (2), (3), and (4) of this subsection for members of its staff in obtaining such training, any part of amounts appropriated to that committee.

(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the committee as the committee may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service (in nonpay status) as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

(C) chapter 89 (relating to Federal employees group health insurance) of title 5.●

UNACCEPTABLE AND OUTRAGEOUS CUTS TO THE FOREIGN AFFAIRS BUDGET

● Mrs. BOXER. Mr. President, I am very concerned about the drastic cuts the Republican budget makes to our foreign affairs budget. In his budget request, President Clinton asked for $21.3 billion in funding for foreign affairs. The budget before us cuts $3.2 billion from that request.

U.S. leadership around the world requires adequate resources both for embassy security and for international programs. As a member of the Foreign Relations Committee and the Ranking Member of the International Operations Subcommittee, I have heard many times that our embassies abroad are in dire need of security upgrades.

We should not forget the terrible tragedy that took place last year when over 100 people died in the embassy bombings in Nairobi, Kenya and Dar es Salaam, Tanzania. It was a stark reminder that the men and women who conduct our diplomacy abroad put their lives on the line to promote U.S. interests throughout the world. We have the obligation to ensure their safety in every way possible.

These cuts to the State Department budget are so deep that Secretary Albright called them ''outrageous and unacceptable.''

Let me outline some of the important programs that will have to be eliminated from the budget under the Republican budget. A $24 million anti-narcotics initiative and programs to fight money laundering and trafficking in women could not be realized. The new Expanded Threat Reduction Program to reduce the proliferation of weapons of mass destruction in the former Soviet Union could not be implemented. And, the U.S. request of $500 million to support the Wye Implementation accord would not be achievable under the Senate Budget Resolution.

I cannot believe that my colleagues would chose to undermine our efforts to fight the international war on drugs, control the proliferation of nuclear weapons, and support the peace process in the Middle East, in Ireland and in Bosnia.

We live in a very dangerous world, and this budget puts us at greater risk. We must find the resources to fix this problem and properly fund the international affairs budget.●

FLEXIBILITY IN EDUCATION

● Mr. ABRAHAM. Mr. President, I rise to support the Education Flexibility Act. This legislation will address our continuing problem in education policy: too many Washington-knows-best policies and red-tape getting in the way of States and local districts as they attempt to address their unique educational needs.

Mr. President, over the past 16 years the Education Department has spent more than $175 billion on education programs. Yet achievement scores continue to stagnate and more young people than ever are dropping out of school. One crucial reason for this failure of Federal programs has been the enormous burden of Washington strings and mandates on the States and local school districts.

While the Federal Government provides only 7 percent of total spending on education, Washington demands 50 percent of the paperwork filled out by local school districts. That is wrong. It is inefficient, it is unfair and it is not the way to improve our children's education.

And this is why I support the Education Flexibility Act. This bill would give every State a chance to waive many of the cumbersome rules, regulations, and red-tape often associated with education programs run by Washington.

The State of Michigan currently enjoys the benefits of the Ed-Flex program. In applying for its Ed-Flex waiver, Michigan streamlined several of its State regulations. Further, the very process of seeking waivers has brought Michiganians together to improve education. A working group of State and local officials, school board members, parents and principals was put together in Michigan to determine the best way to streamline regulations and deliver education services.

I believe this legislation is moving in the right direction, and would like to see it move even further. I believe Congress should be even more flexible in new authorizations and appropriations. Communities are different and have different needs. Local school districts need to have more options on how to spend Federal education dollars. While some schools may need to hire additional teachers, other school districts may need to implement a summer school program or a literacy program. The point is, schools should have the flexibility and the resources to meet the specific needs of their students.

A number of amendments have been offered during debate on this bill. My general view is that to offer new authorizations for additional Washington-based programs is moving in the exact opposite direction of the intent of this bill. This bill seeks to free up local education agencies from the Federal bureaucracies administering programs not to add to them. To the extent that these issues have been raised, I have supported the notion that we should first meet our current fiscal obligation to IDEA in addition to giving State and local education agencies flexibility in administering Federal education resources. I look forward to a fuller discussion of these issues in the proper context of the reauthorization of the Elementary and Secondary Education Act.

There has been a great deal of debate about the need to fully fund the Individuals with Disabilities Education Act provisions affecting education. I believe that this raises an important point, particularly given the President's calls for new Federal programs such as his request for 100,000 new teachers, money for which would then compete with IDEA appropriations.

For years now parents and local schools have been expressing concern over the rising costs of education for children with special needs. The Federal Government has made a strong commitment to the education needs of disabled children in every way, with one telling exception: it has not lived up to its promise to provide its share of the funds necessary to educate these

children. The result has been an increased burden on local school districts, which must make a choice between hiring a new teacher or paying the Federal Government's share of the IDEA bill.

Under the Republican Congress, funding for IDEA has increased significantly. Unfortunately, it is still not adequate to meet the costs imposed by federal mandates. I believe we have an obligation to do more to meet these previous commitments before we create new programs and start spending on them money which could go to fulfill our IDEA promise. Moreover, if Congress would actually meet the federal government's obligation to pay 40 percent of the costs for educating special needs children, it would free up millions for schools to spend meeting other specific, local education needs.

For example, my state receives approximately $73 million from the federal government for the educational needs of disabled children. If the 40 percent mandate was reached, my state would receive $378 million. By meeting the federal government's obligation to current programs, my state would have $305 million per year more (or one-quarter of the amount appropriated for the new teacher program last year) to be used for whatever needs local school districts might have—including hiring more teachers, after-school programs, or tutoring programs.

Mr. President, I recently asked a school district in my state what kind of difference fully funding IDEA could make to them. Here is what I found: If the federal government met its obligation in funding IDEA in the Oakland School District, that district would have $60 million more to spend on educating their students.

I think we can all agree on our commitment to elementary and secondary education. The main point of disagreement is over how to deliver federal resources to schools. I suggest that by freeing local school districts of regulations and redtape and by giving them more flexibility in how they administer federal resources, we can free local schools to do what they do best: educate our children.

Education flexibility is not the answer to all our educational problems. But I submit that it provides the best means available to get at those answers: allowing the parents, teachers, and local officials in a position to know what their students need to make the important decisions involved in setting education priorities.

This is a crucial piece of legislation, Mr. President, and I am proud to lend my full support behind this bill.●

COMPREHENSIVE BORDER PROTECTION ACT OF 1999

● Mr. GRAHAM. Mr. President, I rise today in support of the Comprehensive Border Protection Act of 1999 which Senator GRASSLEY and I introduced on March 23, 1999. This bill enhances our efforts to secure our borders by providing the U.S. Customs Service with the necessary funding it requires to perform the multi faceted functions of drug interdiction, trade facilitation, and international passenger and cargo inspection services. The bill also addresses the concerns that I, as well as many of my colleagues, have regarding the U.S. Customs Service and its ability to efficiently and effectively: Determine enforcement and trade facilitation goals, objectives, and priorities; allocate assets and resources in response to changing threats and needs; address employee misconduct and integrity concerns; and ensure full participation in a comprehensive strategy to combat international drug trafficking and money laundering.

Combating international drug trafficking is critical to our national security. While we have experienced some success in our counter drug operations along the Southwest border, there are undeniable signs that drug traffickers are adapting to our law enforcement efforts.

During the 1980s, as our law enforcement presence increased along the Florida coast, drug traffickers responded by relocating their operations to the Southwest border. Reacting to this change, we abandoned Customs marine operations in Florida and intensified our efforts along the United States-Mexico border. Now, drug traffickers have renewed the use of established smuggling routes in the Caribbean and off the coast of Florida to surreptitiously import their destructive cargo into the United States.

During fiscal year 1998, Customs cocaine seizures in my home State of Florida totaled 69,479 pounds, a 23 percent increase over 1997 seizures. Drug related deaths in Florida also increased as more and more of our young adults experimented with heroin—the most pure heroin we have ever encountered; heroin so pure it can be smoked, rather than injected into a vein with a syringe.

An effective U.S. drug enforcement strategy must be proactive, including an intensified interdiction effort that exploits the inherent vulnerabilities of transporting drugs into the United States by air, land and sea. As one of our primary interdiction agencies, Customs must have the necessary assets and resources to meet its interdiction responsibilities.

Interdiction, however, is but one part of a successful drug enforcement strategy. Our strategy must also emphasize fundamental investigative work required to identify, infiltrate, disrupt and dismantle drug smuggling and money laundering organizations. To perform its investigative responsibilities, Customs must have the appropriate funding to sustain an experienced work force of inspectors and agents dedicated to drug enforcement operations. These inspectors and agents must be assigned to the most vulnerable and critical locations where illegal shipments of drugs enter the United States—our border with Mexico, as well as Florida and the Gulf Coast.

Our counter drug strategy must also recognize the importance of, and be sensitive to, the needs of the international trade community. Enhancing and facilitating open trade is essential to our economic health. To sustain U.S. economic growth, we must maintain the free flow of trade across our borders, while remaining vigilant to ensure that our open borders are not exploited by those who would use legitimate commerce to conceal their illegal activities.

Over the past few years, U.S. seaports and airports have benefitted from the increasing growth of international commerce. During 1998, international traffic at Florida ports increased approximately 17.9 percent. In response to the increase in international passenger and cargo arrivals, a number of new cruise ship terminals, container freight stations and passenger inspection facilities have been constructed and expanded. Additionally, operations in free trade zones and bonded warehouses have increased. However, in the face of this growth, I am concerned that Customs have been unable to adequately respond through the reallocation of personnel and funding.

We must ensure that Customs, in response to growth and change in international commerce, is prepared to review its resource allocation process on a regular basis. Customs must be able to shift both personnel and funding as threat and need dictate. States, such as Florida, that depend on the presence of Customs personnel to facilitate international trade, must be assured that sufficient Customs assets are in place to inspect and process both international passengers and cargo as they arrive in our seaports and airports.

The Comprehensive Border Protection Act of 1999 establishes a more accountable Customs Service by requiring Customs to report to this body, no later than 120 days after this legislation is enacted, on the methods utilized to identify enforcement priorities and trade facilitation objectives. This legislation requires that Customs establish performance standards and objectives against which we may evaluate the progress toward the goals identified in the customs annual plan. This legislation is a significant step toward giving customs the ability and authority to reallocate resources in order to meet enforcement demands and commercial operations needs.

The bill also directs Customs to develop and implement an accountability model to address violations of administrative policies and procedures, as well

as allegations of corruption. The purpose of this provision is to ensure employee misconduct at the Customs Service is addressed in an efficient, effective and equitable manner. It is essential to the credibility of the agency that Customs address allegations of employee misconduct without unnecessary delay.●

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

● Mr. WARNER. Mr. President, I ask that the Rules of Procedure for the Committee on Armed Services be printed in the RECORD.

The rules follow:

COMMITTEE ON ARMED SERVICES

RULES OF PROCEDURE

1. REGULAR MEETING DAY.—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman directs otherwise.

2. ADDITIONAL MEETINGS.—The Chairman may call such additional meetings as he deems necessary.

3. SPECIAL MEETINGS.—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. OPEN MEETINGS.—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. PRESIDING OFFICER.—The Chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member present at the meeting or hearing shall preside unless by a majority vote the Committee provides otherwise.

6. QUORUM.—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, seven members of the Committee shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. PROXY VOTING.—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. Proxy must be given in writing.

8. ANNOUNCEMENT OF VOTES.—The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The chairman may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. SUBPOENAS.—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued by the chairman or any other member designated by him, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. HEARINGS.—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the chairman and the ranking minority member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(e) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(f) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(g) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. NOMINATIONS.—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. REAL PROPERTY TRANSACTIONS.—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy,and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than $50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. LEGISLATIVE CALENDAR.—(a) The clerk of the Committee shall keep a printed calendar for the information of each committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. POWERS AND DUTIES OF SUBCOMMITTEES.—Each subcommittee is authorized to

meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.●

IN SUPPORT OF THE COMPREHENSIVE BORDER PROTECTION ACT

● Mr. MOYNIHAN. Mr. President, I rise today to support the Comprehensive Border Protection Act, a bill that addresses the urgent need for increased Customs inspectors and technology along the U.S.-Canadian border.

Every day, the U.S. Customs Service must meet the dual challenges of enforcing our trade laws and easing the flow of goods across our borders. Customs carries out this mission at 83 ports-of-entry along the U.S.-Canada border, the world's longest undefended border—some 5,500 miles.

The resources, however, that we have provided to the Customs Service to process traffic and trade across this border are woefully deficient. In a hearing before the Senate Finance Committee in September 1998, we learned that the current number of authorized Customs inspectors working on the northern border remains essentially the same as it was in 1980, despite the fact that the number of commercial entries they must process has increased sixfold since then, from 1 million to 6 million per year. The increased workload reflects of course the tremendous growth in U.S.-Canada trade: two-way trade in 1988, the year before the U.S.-Canada Free Trade Agreement entered into force, was $194 billion. In 1998, our two-way merchandise trade with Canada reached $331 billion, nearly $1 billion a day. Over one-quarter of our total imports from Canada enter the U.S. through three New York ports-of-entry—Buffalo, Champlain, and Alexandria Bay.

This bill aims to correct these problems by authorizing the additional people and technology necessary to handle the increase in trade and traffic between the United States and Canada. In particular, this bill authorizes 375 additional ''primary lane'' inspectors and 125 new cargo inspectors for the northern border, as well as 40 special agents and 10 intelligence agents. The bill also authorizes $26.58 million for equipment and technology for the northern border.

The resources available to the Customs Service over the last decade have simply not kept pace with this enormous growth in workload. As trade continues to grow, the day will come when our ports simply will not be able to bear that load, unless we ensure that adequate staffing and equipment are in place.●

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

The text of S. 544, the Emergency Supplemental Appropriations Act for Fiscal Year 1999, as passed by the Senate on March 23, 1999, follows:

S. 544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1999, and for other purposes, namely:

TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS

For emergency grants to assist low-income migrant and seasonal farmworkers under section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a), $25,000,000: *Provided,* That the entire amount shall be available only to the extent an official budget request for $25,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For an additional amount to carry out the agricultural marketing assistance program under the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.), $200,000, and the rural business enterprise grant program under section 310B(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c)), $500,000: *Provided,* That the entire amount shall be available only to the extent an official budget request for $700,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY

(SECTION 32)

For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), $150,000,000: *Provided,* That the entire amount shall be available only to the extent an official budget request for $150,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $42,753,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $550,000,000, of which $350,000,000 shall be for guaranteed loans; operating loans, $370,000,000, of which $185,000,000 shall be for subsidized guaranteed loans; and for emergency insured loans, $175,000,000 to meet the needs resulting from natural disasters.

For the additional cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, as follows: farm ownership loans, $35,505,000, of which $5,565,000 shall be for guaranteed loans; operating loans, $28,804,000, of which $16,169,000 shall be for subsidized guaranteed loans; and for emergency insured loans, $41,300,000 to meet the needs resulting from natural disasters; and for additional administrative expenses to carry out the direct and guaranteed loan programs, $4,000,000: *Provided,* That the entire amounts are designated by the Congress as emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for the ''Emergency Conservation Program'' for expenses resulting from natural disasters, $30,000,000, to remain available until expended: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $30,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

COMMODITY CREDIT CORPORATION FUND

LIVESTOCK INDEMNITY PROGRAM

An amount of $3,000,000 is provided to implement a livestock indemnity program as established in Public Law 105–18: *Provided,* That the entire amount shall be available only to the extent an official budget request for $3,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'' to repair damages to the waterways and watersheds, including debris removal that would not be authorized under the Emergency Watershed Program, resulting from natural disasters, $100,000,000, to remain available until expended: *Provided,* That the entire amount

shall be available only to the extent that an official budget request for $100,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the costs of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C for distribution through the national reserve, $30,000,000, of which $25,000,000 shall be for grants under such program: *Provided,* That the entire amount shall be available only to the extent an official budget request for $30,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund to meet needs resulting from natural disasters, as follows: $10,000,000 for loans to section 502 borrowers, as determined by the Secretary; and $1,000,000 for section 504 housing repair loans.

For the additional cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, $1,534,000, as follows: section 502 loans, $1,182,000; and section 504 housing repair loans, $352,000: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $1,534,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL HOUSING ASSISTANCE GRANTS

For an additional amount for grants for very low-income housing repair, as authorized by 42 U.S.C. 1474, to meet needs resulting from natural disasters, $1,000,000: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $1,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1101. The Secretary of Agriculture may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted during fiscal year 1999 to any 1 agricultural commodity or product thereof.

SEC. 1102. CROP LOSS ASSISTANCE. (a) IN GENERAL.—Section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (section 101(a) of division A of Public Law 105–277), is amended—

(1) in subsection (a), by inserting ''(not later than June 15, 1999)'' after ''made available''; and

(2) in subsection (g)(1), by inserting ''or private crop insurance (including a rain and hail policy)'' before the period at the end.

(b) DESIGNATION AS EMERGENCY REQUIREMENT.—Such sums as are necessary to carry out the amendments made by subsection (a): *Provided,* That such amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

SEC. 1103. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional $28,000,000 shall be provided through the Commodity Credit Corporation in fiscal year 1999 for technical assistance activities performed by any agency of the Department of Agriculture in carrying out any conservation or environmental program funded by the Commodity Credit Corporation: *Provided,* That the entire amount shall be available only to the extent an official budget request for $28,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1104. Notwithstanding any other provision of law, monies available under section 763 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, shall be provided by the Secretary of the Agriculture directly to any State determined by the Secretary of Agriculture to have been materially affected by the commercial fishery failure or failures declared by the Secretary of Commerce in September, 1998 under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act. Such State shall disburse the funds to individuals with family incomes below the Federal poverty level who have been adversely affected by the commercial fishery failure or failures: *Provided,* That the entire amount shall be available only to the extent an official budget request for such amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

SEC. 1105. (a) For an additional amount for the Livestock Assistance Program under Public Law 105–277, $70,000,000: *Provided,* That the entire amount shall be available only to the extent an official budget request for $70,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(b) An additional amount of $250,000,000 is rescinded as provided in section 3002 of this Act.

SEC. 1106. CROP INSURANCE OPTIONS FOR PRODUCERS WHO APPLIED FOR CROP REVENUE COVERAGE PLUS. (a) ELIGIBLE PRODUCERS.—This section applies with respect to a producer eligible for insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) who applied for the supplemental crop insurance endorsement known as Crop Revenue Coverage PLUS (referred to in this section as ''CRCPLUS'') for the 1999 crop year for a spring planted agricultural commodity.

(b) ADDITIONAL PERIOD FOR OBTAINING OR TRANSFERRING COVERAGE.—Notwithstanding the sales closing date for obtaining crop insurance coverage established under section 508(f)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(f)(2)) and notwithstanding any other provision of law, the Federal Crop Insurance Corporation shall provide a 14-day period beginning on the date of enactment of this Act, but not to extend beyond April 12, 1999, during which a producer described in subsection (a) may—

(1) with respect to a federally reinsured policy, obtain from any approved insurance provider a level of coverage for the agricultural commodity for which the producer applied for the CRCPLUS endorsement that is equivalent to or less than the level of federally reinsured coverage that the producer applied for from the insurance provider that offered the CRCPLUS endorsement; and

(2) transfer to any approved insurance provider any federally reinsured coverage provided for other agricultural commodities of the producer by the same insurance provider that offered the CRCPLUS endorsement, as determined by the Corporation.

CHAPTER 2

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

CENTRAL AMERICA AND THE CARIBBEAN EMERGENCY DISASTER RECOVERY FUND

(INCLUDING TRANSFERS OF FUNDS)

Notwithstanding section 10 of Public Law 91–672, for necessary expenses to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia, $611,000,000, to remain available until September 30, 2000: *Provided,* That the funds appropriated under this heading shall be subject to the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and, except for section 558, the provisions of title V of the Foreign Operations, Export Financing, and Related Programs Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)): *Provided further,* That such assistance may be made available notwithstanding such provisions of law regulating the making, performance, amendment, or modification of contracts as the Administrator of the United States Agency for International Development (USAID) may specify: *Provided further,* That

at least five days prior to any use of the authority in the preceding proviso the Administrator of USAID shall report in writing to the Committees on Appropriations of his intent to exercise such authority: *Provided further*, That up to $6,000,000 of the funds appropriated by this paragraph may be transferred to ''Operating Expenses of the Agency for International Development'', to remain available until September 30, 2000, to be used for administrative costs of USAID in addressing the effects of those hurricanes, of which up to $1,000,000 may be used to contract directly for the personal services of individuals in the United States: *Provided further*, That of the funds made available under this heading, not less than $2,000,000 should be made available to support the clearance of landmines and other unexploded ordnance in Nicaragua and Honduras: *Provided further*, That, of the amount appropriated under this heading, up to $10,000,000 may be made available to establish and support a scholarship fund for qualified low-to-middle income students to attend Zamorano Agricultural University in Honduras: *Provided further*, That up to $1,500,000 of the funds appropriated by this heading may be transferred to ''Operating Expenses of the Agency for International Development, Office of Inspector General'', to remain available until expended, to be used for costs of audits, inspections, and other activities associated with the expenditure of funds appropriated by this heading: *Provided further*, That $500,000 of the funds appropriated by this heading shall be made available to the Comptroller General for purposes of monitoring the provision of assistance using funds appropriated by this heading: *Provided further*, That any funds appropriated by this heading that are made available for nonproject assistance shall be obligated and expended subject to the regular notification procedures of the Committees on Appropriations and to the notification procedures relating to the reprogramming of funds under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1): *Provided further*, That funds appropriated under this heading shall be obligated and expended subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for $611,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the Agency for International Development should undertake efforts to promote reforestation, with careful attention to the choice, placement, and management of species of trees consistent with watershed management objectives designed to minimize future storm damage, and to promote energy conservation through the use of renewable energy and energy-efficient services and technologies: *Provided further*, That reforestation and energy initiatives under this heading should be integrated with other sustainable development efforts: *Provided further*, That of the funds made available under this heading, up to $10,000,000 may be used to build permanent single family housing for those who are homeless as a result of the effects of hurricanes in Central America and the Caribbean.

INTERNATIONAL DISASTER ASSISTANCE

Notwithstanding section 10 of Public Law 91–672, for an additional amount for ''International Disaster Assistance'' for necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance, pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $35,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent that an official budget request for $35,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For necessary expenses to enable the President to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, in addition to amounts otherwise available for such purposes: to provide assistance to Jordan, $50,000,000, to remain available until September 30, 2001: *Provided*, That the entire amount made available for fiscal year 1999 herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out section 23 of the Arms Export Control Act, in addition to amounts otherwise available for such purposes, $50,000,000, to become available upon enactment of this Act and to remain available until September 30, 2001, which shall be for grants only for Jordan: *Provided*, That funds appropriated under this heading shall be nonrepayable, notwithstanding section 23(b) and section 23(c) of the Arms Export Control Act: *Provided further*, That the entire amount made available for fiscal year 1999 herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE TREASURY

DEBT RESTRUCTURING

Notwithstanding section 10 of Public Law 91–672, for an additional amount for ''Debt Restructuring'', $41,000,000, to remain available until expended and subject to the terms and conditions under the same heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as included in Public Law 105–277, section 101(d): *Provided*, That up to $25,000,000 may be used for a contribution to the Central America Emergency Trust Fund, administered by the International Bank for Reconstruction and Development: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISION, THIS CHAPTER

SEC. 1201. The value of articles, services, and military education and training authorized as of November 15, 1998, to be drawn down by the President under the authority of section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, shall not be counted against the ceiling limitation of that section.

CHAPTER 3

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $12,612,000, to remain available until expended, to repair damage due to rain, winds, ice, snow, and other acts of nature, and to replace and repair power generation equipment: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OTHER RELATED AGENCY

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For an additional amount for ''Holocaust Memorial Council'', $2,000,000, to remain available until expended, for the Holocaust Museum to address security needs: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 4

INDEPENDENT AGENCY

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER ASSISTANCE FOR UNMET NEEDS

For ''Disaster Assistance for Unmet Needs'', $313,600,000, which shall remain available until September 30, 2001, for use by the Director of the Federal Emergency Management Agency (Director) only for disaster relief, buyout assistance, long-term recovery, and mitigation in communities affected by Presidentially-declared natural disasters designated during fiscal years 1998 and 1999, only to the extent those activities are not reimbursable by or for which funds are not made available by the Federal Emergency Management Agency (under its ''Disaster Relief'' program), the Small Business Administration, or the Army Corps of Engineers: *Provided*, That in administering these funds the Director shall allocate these funds to States to be administered by each State in conjunction with its Federal Emergency Management Agency Disaster Relief program: *Provided further*, That each State shall provide not less than 25 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for

any funds allocated to the State under this heading: *Provided further*, That the Director shall allocate these funds based on the unmet needs arising from a Presidentially-declared disaster as identified by the Director as those which have not or will not be addressed by other Federal disaster assistance programs and for which it is deemed appropriate to supplement the efforts and available resources of States, local governments and disaster relief organizations: *Provided further*, That the Director shall establish review groups within FEMA to review each request by a State of its unmet needs and certify as to the actual costs associated with the unmet needs as well as the commitment and ability of each state to provide its match requirement: *Provided further*, That the Director shall implement all mitigation and buyout efforts in a manner consistent with the requirements of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Director shall publish a notice in the Federal Register governing the allocation and use of the funds under this heading, including provisions for ensuring the compliance of the states with the requirements of this program: *Provided further*, That 10 days prior to distribution of funds, the Director shall submit a list to the House and Senate Committees on Appropriations, setting forth the proposed uses of funds and the most recent estimates of unmet needs: *Provided further*, That the Director shall submit quarterly reports to the Committees regarding the actual projects and needs for which funds have been provided under this heading: *Provided further*, That to the extent any funds under this heading are used in a manner inconsistent with the requirements of the program established under this heading and any rules issued pursuant thereto, the Director shall recapture an equivalent amount of funds from the State from any existing funds or future funds awarded to the State under this heading or any other program administered by the Federal Emergency Management Agency: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISION, THIS TITLE

SEC. 1401. EMERGENCY STEEL LOAN GUARANTEE PROGRAM. (a) SHORT TITLE.—This section may be cited as the ''Emergency Steel Loan Guarantee Act of 1999''.

(b) CONGRESSIONAL FINDINGS.—Congress finds that—

(1) the United States steel industry has been severely harmed by a record surge of more than 40,000,000 tons of steel imports into the United States in 1998, caused by the world financial crisis;

(2) this surge in imports resulted in the loss of more than 10,000 steel worker jobs in 1998, and was the imminent cause of 3 bankruptcies by medium-sized steel companies, Acme Steel, Laclede Steel, and Geneva Steel;

(3) the crisis also forced almost all United States steel companies into—

(A) reduced volume, lower prices, and financial losses; and

(B) an inability to obtain credit for continued operations and reinvestment in facilities;

(4) the crisis also has affected the willingness of private banks and investment institutions to make loans to the U.S. steel industry for continued operation and reinvestment in facilities;

(5) these steel bankruptcies, job losses, and financial losses are also having serious negative effects on the tax base of cities, counties, and States, and on the essential health, education, and municipal services that these government entities provide to their citizens; and

(6) a strong steel industry is necessary to the adequate defense preparedness of the United States in order to have sufficient steel available to build the ships, tanks, planes, and armaments necessary for the national defense.

(c) DEFINITIONS.—For purposes of this section—

(1) the term ''Board'' means the Loan Guarantee Board established under subsection (e);

(2) the term ''Program'' means the Emergency Steel Guaranteed Loan Program established under subsection (d); and

(3) the term ''qualified steel company'' means any company that—

(A) is incorporated under the laws of any State;

(B) is engaged in the production and manufacture of a product defined by the American Iron and Steel Institute as a basic steel mill product, including ingots, slab and billets, plates, flat-rolled steel, sections and structural products, bars, rail type products, pipe and tube, and wire rod; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the steel import crisis, after January 1, 1998.

(d) ESTABLISHMENT OF EMERGENCY STEEL GUARANTEED LOAN PROGRAM.—There is established the Emergency Steel Guaranteed Loan Program, to be administered by the Board, the purpose of which is to provide loan guarantees to qualified steel companies in accordance with this section.

(e) LOAN GUARANTEE BOARD MEMBERSHIP.—There is established a Loan Guarantee Board, which shall be composed of—

(1) the Secretary of Commerce, who shall serve as Chairman of the Board;

(2) the Secretary of Labor; and

(3) the Secretary of the Treasury.

(f) LOAN GUARANTEE PROGRAM.—

(1) AUTHORITY.—The Program may guarantee loans provided to qualified steel companies by private banking and investment institutions in accordance with the procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any one time under this section may not exceed $1,000,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified steel company may not exceed $250,000,000.

(4) MINIMUM GUARANTEE AMOUNT.—No single loan in an amount that is less than $25,000,000 may be guaranteed under this section.

(5) TIMELINES.—The Board shall approve or deny each application for a guarantee under this section as soon as possible after receipt of such application.

(6) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $140,000,000 to remain available until expended.

(g) REQUIREMENTS FOR LOAN GUARANTEES.—A loan guarantee may be issued under this section upon application to the Board by a qualified steel company pursuant to an agreement to provide a loan to that qualified steel company by a private bank or investment company, if the Board determines that—

(1) credit is not otherwise available to that company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of that company;

(2) the prospective earning power of that company, together with the character and value of the security pledged, furnish reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of such loan; and

(4) the company has agreed to an audit by the General Accounting Office, prior to the issuance of the loan guarantee and annually while any such guaranteed loan is outstanding.

(h) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be payable in full not later than December 31, 2005, and the terms and conditions of each such loan shall provide that the loan may not be amended, or any provision thereof waived, without the consent of the Board.

(2) LOAN SECURITY.—Any commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions that the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified steel company receiving a guarantee under this section shall pay a fee in an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan to the Department of the Treasury.

(i) REPORTS TO CONGRESS.—The Secretary of Commerce shall submit to the Congress annually, a full report of the activities of the Board under this section during fiscal years 1999 and 2000, and annually thereafter, during such period as any loan guaranteed under this section is outstanding.

(j) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $5,000,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(k) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(l) REGULATORY ACTION.—The Board shall issue such final procedures, rules, and regulations as may be necessary to carry out this section not later than 60 days after the date of enactment of this Act.

(m) EMERGENCY DESIGNATION.—The entire amount made available to carry out this section—

(1) is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)); and

(2) shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement (as defined in the Balanced Budget and Emergency Deficit Control Act of 1985) is transmitted by the President to the Congress.

SEC. 1402. PETROLEUM DEVELOPMENT MANAGEMENT. (a) SHORT TITLE.—This section may be cited as the ''Emergency Oil and Gas Guaranteed Loan Program Act''.

(b) FINDINGS.—Congress finds that—

(1) consumption of foreign oil in the United States is estimated to equal 56 percent of all oil consumed, and that percentage could reach 68 percent by 2010 if current prices prevail;

(2) the number of oil and gas rigs operating in the United States is at its lowest since 1944, when records of this tally began;

(3) if prices do not increase soon, the United States could lose at least half its marginal wells, which in aggregate produce as much oil as the United States imports from Saudi Arabia;

(4) oil and gas prices are unlikely to increase for at least several years;

(5) declining production, well abandonment, and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) the world's richest oil producing regions in the Middle East are experiencing increasingly greater political instability;

(7) United Nations policy may make Iraq the swing oil producing nation, thereby granting Saddam Hussein tremendous power;

(8) reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed that ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established by subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Oil and Gas Guaranteed Loan Program established by subsection (d).

(3) QUALIFIED OIL AND GAS COMPANY.—The term ''qualified oil and gas company'' means a company that—

(A) is incorporated under the laws of any State;

(B) is—

(i) an independent oil and gas company (within the meaning of section 57(a)(2)(B)(i) of the Internal Revenue Code of 1986); or

(ii) a small business concern under section 3 of the Small Business Act (15 U.S.C. 632) that is an oil field service company whose main business is providing tools, products, personnel, and technical solutions on a contractual basis to exploration and production operators who drill, complete, produce, transport, refine and sell hydrocarbons and their byproducts as their main commercial business; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the oil import crisis, after January 1, 1997.

(d) EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM.—

(1) IN GENERAL.—There is established the Emergency Oil and Gas Guaranteed Loan Program, the purpose of which shall be to provide loan guarantees to qualified oil and gas companies in accordance with this section.

(2) LOAN GUARANTEE BOARD.—There is established to administer the Program a Loan Guarantee Board, to be composed of—

(A) the Secretary of Commerce, who shall serve as Chairperson of the Board;

(B) the Secretary of Labor; and

(C) the Secretary of the Treasury.

(e) AUTHORITY.—

(1) IN GENERAL.—The Program may guarantee loans provided to qualified oil and gas companies by private banking and investment institutions in accordance with procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any one time under this section shall not exceed $500,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified oil and gas company shall not exceed $10,000,000.

(4) MINIMUM GUARANTEE AMOUNT.—No single loan in an amount that is less than $250,000 may be guaranteed under this section.

(5) EXPEDITIOUS ACTION ON APPLICATIONS.—The Board shall approve or deny an application for a guarantee under this section as soon as practicable after receipt of an application.

(f) REQUIREMENTS FOR LOAN GUARANTEES.—The Board may issue a loan guarantee on application by a qualified oil and gas company under an agreement by a private bank or investment company to provide a loan to the qualified oil and gas company, if the Board determines that—

(1) credit is not otherwise available to the company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of the company;

(2) the prospective earning power of the company, together with the character and value of the security pledged, provide a reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan; and

(4) the company has agreed to an audit by the General Accounting Office before issuance of the loan guarantee and annually while the guaranteed loan is outstanding.

(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be repayable in full not later than December 31, 2010, and the terms and conditions of each such loan shall provide that the loan agreement may not be amended, or any provision of the loan agreement waived, without the consent of the Board.

(2) LOAN SECURITY.—A commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions as the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified oil and gas company receiving a loan guarantee under this section shall pay a fee in an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan to the Department of the Treasury.

(h) REPORTS.—During fiscal year 1999 and each fiscal year thereafter until each guaranteed loan has been repaid in full, the Secretary of Commerce shall submit to the Congress a report on the activities of the Board.

(i) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $2,500,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(j) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(k) REGULATORY ACTION.—Not later than 60 days after the date of enactment of this Act, the Board shall issue such final procedures, rules, and regulations as are necessary to carry out this section.

(l) EMERGENCY DESIGNATION.—The entire amount made available to carry out this section—

(1) is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)); and

(2) shall be available only to the extent that the President submits to the Congress a budget request that includes designation of the entire amount of the request as an emergency requirement.

SEC. 1403. DEDUCTION FOR OIL AND GAS PRODUCTION. (a) DEDUCTION.—Subject to the limitations in subsection (c), the Secretary of the Interior shall allow lessees operating one or more qualifying wells on public land to deduct from the amount of royalty otherwise payable to the Secretary on production from a qualifying well, the amount of expenditures made by such lessees after April 1, 1999 to—

(1) increase oil or gas production from existing wells on public land;

(2) drill new oil or gas wells on existing leases on public land; or

(3) explore for oil or gas on public land.

(b) DEFINITIONS.—For purposes of this section—

(1) the term ''lessee'' means any person to whom the United States issues a lease for oil and gas exploration, production, or development on public land, or any person to whom operating rights in such lease have been assigned;

(2) the term ''public land'' has the same meaning given such term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)); and

(3) the term ''qualifying well'' means any well for the production of natural gas, crude oil, or both that is on public land and—

(A) has production that is treated as marginal production under section 631A(c)(6) of the Internal Revenue Code of 1986; or

(B) has been classified as a qualifying well by the Secretary of the Interior for purposes of maximizing the benefits of this section.

(c) SUNSET.—The Secretary of the Interior shall not allow a deduction under this section after—

(1) September 30, 2000;

(2) the thirtieth consecutive day on which the price for West Texas Intermediate crude

oil on the New York Mercantile Exchange closes above $18 per barrel; or

(3) lessees have deducted a total of $123,000,000 under this section—

whichever occurs first.

(d) ADMINISTRATIVE COSTS.—For necessary expenses of the Department of the Interior under this section, $2,000,000 is appropriated to the Secretary of the Interior, to remain available until expended.

(e) EMERGENCY DESIGNATION.—The entire amount made available to carry out this section—

(1) shall be available only to the extent an official budget request for $125,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress; and

(2) is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(f) ADDITIONAL AMOUNT.—An additional amount of $125,000,000 is rescinded as provided in section 3002 of this Act.

TITLE II—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

For an additional amount for ''Salaries and Expenses, Enforcement and Border Affairs'' to support increased detention requirements for criminal and illegal aliens, $80,000,000, which shall remain available until September 30, 2000.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For the necessary expenses of additional research, management, and enforcement activities in the Northeast Multispecies fishery, and for the acquisition of shoreline data for nautical charts, $3,880,000, to remain available until expended: *Provided*, That from unobligated balances in this account available under the heading ''CLIMATE AND GLOBAL CHANGE RESEARCH'', $2,000,000 shall be made available for regional applications programs at the University of Northern Iowa consistent with the direction in the report to accompany Public Law 105–277.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $23,000,000, for additional counterdrug research and development activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to the Congress.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses,'' $921,000, to remain available until expended.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $2,900,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $7,300,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $50,000,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $16,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $8,000,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $21,000,000, of which $20,000,000 is available only for the CINC initiative fund.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $20,000,000.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for ''Overseas Humanitarian, Disaster, and Civic Aid'', $37,500,000.

NEW HORIZONS EXERCISE TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For emergency expenses incurred by United States military forces to participate in the New Horizons Exercise programs to undertake relief, rehabilitation, and restoration operations and training activities in response to disasters within the United States Southern Command area of responsibility; $46,000,000, to remain available for transfer until September 30, 1999: *Provided*, That the Secretary of Defense may transfer these funds to operation and maintenance accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in Public Law 105–262.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 2201. Of the amounts appropriated or otherwise made available in the Department of Defense Appropriations Act, 1999 (Public Law 105–262) for ''Operation and maintenance, defense-wide'', up to $8,000,000 may be made available for the award of a grant to a consortium of nonprofit, higher education institutions for the purpose of creating a computer network among such institutions to enhance teaching and learning opportunities in science, technology and communications.

SEC. 2202. (a) UNITED STATES MILITARY ACADEMY.—Section 4344(b)(3) of title 10, United States Code, is amended by striking ''five persons'' and inserting ''10 persons''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6957(b)(3) of such title is amended by striking ''five persons'' and inserting ''10 persons''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9344(b)(3) of such title is amended by striking ''five persons'' and inserting ''10 persons''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to students from a foreign country entering the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on or after May 1, 1999.

SEC. 2203. (a) AUTHORITY TO MAKE PAYMENTS.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The Secretary shall make the decision to exercise the authority in subsection (a) not later than 90 days after the date of enactment of this Act.

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of the Navy for operation and maintenance for fiscal year 1999 or other unexpended balances from prior years, the Secretary shall make available $40,000,000 only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident described in subsection (a).

(d) AMOUNT OF PAYMENT.—The amount of the payment under this section in settlement of the claims arising from the death of any person associated with the accident described in subsection (a) may not exceed $2,000,000.

(e) TREATMENT OF PAYMENTS.—Any amount paid to a person under this section is intended to supplement any amount subsequently determined to be payable to the person under section 127 or chapter 163 of title 10, United States Code, or any other provision of law for administrative settlement of claims against the United States with respect to damages arising from the accident described in subsection (a).

(f) CONSTRUCTION.—The payment of an amount under this section may not be considered to constitute a statement of legal liability on the part of the United States or otherwise as evidence of any material fact in any judicial proceeding or investigation arising from the accident described in subsection (a).

SEC. 2204. Notwithstanding any other provision of law, a military technician (dual status) (as defined in section 10216 of title 10, United States Code) performing active duty without pay while on leave from technician employment under section 6323(d) of title 5, United States Code, may, in the discretion of the Secretary concerned, be authorized a per diem allowance under this title, in lieu of commutation for subsistence and quarters as described in section 1002(b) of title 37, United States Code.

SEC. 2205. OPERATIONAL SUPPORT AIRCRAFT MULTI-YEAR LEASING DEMONSTRATION PROJECT. (a) AUTHORITY TO LEASE.—Effective on or after October 1, 1999, the Secretary of the Air Force may obtain transportation for operational support purposes, including transportation for combatant Commanders in Chief, by lease of aircraft, on such terms and conditions as the Secretary may deem appropriate, consistent with this section, through an operating lease consistent with OMB Circular A–11.

(b) MAXIMUM LEASE TERM FOR MULTI-YEAR LEASE.—The term of any lease into which the Secretary enters under this section shall not exceed ten years from the date on which the lease takes effect.

(c) COMMERCIAL TERMS.—The Secretary may include terms and conditions in any lease into which the Secretary enters under this section that are customary in the leasing of aircraft by a nongovernmental lessor to a nongovernmental lessee.

(d) TERMINATION PAYMENTS.—The Secretary may, in connection with any lease into which the Secretary enters under this section, to the extent the Secretary deems appropriate, provide for special payments to the lessor if either the Secretary terminates or cancels the lease prior to the expiration of its term or the aircraft is damaged or destroyed prior to the expiration of the term of the lease. In the event of termination or cancellation of the lease, the total value of such payments shall not exceed the value of one year's lease payment.

(e) OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law—

(1) an obligation need not be recorded upon entering into a lease under this section, in order to provide for the payments described in subsection (d); and

(2) any payments required under a lease under this section, and any payments made pursuant to subsection (d), may be made from—

(A) appropriations available for the performance of the lease at the time the lease takes effect;

(B) appropriations for the operation and maintenance available at the time which the payment is due; and

(C) funds appropriated for those payments.

(f) OTHER AUTHORITY PRESERVED.—The authority granted to the Secretary of the Air Force by this section is separate from and in addition to, and shall not be construed to impair or otherwise affect, the authority of the Secretary to procure transportation or enter into leases under a provision of law other than this section.

CHAPTER 3

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(TRANSFER OF FUNDS)

For an additional amount for ''Operation of Indian Programs'', $1,136,000, to remain available until expended for suppression of western spruce budworm: *Provided*, That such funds shall be derived by transfer of funds provided in previous appropriations acts under the heading ''Forest Service, Wildland Fire Management''.

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

Of the funds provided under this heading in prior Appropriations Acts for the Automated Land and Mineral Record System, $1,000,000 shall be available until expended to meet increased workload requirements stemming from the anticipated higher volume of Applications for Permits to Drill in the Powder River Basin: *Provided*, That unless there is an agreement in place between the coal mining operator and the gas producer, the funds made available herein shall not be used to approve Applications for Permits to Drill for well sites that are located within an area covered by: (1) an existing coal lease, or (2) an existing coal mining permit, or (3) an existing Lease by Application for a coal mining lease, or (4) a future Lease by Application for an area adjacent to and within one mile of an area covered by (1), (2), or (3) above. Nothing in this paragraph shall be construed or operate as a restriction on current resources appropriated to the Department of the Interior.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For an additional amount for ''Federal Trust Programs'', $6,800,000, to remain available until expended for activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'' for emergency repairs to the Headgate Rock Hydroelectric Project, $5,000,000 is appropriated pursuant to the Snyder Act (25 U.S.C.), to be expended by the Bureau of Reclamation, to remain available until expended.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

Of the funds made available under this heading for fire operations in previous Acts of Appropriation (exclusive of amounts for hazardous fuels reduction), $100,000,000 shall be transferred to the Knutson-Vandenberg fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.) within 10 days of passage of this Act.

CHAPTER 4

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For an additional amount for ''general departmental management'', $1,400,000, to reduce the backlog of pending nursing home appeals before the Departmental Appeals Board.

RELATED AGENCY

CORPORATION FOR PUBLIC BROADCASTING

For an additional amount for the Corporation for Public Broadcasting, to remain available until expended, $18,000,000: *Provided*, That such funds be made available to National Public Radio, as the designated manager of the Public Radio Satellite System, for acquisition of satellite capacity.

CHAPTER 5

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'' to cover the incremental costs arising from the consequences of Hurricane Georges, $14,500,000, as authorized by 10 U.S.C. 2854, to remain available until September 30, 2003.

CHAPTER 6

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

Of amounts appropriated for fiscal year 1999 for salaries and expenses under the Salaries and Expenses account in title II of Public Law 105–276, $3,400,000 shall be transferred to the Community Development Block Grants account in title II of Public Law 105–276 for grants for service coordinators and congregate services for the elderly and disabled: *Provided*, That in distributing such amount, the Secretary of Housing and Urban Development shall give priority to public housing agencies that submitted eligible applications for renewal of fiscal year 1995 elderly service coordinator grants pursuant to the Notice of Funding Availability for Service Coordinator Funds for Fiscal Year 1998, as published in the Federal Register on June 1, 1998.

MANAGEMENT AND ADMINISTRATION

OFFICE OF INSPECTOR GENERAL

Under this heading in Public Law 105–276, add the words, ''to remain available until September 30, 2000,'' after ''$81,910,000,''.

CHAPTER 7

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION, GENERAL

For an additional amount for ''Construction, General'', $500,000 shall be available for technical assistance related to shoreline erosion at Lake Tahoe, Nevada caused by high lake levels pursuant to section 219 of the Water Resources Development Act of 1992.

CHAPTER 8

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, an additional $750,000 is appropriated for drug control activities which shall be used specifically to expand the Southwest Border High Intensity Drug Trafficking Area for the State of New Mexico to include Rio Arriba County, Santa Fe County, and San Juan County, New Mexico, which are hereby designated as part of the Southwest Border High Intensity Drug Trafficking Area for the State of New Mexico, and an additional $500,000 is appropriated for national efforts related to methamphetamine reduction efforts.

CHAPTER 9

DEPARTMENT OF STATE RELATED AGENCY

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until expended: *Provided*, That the amount of the rescission under chapter 2 of title III of this Act under the heading ''CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS'' is hereby increased by $3,000,000.

GENERAL PROVISIONS, THIS TITLE

SEC. 2301. The Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended under the heading ''Forest Service, Reconstruction and Construction'' by inserting before the final period the following: '': *Provided further*, That notwithstanding any other provision of law, funds appropriated for Forest Service construction of a new forestry research facility at Auburn University, Auburn, Alabama, shall be available for a direct payment to Auburn University for this

purpose, but no more than $4,000,000 shall be available for such payment prior to October 1, 1999: *Provided further,* That if within the life of the facility the USDA Forest Service needs additional space for collaborative laboratory activities on the Auburn University campus, Auburn University shall provide such laboratory space within the new facility constructed with these funds, free of any charge for rent''.

SEC. 2302. None of the funds made available under this or any other Act may be used by the Secretary of the Interior to issue and finalize the rule to revise 43 C.F.R. Part 3809, published on February 9, 1999 at 64 Fed. Reg. 6421 or the Draft Environmental Impact Statement on Surface Management Regulations for Locatable Mineral Operations, published in February, 1999, unless the Secretary has provided a period of not less than 120 days for accepting public comment on the proposed rule after the report of the National Academy of Sciences' Committee on Hardrock Mining on Federal Lands, authorized and required by the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is submitted to the appropriate federal agencies, the Congress, and the Governors of the affected states in accordance with the requirements of that Act.

SEC. 2303. CIVIL LIBERTIES PUBLIC EDUCATION FUND. Notwithstanding any other provision of law and in addition to any funds appropriated for this purpose, the Attorney General may transfer from any funds available to the Department of Justice not more than $4,300,000 to the Fund established under the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) for the purpose of paying restitution to individuals (1) who are eligible for restitution under such Act and have filed timely claims for the restitution, or (2) who are found eligible under the settlement agreement in the case of Carmen Mochizuki et al. vs. United States (Case No. 97–294C, United States Court of Federal Claims) and filed timely claims covered by the agreement.

SEC. 2304. Division A, section 101(a), title XI, section 1122(c) is amended by inserting after ''basis'' '': *Provided,* That no administrative costs shall be charged against this program which would have been incurred otherwise''.

SEC. 2305. None of the funds in this or any other Act shall be used to issue a notice of final rulemaking with respect to the valuation of crude oil for royalty purposes, including a rulemaking derived from proposed rules published in 63 Federal Register 6113 (1998), 62 Federal Register 36030, and 62 Federal Register 3742 (1997) until October 1, 1999, or until there is a negotiated agreement on the rule.

SEC. 2306. Of the $2,200,000 appropriated in Public Law 105–276 in accordance with H.R. Conference Report No. 105–769 to meet sewer infrastructure needs associated with the 2002 Winter Olympic Games shall be awarded to Wasatch County, UT, for both water and sewer.

SEC. 2307. For the remainder of fiscal year 1999, no funds may be used by the Department of the Interior to implement Secretarial Order 3208, issued January 5, 1999, regarding the ''Reorganization of the Office of the Special Trustee for American Indians''. Fiscal year 1999 funds appropriated for purposes of reforming trust funds management practices shall continue to be administered as if the Order had not been issued.

SEC. 2308. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM. (a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103 of title 49, United States Code, as amended by section 110(b)(1) of title I of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended by striking ''$1,205,000,000'' and all that follows through ''October 1, 1998''and inserting ''$1,607,000,000 for the 8-month period beginning October 1, 1998.''.

(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) of title 49, United States Code, as amended by section 110(b)(2) of title I of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended by striking ''March 31, 1999'' and inserting ''May 31, 1999''.

(c) LIQUIDATION OF CONTRACT AUTHORIZATION.—The Department of Transportation and Related Agencies Appropriations Act, 1999, as enacted in section 101(g) of Public Law 105–277, is amended as follows: Under the heading ''Grants-in-Aid for Airports, (Liquidation of Contract Authorization), (Airport and Airway Trust Fund)'', delete the last proviso, and insert the following in lieu thereof: '': *Provided further,* That not more than $1,300,000,000 of funds limited under this heading may be obligated before the enactment of a bill extending contract authorization for the Grants-in-Aid for airports program beyond May 31, 1999.''.

SEC. 2309. (a) Section (a) of section 149, division C of Pubic Law 105–277 is amended by striking ''April 1, 1999'' and inserting in lieu thereof ''September 30, 1999''.

(b) Section (b) of section 149, division C of Public Law 105–277 is amended by striking ''April 1, 1999'' each time it appears and inserting in lieu thereof ''September 30, 1999''.

SEC. 2310. (a) Section 339(b)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1989(b)(3) is amended—

(1) by striking the comma and the remainder of paragraph (3) following the comma; and

(2) by inserting a period after ''(1)''.

(b) Section 353(c)(3)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(c)(3)(C)) is amended by striking ''100 percent'' and inserting ''110 percent''.

SEC. 2311. PROHIBITION ON TREATING ANY FUNDS RECOVERED FROM TOBACCO COMPANIES AS AN OVERPAYMENT FOR PURPOSES OF MEDICAID. (a) AMENDMENT TO SOCIAL SECURITY ACT.—Section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)''; and

(2) by adding at the end the following:

''(B)(i) Subparagraph (A) and paragraph (2)(B) shall not apply to any amount recovered or paid to a State as part of the comprehensive settlement of November 1998 between manufacturers of tobacco products, as defined in section 5702(d) of the Internal Revenue Code of 1986, and State Attorneys General, or as part of any individual State settlement or judgment reached in litigation initiated or pursued by a State against one or more such manufacturers.

''(ii) Except as provided in subsection (i)(19), a State may use amounts recovered or paid to the State as part of a comprehensive or individual settlement, or a judgment, described in clause (i) for any expenditures determined appropriate by the State.''.

(b) PROHIBITION ON PAYMENT FOR ADMINISTRATIVE EXPENSES INCURRED IN PURSUING TOBACCO LITIGATION.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended—

(1) in paragraph (18), by striking the period and inserting ''; or''; and

(2) by inserting after paragraph (18) the following new paragraph:

''(19) with respect to any amount expended on administrative costs to initiate or pursue litigation described in subsection (d)(3)(B).''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply to amounts paid to a State prior to, on, or after the date of enactment of this Act.

SEC. 2312. EXTENSION OF AVIATION INSURANCE PROGRAM. Section 44310 of title 49, United States Code, is amended by striking ''March 31, 1999.'' and inserting ''May 31, 1999.''.

SEC. 2313. TITLE 49 RECODIFICATION CORRECTION. Effective December 31, 1998, section 4(k) of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1370), as amended by section 7(a)(3)(D) of the Act of October 31, 1994 (Public Law 103–429, 108 Stat. 4329), is repealed.

SEC. 2314. Notwithstanding any other provision of law, the taking of a Cook Inlet beluga whale under the exemption provided in section 101(b) of the Marine Mammal Protection Act (16 U.S.C. 1371(a)) between the date of the enactment of this Act and October 1, 2000 shall be considered a violation of such Act unless such taking occurs pursuant to a cooperative agreement between the National Marine Fisheries Service and Cook Inlet Marine Mammal Council.

SEC. 2315. Funds provided in the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (Public Law 105–277, division A, section 101(b)) for the construction of correctional facility in Barrow, Alaska shall be made available to the North Slope Borough.

SEC. 2316. LIABILITY OF CERTAIN NATURAL GAS PRODUCERS. The Natural Gas Policy Act of 1978 (15 U.S.C. 3301 et seq.) is amended by adding at the end the following:

''SEC. 603. LIABILITY OF CERTAIN NATURAL GAS PRODUCERS.

''If the Commission orders any refund of any rate or charge made, demanded, or received for reimbursement of State ad valorem taxes in connection with the sale of natural gas before 1989, the refund shall be ordered to be made without interest or penalty of any kind.''.

SEC. 2317. Section 328 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105–277, division A, section 1(e), title III) is amended by striking ''none of the funds in this Act'' and inserting ''none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs''.

SEC. 2318. (a) LOAN DEFICIENCY PAYMENTS FOR CLUB WHEAT PRODUCERS.—In making loan deficiency payments available under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) to producers of club wheat, the Secretary of Agriculture may not assess a premium adjustment on the amount that would otherwise be computed for club wheat under the section to reflect the premium that is paid for club wheat to ensure its availability to create a blended specialty product known as western white wheat.

(b) RETROACTIVE APPLICATION.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall make a payment to each producer of club wheat that received a discounted loan deficiency payment under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) before that date as a result of the assessment of a premium adjustment against club wheat. The amount of the payment for a producer shall be equal to the difference between—

(1) the loan deficiency payment that would have been made to the producer in the absence of the premium adjustment; and

(2) the loan deficiency payment actually received by the producer.

(c) FUNDING SOURCE.—The Secretary shall use funds available to provide marketing assistance loans and loan deficiency payments under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) to make the payments required by subsection (b).

SEC. 2319. GLACIER BAY. (a) DUNGENESS CRAB FISHERMEN.—Section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277) is amended—

(1) in paragraph (1)—

(A) by striking ''February 1, 1999'' and inserting ''June 1, 1999''; and

(B) by striking ''1996'' and inserting ''1998''; and

(2) by striking ''the period January 1, 1999, through December 31, 2004, based on the individual's net earnings from the Dungeness crab fishery during the period January 1, 1991, through December 31, 1996'' and inserting ''for the period beginning January 1, 1999 that is equivalent in length to the period established by such individual under paragraph (1), based on the individual's net earnings from the Dungeness crab fishery during such established period''.

(b) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277), as amended, is amended further by redesignating subsection (c) as subsection (d) and inserting immediately after subsection (b) the following new subsection:

''(c) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—The Secretary of the Interior is authorized to provide such funds as are necessary for a program developed with the concurrence of the State of Alaska to fairly compensate United States fish processors, fishing vessel crew members, communities, and others negatively affected by restrictions on fishing in Glacier Bay National Park. For the purpose of receiving compensation under the program required by this subsection, a potential recipient shall provide a sworn and notarized affidavit to establish the extent of such negative effect.''.

(c) IMPLEMENTATION.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277), as amended, is amended further by inserting at the end the following new subsection:

''(e) IMPLEMENTATION AND EFFECTIVE DATE.—The Secretary of the Interior shall publish an interim final rule for the federal implementation of subsection (a) and shall provide an opportunity for public comment on such interim final rule. The effective date of the prohibitions in paragraphs (2) through (5) of section (a) shall be 60 days after the publication in the Federal Register of a final rule for the federal implementation of subsection (a). In the event that any individual eligible for compensation under subsection (b) has not received full compensation by June 15, 1999, the Secretary shall provide partial compensation on such date to such individual and shall expeditiously provide full compensation thereafter.''.

(d) Of the funds provided under the heading ''National Park Service, Construction'' in Public Law 105–277, $3,000,000 shall not be available for obligation until October 1, 1999.

SEC. 2320. WHITE RIVER SCHOOL DISTRICT #47–1. From any unobligated funds that are available to the Secretary of Education to carry out section 306(a)(1) of the Department of Education Appropriations Act, 1996, the Secretary shall provide not more than $239,000, under such terms and conditions as the Secretary determines appropriate, to the White River School District #47–1, White River, South Dakota, to be used to repair damage caused by water infiltration at the White River High School, which shall remain available until expended.

SEC. 2321. (a) The treatment provided to firefighters under section 628(f) of the Treasury and General Government Appropriations Act, 1999 (as included in section 101(h) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) shall be provided to any firefighter who—

(1) on the effective date of section 5545b of title 5, United States Code—

(A) was subject to such section; and

(B) had a regular tour of duty that averaged more than 60 hours per week; and

(2) before December 31, 1999, is involuntarily moved without a break in service from the regular tour of duty under paragraph (1) to a regular tour of duty that—

(A) averages 60 hours or less per week; and

(B) does not include a basic 40-hour workweek.

(b) Subsection (a) shall apply to firefighters described under that subsection as of the effective date of section 5545b of title 5, United States Code.

(c) The Office of Personnel Management may prescribe regulations necessary to implement this section.

SEC. 2322. SENSE OF THE SENATE: EXPRESSING THE SENSE OF THE SENATE THAT A PENDING SALE OF WHEAT AND OTHER AGRICULTURAL COMMODITIES TO IRAN BE APPROVED. (a) The Senate finds:

(1) That an export license is pending for the sale of United States wheat and other agricultural commodities to the nation of Iran.

(2) That this sale of agricultural commodities would increase United States agricultural exports by about $500,000,000, at a time when agricultural exports have fallen dramatically.

(3) That sanctions on food are counterproductive to the interest of United States farmers and to the people who would be fed by these agricultural exports.

(b) Now therefore, it is the sense of the Senate that the pending license for this sale of United States wheat and other agricultural commodities to Iran be approved by the administration.

SEC. 2323. PROHIBITION. (a) Notwithstanding any other provision of law, prior to eight months after Congress receives the report of the National Gambling Impact Study Commission, the Secretary of the Interior shall not—

(1) promulgate as final regulations, or in any way implement, the proposed regulations published on January 22, 1998, at 63 Fed. Reg. 3289; or

(2) issue a notice of proposed rulemaking for, or promulgate, or in any way implement, any similar regulations to provide for procedures for gaming activities under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), in any case in which a State asserts a defense of sovereign immunity to a lawsuit brought by an Indian tribe in a Federal court under section 11(d)(7) of that Act (25 U.S.C. 2710(d)(7)) to compel the State to participate in compact negotiations for class III gaming (as that term is defined in section 4(8) of that Act (25 U.S.C. 2703(8))).

(3) approve class III gaming on Indian lands by any means other than a Tribal-State compact entered into between a State and a tribe.

(b) DEFINITIONS.—

(1) The terms ''class III gaming'', ''Secretary'', ''Indian lands'', and ''Tribal-State compact'' shall have the same meaning for the purposes of this section as those terms have under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

(2) The ''report of the National Gambling Impact Study Commission'' is the report described in section 4(b) of Public Law 104–169 (18 U.S.C. sec. 1955 note).

SEC. 2324. FINDINGS AND SENSE OF SENATE REGARDING SEQUENTIAL BILLING POLICY FOR HOME HEALTH PAYMENTS UNDER THE MEDICARE PROGRAM. (a) FINDINGS.—The Senate finds the following:

(1) Section 4611 of the Balanced Budget Act of 1997 included a provision that transfers financial responsibility for certain home health visits under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) from part A to part B of such program.

(2) The sole intent of the transfer described in paragraph (1) was to extend the solvency of the Federal Hospital Insurance Trust Fund under section 1817 of such Act (42 U.S.C. 1395i).

(3) The transfer described in paragraph (1) was supposed to be ''seamless'' so as not to disrupt the provision of home health services under the medicare program.

(4) The Health Care Financing Administration has imposed a sequential billing policy that prohibits home health agencies under the medicare program from submitting claims for reimbursement for home health services provided to a beneficiary unless all claims for reimbursement for home health services that were previously provided to such beneficiary have been completely resolved.

(5) The Health Care Financing Administration has also expanded medical reviews of claims for reimbursement submitted by home health agencies, resulting in a significant slowdown nationwide in the processing of such claims.

(6) The sequential billing policy described in paragraph (4), coupled with the slowdown in claims processing described in paragraph (5), has substantially increased the cash flow problems of home health agencies because payments are often delayed by at least 3 months.

(7) The vast majority of home health agencies under the medicare program are small businesses that cannot operate with significant cash flow problems.

(8) There are many other elements under the medicare program relating to home health agencies, such as the interim payment system under section 1861(v)(1)(L) of such Act (42 U.S.C. 1395x(v)(1)(L)), that are creating financial problems for home health agencies, thereby forcing more than 2,200 home health agencies nationwide to close since the date of enactment of the Balanced Budget Act of 1997.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Health Care Financing Administration should—

(1) evaluate and monitor the use of the sequential billing policy (as described in subsection (a)(4)) in making payments to home health agencies under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(2) ensure that—

(A) contract fiscal intermediaries under the medicare program are timely in their

random medical review of claims for reimbursement submitted by home health agencies; and

(B) such intermediaries adhere to Health Care Financing Administration instructions that limit the number of claims for reimbursement held for such review for any particular home health agency to no more than 10 percent of the total number of claims submitted by the agency; and

(3) ensure that such intermediaries are considering and implementing constructive alternatives, such as expedited reviews of claims for reimbursement, for home health agencies with no history of billing problems who have cash flow problems due to random medical reviews and sequential billing.

SEC. 2325. A payment of $800,000 from the total amount of $1,000,000 for construction of the Pike's Peak Summit House, as specified in Conference Report 105–337, accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1998, Public Law 105–83, and payments of $2,000,000 for the Borough of Ketchikan to participate in a study of the feasibility and dynamics of manufacturing veneer products in Southeast Alaska and $200,000 for construction of the Pike's Peak Summit House, as specified in Conference Report 105–825 accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)), shall be paid in lump sum and shall be considered direct payments, for the purposes of all applicable law except that these direct grants may not be used for lobbying activities.

SEC. 2326. Section 617 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as added by section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended—

(1) by striking subsection (a) and inserting in lieu thereof the following:

''(a) None of the funds made available in this Act or any other Act hereafter enacted may be used to issue or renew a fishing permit or authorization for any fishing vessel of the United States greater than 165 feet in registered length, of more than 750 gross registered tons, or that has an engine or engines capable of producing a total of more than 3,000 shaft horsepower as specified in the permit application required under part 648.4(a)(5) of title 50, Code of Federal Regulations, part 648.12 of title 50, Code of Federal Regulations, and the authorization required under part 648.80(d)(2) of title 50, Code of Federal Regulations, to engage in fishing for Atlantic mackerel or herring (or both) under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), unless the regional fishery management council of jurisdiction recommends after October 21, 1998, and the Secretary of Commerce approves, conservation and management measures in accordance with such Act to allow such vessel to engage in fishing for Atlantic mackerel or herring (or both).''; and

(2) in subsection (b), by striking ''subsection (a)(1)'' and inserting ''subsection (a)''.

SEC. 2327. The Corps of Engineers is directed to reprogram $800,000 of the funds made available to that agency in fiscal year 1999 for the operation of the Pick-Sloan project to perform the preliminary work needed to transfer Federal lands to the tribes and State of South Dakota, and to provide the Lower Brule Sioux Tribe and Cheyenne River Sioux Tribe with funds to begin protecting invaluable Indian cultural sites, under the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act.

SEC. 2328. GLACIER BAY. No funds may be expended by the Secretary of the Interior to implement closures or other restrictions of subsistence or commercial fishing or subsistence gathering in Glacier Bay National Park, except the closure of Dungeness crab fisheries under section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277), until such time as the State of Alaska's legal claim to ownership and jurisdiction over submerged lands and tidelands in the affected area has been resolved either by a final determination by the judiciary or by a settlement between the parties to the lawsuit.

TITLE III—RESCISSIONS AND OFFSETS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

FOOD STAMP PROGRAM

(RESCISSION)

Of the amounts made available under this heading in division A, section 101(a), title IV of Public Law 105–277, $521,000,000 are rescinded.

FARM SERVICE AGENCY

EMERGENCY CONSERVATION FUND

Of the amount made available under the heading ''EMERGENCY CONSERVATION PROGRAM'' in chapter 1 of title II of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174; 112 Stat. 68), $700,000 are rescinded.

CHAPTER 2

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

(RESCISSION)

Of the unobligated balances available under this heading, $5,000,000 are rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

(RESCISSION)

Of the unobligated balances available under this heading, excluding funds appropriated for equipment and facilities, $40,000,000 are rescinded.

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM DIRECTION

(RESCISSION)

Of the unobligated balances available under this heading, excluding funds appropriated for equipment and facilities, $25,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, $1,000,000 are rescinded.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

Of the unobligated balances available under this heading, $2,000,000 are rescinded.

DEPARTMENT OF STATE AND RELATED AGENCIES

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

(RESCISSION)

Of the unobligated balances available under this heading, excluding funds appropriated for arrearages, $22,000,000 are rescinded.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

(RESCISSION)

Of the unobligated balances available under this heading, excluding funds appropriated for arrearages, $21,000,000 are rescinded.

INTERNATIONAL BROADCASTING OPERATIONS

(RESCISSION)

Of the unobligated balances available under this heading, $1,000,000 are rescinded.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds provided in Public Law 105–262, the following funds are hereby rescinded as of the date of enactment of this Act from the following account: Under the heading, ''Operation and Maintenance, Defense-Wide'', $217,700,000.

CHAPTER 4

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

OTHER BILATERAL ASSISTANCE

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the funds made available for Haiti under this heading in Public Law 105–118 and in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $10,000,000 are rescinded.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(RESCISSION)

Of the funds made available for Bosnia and Herzegovina under this heading in Public Law 105–118 and in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $10,000,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

(RESCISSION)

Of the funds made available for Russia under this heading in Public Law 103–306, Public Law 105–118 and in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $10,000,000 are rescinded.

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

GLOBAL ENVIRONMENT FACILITY

(RESCISSION)

Of the funds made available under this heading in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $60,000,000 are rescinded.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

(RESCISSION)

Of the funds made available under this heading in the Omnibus Consolidated and

Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $10,000,000 are rescinded.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

(RESCISSION)

Of the amounts appropriated under this heading in previous appropriations acts, $6,800,000 are rescinded.

CHAPTER 6

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

Under this heading in section 101(f) of Public Law 105–277, delete ''$3,132,076,000'' and insert ''$3,114,676,000''; and delete ''$180,933,000'' and insert ''$163,533,000''.

DEPARTMENT OF EDUCATION

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

(RESCISSION)

Of the funds made available under this heading in section 101(f) of Public Law 105–277, $8,000,000 are rescinded.

CHAPTER 7

DEPARTMENT OF DEFENSE

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

(RESCISSION)

Of the funds made available under this heading in Public Law 105–237, $14,500,000 are rescinded.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(DEFERRAL)

Of the funds made available under this heading in Public Law 105–276 for use in connection with expiring or terminating section 8 contracts, $350,000,000 shall not become available until October 1, 1999.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

(RESCISSION)

Of the unobligated balances available under this heading in the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174), $63,600,000 are rescinded.

Of the unobligated balances available under this heading in division B, of the Omnibus Consolidated and Emergency Supplemental Appropriations, 1999 (Public Law 105–277), $250,000,000 are rescinded.

INDEPENDENT AGENCY

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(RESCISSION)

Of the funds made available in Public Law 105–277, $10,000,000 for research associated with the Climate Change Technology Initiative are rescinded.

CHAPTER 9

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION, GENERAL

(RESCISSION)

Of the amounts made available under this heading in Public Law 105–245 for the Lackawanna River, Scranton, Pennsylvania, $5,500,000 are rescinded.

CHAPTER 10

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

SPECIAL FORFEITURE FUND

(RESCISSION)

Of the funds made available under this heading in division A of the Omnibus Consolidated and Emergency Supplemental Appropriations, 1999 (Public Law 105–277) $1,250,000 are rescinded.

GENERAL PROVISIONS, THIS TITLE

SEC. 3001. (a) Division B, title V, chapter 1 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) is repealed.

(b) Section 832(a) of the Western Hemisphere Drug Elimination Act (Public Law 105–277) is amended—

(1) in the first sentence—

(A) by striking ''Secretary of Agriculture'' and inserting ''Secretary of State''; and

(B) by striking ''the Agricultural Research Service of the Department of Agriculture'' and inserting ''the Department of State'';

(2) in paragraph (5), by inserting ''(without regard to any requirement in law relating to public notice or competition)'' after ''to contract''; and

(3) by adding at the end the following:

''Any record related to a contract entered into, or to an activity funded, under this subsection shall be exempted from disclosure as described in section 552(b)(3) of title 5, United States Code.''.

SEC. 3002. Of the funds appropriated with an emergency designation in division B of Public Law 105–277, other than those appropriated to the Department of Defense—Military, $343,000,000 are rescinded: *Provided*, That these reductions shall be applied proportionally to each appropriation account and budget activity being reduced by this section: *Provided further*, That within 30 days of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations a listing of the amounts by account of the reductions made pursuant to this section.

SEC. 3003. Of the funds appropriated or otherwise made available for fiscal year 1999 for the non-defense discretionary category, $100,000,000 are rescinded as a result of revised economic assumptions from inflation adjusted accounts: *Provided*, That within 30 days of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations a listing of the amounts by account of the reductions made pursuant to this section.

SEC. 3004. GAO AND INSPECTOR GENERAL AUDIT. The Inspector General of the Department of Housing and Urban Development and the Comptroller General of the United States shall conduct an audit of the Department of Housing and Urban Development to assess the extent the Department has been in compliance with the Department of Housing and Urban Development Reform Act of 1989 over the last two years. The Inspector General of the Department of Housing and Urban Development and the Comptroller General of the United States shall issue a preliminary report to the Congress on this assessment within 6 months and a final report within 12 months.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 4001. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(a) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended:

(1) in title III, under the heading ''Rural Community Advancement Program (Including Transfer of Funds)'', by inserting ''1926d,'' after ''1926c,''; by inserting '', 306(a)(2), and 306D'' after ''381E(d)(2)'' the first time it appears in the paragraph; and by striking '', as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C'',

(2) in title VII, in section 718 by striking ''this Act'' and inserting in lieu thereof ''annual appropriations Acts'',

(3) in title VII, in section 747 by striking ''302'' and inserting in lieu thereof ''203'', and

(4) in title VII, in section 763(b)(3) by striking ''section 402(d) of Public Law 94–265'' and inserting in lieu thereof ''section 116(a) of Public Law 104–297''.

SEC. 4002. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended:

(1) in title II under the heading ''Burma'' by striking 'headings ''Economic Support Fund'' and' and inserting in lieu thereof 'headings ''Child Survival and Disease Programs Fund'', ''Economic Support Fund'', and',

(2) in title V in section 587 by striking ''199–339'' and inserting in lieu thereof ''99–399'',

(3) in title V in subsection 594(a) by striking ''subparagraph (C)'' and inserting in lieu thereof ''subsection (c)'',

(4) in title V in subsection 594(b) by striking ''subparagraph (a)'' and inserting in lieu thereof ''subsection (a)'', and

(5) in title V in subsection 594(c) by striking ''521 of the annual appropriations Act for Foreign Operations, Export Financing, and Related Programs'' and inserting in lieu thereof ''520 of this Act''.

SEC. 4003. Subsection 1706(b) of title XVII of the International Financial Institutions Act (22 U.S.C. 262r–262r–2), as added by section 614 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, is amended by striking ''June 30'' and inserting in lieu thereof ''September 30''.

SEC. 4004. The Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended:

(1) in the last proviso under the heading ''United States Fish and Wildlife Service, Administrative Provisions'' by striking ''section 104(c)(50)(B) of the Marine Mammal Protection Act (16 U.S.C. 1361–1407)'' and inserting in lieu thereof ''section 104(c)(5)(B) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407)''.

(2) under the heading ''Bureau of Indian Affairs, Operation of Indian Programs'', by striking ''$94,010,000'' and inserting in lieu thereof ''$94,046,000'', by striking ''$114,871,000'' and inserting in lieu thereof ''$114,891,000'', by striking ''$387,365,000'' and inserting in lieu thereof ''$389,307,000'', and by striking ''$52,889,000'' and inserting in lieu thereof ''$53,039,000''.

(3) in section 354(a) by striking ''16 U.S.C. 544(a)(2))'' and inserting in lieu thereof ''16 U.S.C. 544b(a)(2))''.

(4) The amendments made by paragraphs (1), (2), and (3) of this section shall take effect as if included in Public Law 105–277 on the date of its enactment.

SEC. 4005. The Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(f) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended:

(1) in title I, under the heading ''Federal Unemployment Benefits and Allowances'', by striking ''during the current fiscal year'' and inserting in lieu thereof ''from October 1, 1998, through September 30, 1999'';

(2) in title II under the heading ''Office of the Secretary, General Departmental Management'' by striking ''$180,051,000'' and inserting in lieu thereof ''$188,051,000'';

(3) in title II under the heading ''Children and Families Services Programs, (Including Rescissions)'' by striking ''notwithstanding section 640(a)(6), of the funds made available for the Head Start Act, $337,500,000 shall be set aside for the Head Start Program for Families with Infants and Toddlers (Early Head Start): *Provided further*, That'';

(4) in title II under the heading ''Office of the Secretary, General Departmental Management'' by inserting after the first proviso the following: ''*Provided further*, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $10,831,000 shall be for activities specified under section 2003(b)(2), of which $9,131,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX:'';

(5) in title III under the heading ''Special Education'' by inserting before the period at the end of the paragraph the following: '': *Provided further*, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities'';

(6) in title II under the heading ''Public Health and Social Services Emergency Fund'' by striking ''$322,000'' and inserting in lieu thereof ''$180,000'';

(7) in title III under the heading ''Education Reform'' by striking ''$491,000,000'' and inserting in lieu thereof ''$459,500,000'';

(8) in title III under the heading ''Vocational and Adult Education'' by striking ''$6,000,000'' the first time that it appears and inserting in lieu thereof ''$14,000,000'', and by inserting before the period at the end of the paragraph the following: '': *Provided further*, That of the amounts made available for the Perkins Act, $4,100,000 shall be for tribally controlled postsecondary vocational institutions under section 117'';

(9) in title III under the heading ''Higher Education'' by inserting after the first proviso the following: ''*Provided further*, That funds available for part A, subpart 2 of title VII of the Higher Education Act shall be available to fund awards for academic year 1999–2000 for fellowships under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1:'';

(10) in title III under the heading ''Education Research, Statistics, and Improvement'' by inserting after the third proviso the following: ''*Provided further*, That of the funds appropriated under section 10601 of title X of the Elementary and Secondary Education Act of 1965, as amended, $1,000,000 shall be used to conduct a violence prevention demonstration program: *Provided further*, That of the funds appropriated under section 10601 of title X of the Elementary and Secondary Education Act of 1965, as amended, $50,000 shall be awarded to the Center for Educational Technologies to conduct a feasibility study and initial planning and design of an effective CD ROM product that would complement the book, We the People: The Citizen and the Constitution:'';

(11) in title III under the heading ''Reading Excellence'' by inserting before the period at the end of the paragraph the following: '': *Provided*, That up to one percent of the amount appropriated shall be available October 1, 1998 for peer review of applications'';

(12) in title V in section 510(3) by inserting after ''Act'' the following: ''or subsequent Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Acts''; and

(13)(A) in title VIII in section 405 by striking subsection (e) and inserting in lieu thereof the following:

''(e) OTHER REFERENCES TO TITLE VII OF THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.—The table of contents of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) is amended—

''(1) by striking the items relating to title VII of such Act, except the item relating to the title heading and the items relating to subtitles B and C of such title; and

''(2) by striking the item relating to the title heading for title VII and inserting in lieu thereof the following:

''TITLE VII—EDUCATION AND TRAINING''.

(B) The amendments made by paragraph (13)(A) of this section shall take effect as if included in Public Law 105–277 on the date of its enactment.

SEC. 4006. The last sentence of section 5595(b) of title 5, United States Code (as added by section 309(a)(2) of the Legislative Branch Appropriations Act, 1999, Public Law 105–275) is amended by striking ''(a)(1)(G)'' and inserting in lieu thereof ''(a)(1)(C)''.

SEC. 4007. Division B, title II, chapter 5 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) is amended under the heading ''Capitol Police Board, Security Enhancements'' by inserting before the period at the end of the paragraph '': *Provided further*, That for purposes of carrying out the plan or plans described under this heading and consistent with the approval of such plan or plans pursuant to this heading, the Capitol Police Board shall transfer the portion of the funds made available under this heading which are to be used for personnel and overtime increases for the United States Capitol Police to the heading ''Capitol Police Board, Capitol Police, Salaries'' under the Act making appropriations for the legislative branch for the fiscal year involved, and shall allocate such portion between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate in such amounts as may be approved by the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate''.

SEC. 4008. Division B, title 1, chapter 3 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) is amended under the heading ''Family Housing, Navy and Marine Corps'' by striking the word ''Hurricane'' and inserting in lieu thereof ''Hurricanes Georges and''.

SEC. 4009. The Department of Transportation and Related Agencies Appropriations Act, 1999, as contained in division A, section 101(g) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended in title I under the heading ''Capital Investment Grants (Including Transfer of Funds)'' within the project description of project number 127, by inserting the words ''and bus facilities'' after the word ''replacements'', and within the project description of project number 261 by striking the words ''Multimodal Center'' and inserting ''buses and bus related facilities''.

SEC. 4010. The Department of Transportation and Related Agencies Appropriations Act, 1999, as contained in division A, section 101(g) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended in title I under the heading ''Federal-Aid Highways (Limitation on Obligations) (Highway Trust Fund)'' by striking ''not more than $38,000,000 shall be available for the implementation and execution of the Ferry Boat and Ferry Terminal Facility Program'', and inserting in lieu thereof, ''not more than $59,290,000 shall be available for the implementation and execution of the Ferry Boat and Ferry Terminal Facility Program''.

SEC. 4011. (a) AMERICAN FISHERIES ACT.—The American Fisheries Act (title II of division C of Public Law 105–277) is amended—

(1) in section 202(b) by inserting a comma after ''United States Code'';

(2) in section 207(d)(1)(A) by striking ''Fishery Conservation and Management'';

(3) in section 208(b)(1) by striking ''615085'' and inserting ''633219'';

(4) in section 213(c)(1) by striking ''title'' and inserting ''subtitle''; and

(5) in section 213(c)(2) by striking ''title'' and inserting ''subtitle''.

(b) TITLE 46.—Section 12122(c) of title 46, United States Code, is amended by inserting a comma after ''statement or representations''.

SEC. 4012. Section 113 of the Department of Justice Appropriations Act, 1999 (section 101(b) of division A of Public Law 105–277) is amended by striking ''section 102(2) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a(2))'' and inserting ''section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(b))''.

SEC. 4013. DENALI COMMISSION. The Denali Commission Act of 1998 (title III of division C of Public Law 105–277) is amended—

(1) in section 303(b)(1)(D) by striking in two instances ''Alaska Federation or Natives'' and inserting ''Alaska Federation of Natives'';

(2) in section 303(c) by striking ''Members'' and inserting ''The Federal Cochairperson shall serve for a term of four years and may be reappointed. All other members'';

(3) in section 306(a) by inserting after the first sentence the following: ''The Federal Cochairperson shall be compensated at the annual rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.'';

(4) in section 306(c)(2) by striking ''Chairman'' and inserting ''Federal Cochairperson'';

(5) by inserting at the end of section 306 the following new subsections:

''(g) ADMINISTRATIVE EXPENSES AND RECORDS.—The Commission is hereby prohibited from using more than 5 percent of the amounts appropriated under the authority of this Act or transferred pursuant to section 329 of the Department of Transportation and Related Agencies Appropriations Act, 1999

(section 101(g) of division A of this Act) for administrative expenses. The Commission and its grantees shall maintain accurate and complete records which shall be available for audit and examination by the Comptroller General of his or her designee.

''(h) INSPECTOR GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App. 3, section 8G(a)(2)) is amended by inserting 'the Denali Commission,' after 'the Corporation for Public Broadcasting,'.''; and

(6) in section 307(b) by inserting immediately before ''The Commission'' the following: ''Funds transferred to the Commission pursuant to section 329 of the Department of Transportation and Related Agencies Appropriations Act, 1999 (section 101(g) of division A of this Act) shall be available without further appropriation and until expended.''.

SEC. 4014. Section 3347(b) of title 5, United States Code, as added by the Federal Vacancies Reform Act of 1998, is amended by striking ''provision to which subsection (a)(2) applies'' and inserting ''provision to which subsection (a)(1) applies''.

SEC. 4015. Of the amount appropriated under the heading ''ENVIRONMENTAL PROGRAMS AND MANAGEMENT'' in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105–276), $1,300,000 shall be transferred to the ''STATE AND TRIBAL ASSISTANCE GRANTS'' account for a grant for water and wastewater infrastructure projects in the State of Idaho.

SEC. 4016. (a) Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) An additional amount of $2,250,000,000 is rescinded as provided in section 3002 of this Act.

SEC. 4017. Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V—MISCELLANEOUS

SEC. 5001. (a) DISPOSAL AUTHORIZED.—Subject to subsection (c), the President may dispose of the material in the National Defense Stockpile specified in the table in subsection (b).

(b) TABLE.—The total quantity of the material authorized for disposal by the President under subsection (a) is as follows:

AUTHORIZED STOCKPILE DISPOSAL

Material for disposal	Quantity
Zirconium ore	17,383 short dry tons

(c) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of material under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of the material proposed for disposal; or

(2) avoidable loss to the United States.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the material specified in such subsection.

(e) NATIONAL DEFENSE STOCKPILE DEFINED.—In this section, the term ''National Defense Stockpile Transaction Fund'' means the fund in the Treasury of the United States established under section 9(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(a)).

SEC. 5002. (a) AVAILABILITY OF SETTLEMENT AMOUNT.—Notwithstanding any other provision of law, the amount received by the United States in settlement of the claims described in subsection (b) shall be available as specified in subsection (c).

(b) COVERED CLAIMS.—The claims referred to in this subsection are the claims of the United States against Hunt Building Corporation and Ellsworth Housing Limited Partnership relating to the design and construction of an 828-unit family housing project at Ellsworth Air Force Base, South Dakota.

(c) SPECIFIED USES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount referred to in subsection (a) shall be available as follows:

(A) Of the portion of such amount received in fiscal year 1999—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund for the civil debt collection litigation activities of the Department with respect to the claims referred to in subsection (b), as provided for in section 108 of Public Law 103–121 (107 Stat. 1164; 28 U.S.C. 527 note); and

(ii) of the balance of such portion—

(I) an amount equal to 7/8 of such balance shall be available to the Secretary of Transportation for purposes of construction of an access road on Interstate Route 90 at Box Elder, South Dakota (item 1741 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 320)); and

(II) an amount equal to 1/8 of such balance shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(B) Of the portion of such amount received in fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of Transportation for purposes of construction of the access road described in subparagraph (A)(ii)(I).

(C) Of any portion of such amount received in a fiscal year after fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(2) LIMITATION ON AVAILABILITY OF FUNDS FOR ACCESS ROAD.—

(A) LIMITATION.—The amounts referred to in subparagraphs (A)(ii)(I) and (B)(ii) of paragraph (1) shall be available as specified in such subparagraphs only if, not later than September 30, 2000, the South Dakota Department of Transportation enters into an agreement with the Federal Highway Administration providing for the construction of an interchange on Interstate Route 90 at Box Elder, South Dakota.

(B) ALTERNATIVE AVAILABILITY OF FUNDS.—If the agreement described in subparagraph (A) is not entered into by the date referred to in that subparagraph, the amounts described in that subparagraph shall be available to the Secretary of the Air Force as of that date for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(3) AVAILABILITY OF AMOUNTS.—

(A) ACCESS ROAD.—Amounts available under this section for construction of the access road described in paragraph (1)(A)(ii)(I) are in addition to amounts available for the construction of that access road under any other provision of law.

(B) PROPERTY AND FACILITY MAINTENANCE PROJECTS.—Notwithstanding any other provision of law, amounts available under this section for property and facility maintenance projects at Ellsworth Air Force Base shall remain available for expenditure without fiscal year limitation.

This Act may be cited as the ''Emergency Supplemental Appropriations Act for Fiscal Year 1999''.

AUTHORITY FOR COMMITTEES TO FILE LEGISLATIVE OR EXECUTIVE ITEMS ON TUESDAY, APRIL 6, 1999

Mr. ENZI. Mr. President, I ask unanimous consent that on Tuesday, April 6, committees have from the hours of 11 a.m. to 2 p.m. in order to file legislative or executive reported items.

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

AUTHORITY FOR COMMITTEES TO FILE LEGISLATIVE MATTERS ON MARCH 26, 1999

Mr. ENZI. Mr. President, I ask unanimous consent that committees have from 10 a.m. until 11 a.m. on Friday, March 26, in order to file legislative matters.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed immediately to executive session to consider all nominations reported by the Armed Services Committee today.

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

Mr. ENZI. Mr. President, I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations, considered and confirmed, en bloc, are as follows:

DEPARTMENT OF ENERGY

Rose Eilene Gottemoeller, of Virginia, to be an Assistant Secretary of Energy (Non-Proliferation and National Security).

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

IN THE AIR FORCE

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

To be lieutenant general

Maj. Gen. Eugene L. Tattini, 0000.

IN THE ARMY

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

To be major general

Brig. Gen. Harold L. Timboe, 0000.

IN THE AIR FORCE

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

To be brigadier general

Col. William C. Jones, Jr., 0000.

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

To be lieutenant general

Maj. Gen. Michael V. Hayden, 0000.

IN THE ARMY

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

To be major general

Brig. Gen. Reginald A. Centracchio, 0000.

IN THE NAVY

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

To be rear admiral (lower half)

Capt. Edward J. Fahy, Jr., 0000.

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

To be rear admiral

Rear Adm. (lh) Daniel R. Bowler, 0000.
Rear Adm. (lh) John E. Boyington, Jr., 0000.
Rear Adm. (lh) John V. Chenevey, 0000.
Rear Adm. (lh) Albert T. Church, III, 0000.
Rear Adm. (lh) John P. Davis, 0000.
Rear Adm. (lh) John B. Foley, III, 0000.
Rear Adm. (lh) Veronica A. Froman, 0000.
Rear Adm. (lh) Alfred G. Harms, Jr., 0000.
Rear Adm. (lh) John M. Johnson, 0000.
Rear Adm. (lh) Timothy J. Keating, 0000.
Rear Adm. (lh) Roland B. Knapp, 0000.
Rear Adm. (lh) Timothy W. LaFleur, 0000.
Rear Adm. (lh) James W. Metzger, 0000.
Rear Adm. (lh) Richard J. Naughton, 0000.
Rear Adm. (lh) John B. Padgett, 0000.
Rear Adm. (lh) Kathleen K. Paige, 0000.
Rear Adm. (lh) David P. Polatty, III, 0000.
Rear Adm. (lh) Ronald A. Route, 0000.
Rear Adm. (lh) Steven G. Smith, 0000.
Rear Adm. (lh) Ralph E. Suggs, 0000.
Rear Adm. (lh) Paul F. Sullivan, 0000.

IN THE ARMY

The following named officer for appointment as a Permanent Professor of the United States Military Academy in the grade indicated under title 10, U.S.C., section 4333 (b):

To be colonel

Patrick Finnegan, 0000.

Army nominations beginning CHRISTOPHER D. LATCHFORD, and ending JAMES E. BRAMAN, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning LEE G. KENNARD, and ending MICHAEL E. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning WESLEY D. COLLIER, and ending THOMAS L. MUSSELMAN, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning DAVID E. BELL, and ending HOWARD LOCKWOOD, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning *JAN E. ALDYKIEWICZ, and ending *LOUIS P. YOB, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Army nominations beginning TIMOTHY K. ADAMS, and ending DERICK B. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

IN THE MARINE CORPS

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

To be lieutenant colonel

Stanley A. Packard, 0000.

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

To be major

Todd D. Bjorklund, 0000.

IN THE NAVY

The following named officer for appointment to the grade indicated in the United States Naval Reserve under title 10, U.S.C., section 12203:

To be captain

Tarek A. Elbeshbeshy, 0000.

Navy nominations beginning GLEN C. CRAWFORD, and ending LEONARD G. ROSS, JR., which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

Navy nominations beginning STEVEN W. ALLEN, and ending DANIEL C. WYATT, which nominations were received by the Senate and appeared in the Congressional Record on March 8, 1999.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MEASURE READ THE FIRST TIME—S. 755

Mr. ENZI. Mr. President, I understand that S. 755, which was introduced earlier by Senator HATCH and others, is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report.

A bill (S. 755) to extend the period for compliance with certain ethical standards of Federal prosecutors.

Mr. ENZI. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

MEASURE READ THE FIRST TIME—S. 754

Mr. ENZI. Mr. President, I understand that bill No. S. 754 introduced earlier today by Senator EDWARDS is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

A bill (S. 754) to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina as the ''Terry Sanford Federal Building.''

Mr. ENZI. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

RECONSTITUTING THE SENATE ARMS CONTROL OBSERVER GROUP AS THE SENATE NATIONAL SECURITY WORKING GROUP

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 75, submitted earlier today by Senator LOTT.

The PRESIDING OFFICER. The clerk will report.

A resolution (S. Res. 75) reconstituting the Senate Arms Control Observer Group as the Senate National Security Working Group in revising the authority of the group.

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

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

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

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

The resolution (S. Res. 75) was agreed to, as follows:

S. RES. 75

Resolved, That Senate Resolution 105 of the One Hundred First Congress, agreed to April 13, 1989, as amended by Senate Resolution 149 of the One Hundred Third Congress, agreed to October 5, 1993, is further amended as follows:

(1) In subsection (a) of the first section, by striking paragraph (1) and inserting the following:

''(1) the Senate Arms Control Observer Group, which was previously constituted and authorized by the authority described in paragraph (2), is hereby reconstituted and reauthorized as the Senate National Security Working Group (hereafter in this resolution referred to as the 'Working Group').''.

(2) By striking ''Observer Group'' each place it appears in the resolution, except paragraph (3) of subsection (a) of the first section, and inserting ''Working Group''.

(3) By striking ''Group'' in the second sentence of section 3(a) and inserting ''Working Group''.

(4) By striking paragraph (3) of subsection (a) of the first section and inserting the following:,

''(3)(A) The members of the Working Group shall act as official observers on the United States delegation to any negotiations, to which the United States is a party, on any of the following:

''(i) Reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons.

''(ii) Reduction, limitation, or control of missile defenses.

''(iii) Export controls.

''(B) In addition, the Working Group is encouraged to consult with legislators of foreign nations, including the members of the State Duma and Federal Council of the Russian Federation and, as appropriate, legislators of other foreign nations, regarding matters described in subparagraph (A).

''(C) The Working Group is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the Ninety-Fourth Congress, agreed to on May 19, 1976.''.

(5) In paragraph (4) of subsection (a) of the first section—

(A) in subparagraph (A)—

(i) by striking ''Five'' in the matter preceding clause (i) and inserting ''Seven'';

(ii) by striking ''two'' in clause (ii) and inserting ''three''; and

(iii) by striking ''two'' in clause (iii) and inserting ''three'';

(B) in subparagraph (C), by striking ''Six'' and inserting ''Five''; and

(C) in subparagraph (D), by striking ''Seven'' and inserting ''Six''.

(6) In section 2(b)(3), by striking ''five''.

(7) In the second sentence of section 3(a)—

(A) by striking ''$380,000'' and inserting ''$500,000''; and

(B) by striking ''except that not more than'' and inserting ''of which not more than''.

(8) By striking section 4.

(9) By amending the title to read as follows: ''Resolution reconstituting the Senate Arms Control Observer Group as the Senate National Security Working Group, and revising the authority of the Group.''.

MAKING TECHNICAL CORRECTIONS TO THE MICROLOAN PROGRAM

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Small Business be discharged from further consideration of H.R. 440, and that the Senate proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 440) to make technical corrections in the Microloan Program.

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

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

Mr. KERRY. Mr. President, tonight the Senate will vote on H.R. 440, the Microloan Program Technical Corrections Act of 1999. I urge my colleagues to support this Act which, including my amendment, makes important changes to the Small Business Administration's (SBA) Microloan program. It revises the loan loss reserve requirement for microlenders and makes changes that will more equitably distribute the microloan dollars available to each state. Ultimately, these changes will allow microlenders and intermediaries to make more loans and offer more technical assistance to our Nation's small businesses.

Most of my colleagues know that microloans and technical assistance are effective and powerful economic development tools because they voted to make the SBA's microloan program a permanent part of the Agency's lending programs in 1997.

Let's look at the record since the SBA's microloan pilot program was launched in 1991. It has provided more than 7,900 microloans, worth some $80.3 million. For every microloan, 1.7 jobs are created. And, if a borrower was a welfare recipient, it is common for them to hire other welfare recipients. As the program was intended to do, a great percentage of microloans have gone to traditionally underserved groups, including 45 percent to women-owned businesses, 39 percent to minority-owned businesses and 11 percent to veteran-owned businesses. Voting for these measures will be a vote to make a good program better.

Specifically, this legislation revises the loan loss reserve requirement (a cash reserve to guarantee that the government is paid back if a loan defaults) for microlenders by setting a 15-percent ceiling and a 10-percent floor. After a microloan intermediary has participated in the SBA Microloan program for five years and demonstrated its ability to maintain a healthy loan fund, it can request that SBA review and, when appropriate, reduce its loan loss reserve from 15 percent to a percentage based on its average loan loss rate for the five-year period. The proposed change would continue to protect the government's interest in microloans as well as enhance the program by freeing up cash which microlenders could reprogram for more microloans or technical assistance to small business owners.

With my amendment, this legislation establishes a floor for the distribution of microloan funds available to the states, including the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa. Depending on the amount of appropriations, the SBA must provide the lesser of either $800,000 or the even division of the funds among the 55 states. For any monies that exceed $44 million ($800,000 x 55 states), the Administration has the discretion to decide how to distribute the microloan funds. The Administration also has the discretion to distribute any additional money that is left over at the beginning of the third quarter of a fiscal year.

Mr. President, in Massachusetts and across the country, microloans and technical assistance are working; assisting individuals with the tools to successfully start and manage their own business. I thank my colleagues for their past support of small business and urge them to vote for H.R. 440 as amended.

AMENDMENT NO. 248

(Purpose: To provide for the equitable allocation of appropriated amounts)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. KERRY, proposes an amendment numbered 248.

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

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

The amendment is as follows:

On page 2, strike lines 7 through 20, and insert the following:

(1) in paragraph (7), by striking subparagraph (B) and inserting the following:

''(B) ALLOCATION.—

''(i) MINIMUM ALLOCATION.—Subject to the availability of appropriations, of the total amount of new loan funds made available for award under this subsection in each fiscal year, the Administration shall make available for award in each State (including the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa) an amount equal to the sum of—

''(I) the lesser of—

''(aa) $800,000; or

''(bb) 1/55 of the total amount of new loan funds made available for award under this subsection for that fiscal year; and

''(II) any additional amount, as determined by the Administration.

''(ii) REDISTRIBUTION.—If, at the beginning of the third quarter of a fiscal year, the Administration determines that any portion of the amount made available to carry out this subsection is unlikely to be made available under clause (i) during that fiscal year, the Administration may make that portion available for award in any 1 or more States (including the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa) without regard to clause (i).''; and

Mr. ENZI. Mr. President, I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, the bill, as amended, be considered read the third time, passed, and the motion to reconsider be laid upon the table, all without any intervening action or debate.

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

The amendment (No. 248) was agreed to.

The bill (H.R. 440), as amended, was considered read the third time and passed.

DISASTER MITIGATION COORDINATION ACT OF 1999

Mr. ENZI. Mr. President, I ask unanimous consent that S. 388 be discharged from the Small Business Committee and the Senate proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 388) to authorize the establishment of a disaster mitigation pilot program in the Small Business Administration.

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

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

Mr. KERRY. Mr. President, after one year of working to enact a program that emphasizes prevention over reaction in dealing with natural disasters, the bill Senator CLELAND and I first introduced in the 105th Congress has made its way back to the Senate for our consideration and support. I ask my colleagues to vote for S. 388, the Disaster Mitigation Coordination Act of 1999. Your vote will help our nation's small businesses save money and prepare for natural disasters.

This bill establishes a 5-year pilot program that would make low-interest, long-term loans available to small business owners financing preventive measures to protect their businesses against, and lessen the extent of, future disaster damage. This pilot is designed to help those small businesses that can't get credit elsewhere and that are located in disaster-prone areas.

The small business pre-disaster mitigation loan pilot program would be run as part of the Small Business Administration's regular disaster loan program, testing the pros and cons of preparedness versus reaction. Currently, SBA's disaster loans are available for mitigation after a recent natural disaster. Those loans are also limiting because only 20 percent of an SBA disaster loan may be used to install new mitigation techniques that will prevent future damage. In contrast, this legislation would allow 100 percent of an SBA disaster loan to be used for mitigation purposes within any area that the Federal Emergency Management Agency (FEMA) has designated as disaster-prone. In Massachusetts, that includes Marshfield and Quincy, two coastal communities that are prone to flooding, rainstorms and Nor'easters.

I see a great need for this type of assistance in the small business community. Aside from avoiding inconveniences and disruptions, we know that there are cost-benefits to making meaningful improvements and changes to facilities before a disaster. According to the Federal Emergency Management Agency, which has a disaster mitigation program for communities, rather than businesses, we save two dollars of disaster relief money for each dollar spent on disaster mitigation.

Nationwide, whether you're a business in Florida or Massachusetts, this pilot would allow you to take out a loan to make the improvements to your building or office to protect against disasters. To lessen damage from hurricanes, it can mean constructing retaining and sea walls. To lessen damage from fires, it can mean adding sprinklers and flame-retardant building materials. And to lessen damage from floods, it can mean grading and contouring land or relocating the business.

The administration supports this pilot program and included it in President Clinton's budget request two years in a row—fiscal years 1999 and 2000. As the bill authorizes, the President requests that up to $15 million of the total $358 million proposed for disaster loans be used for disaster mitigation loans.

Senator CLELAND and I introduced this same legislation in the last Congress. And although it passed committee and the full Senate without opposition, the House did not vote on its merits before the 105th Congress ended. I thank our friends in the House and my colleagues in the Senate for sharing our concern to meet the needs of our small business owners while also working to find solutions that are smarter, more pro-active and more cost-effective. Mr. President, I am pleased to be a cosponsor of this legislation and am hopeful it will pass the Senate today and that the President will soon sign it in to law.

Mr. ENZI. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear in the RECORD.

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

The bill (S. 388) was read the third time and passed, as follows:

S. 388

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DISASTER MITIGATION PILOT PROGRAM.

(a) IN GENERAL.—Section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) is amended—

(1) in subparagraph (B), by adding ''and'' at the end; and

(2) by adding at the end the following:

''(C) during fiscal years 2000 through 2004, to establish a predisaster mitigation program to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred (guaranteed) basis), as the Administrator may determine to be necessary or appropriate, to enable small businesses to use mitigation techniques in support of a formal mitigation program established by the Federal Emergency Management Agency, except that no loan or guarantee may be extended to a small business under this subparagraph unless the Administration finds that the small business is otherwise unable to obtain credit for the purposes described in this subparagraph;''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by adding at the end the following:

''(f) DISASTER MITIGATION PILOT PROGRAM.—The following program levels are authorized for loans under section 7(b)(1)(C):

''(1) $15,000,000 for fiscal year 2000.

''(2) $15,000,000 for fiscal year 2001.

''(3) $15,000,000 for fiscal year 2002.

''(4) $15,000,000 for fiscal year 2003.

''(5) $15,000,000 for fiscal year 2004.''.

(c) EVALUATION.—On January 31, 2003, the Administrator of the Small Business Administration shall submit to the Committees on Small Business of the House of Representatives and the Senate a report on the effectiveness of the pilot program authorized by section 7(b)(1)(C) of the Small Business Act (15 U.S.C. 636(b)(1)(C)), as added by subsection (a) of this section, which report shall include—

(1) information relating to—

(A) the areas served under the pilot program;

(B) the number and dollar value of loans made under the pilot program; and

(C) the estimated savings to the Federal Government resulting from the pilot program; and

(2) such other information as the Administrator determines to be appropriate for evaluating the pilot program.

REPORTS BY THE POSTMASTER GENERAL ON OFFICIAL MAIL OF THE HOUSE

Mr. ENZI. I ask unanimous consent that H.R. 705 be discharged from the Governmental Affairs Committee, and the Senate now proceed to its consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 705) to make technical corrections with respect to the monthly reports submitted by the Postmaster General on official mail of the House of Representatives.

Mr. ENZI. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear in the RECORD.

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

The bill (H.R. 705) was read the third time and passed.

EXTENSION OF AVIATION WAR RISK INSURANCE PROGRAM

Mr. ENZI. I ask unanimous consent that H.R. 98 be discharged from the Governmental Affairs Committee, and further, that the Senate proceed to its consideration.

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

The clerk will report.

The legislative clerk read as follows:.

A bill (H.R 98) to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program, and to amend the Centennial of Flight Commemoration Act to make technical and other corrections.

AMENDMENT NO. 249

(Purpose: To strike section 2 relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat 3486 et seq.)

Mr. ENZI. I understand Senator THOMPSON has an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming (Mr. ENZI), for Mr. THOMPSON, proposes an amendment numbered 249:

Strike section 2.

Amend the title so as to read: ''An Act to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program.''.

Mr. MCCAIN. Mr. President, I rise in support of H.R. 98, which would reauthorize the aviation war risk insurance program for five years. As U.S. troops embark on strikes against Yugoslavia, it is important that we make sure to provide the Administration all of the tools necessary to carry out our foreign policy interests.

The Aviation Insurance Program insures U.S. air carriers against losses resulting from war, terrorism or other hostile acts. Program insurance is available when a carrier's commercial insurance is canceled, or is unavailable at reasonable rates. First, however, the President or his designee must determine that a flight is essential to the foreign policy interests of the United States.

We must act on this legislation now. Otherwise, the Aviation Insurance Program will expire at the end of March. I cannot overemphasize its importance. During Operation Desert Storm, for instance, the program insured more than 5,000 flights provided by commercial airlines in support of the Department of Defense, as part of the Civil Reserve Air Fleet. U.S. carriers simply would not be able to participate in the Civil Reserve Air Fleet if they could not insure against high risks of loss or damage.

I want to emphasize another important point. The Senate recently approved legislation that, among other things, would reauthorize the Aviation Insurance Program for two months. H.R. 98 would reauthorize the program for five years. In the event that the legislation containing the two-month extension is enacted into law after H.R. 98 is enacted into law, the two-month provision should not trump the five-year provision. In other words, it is our intent that the Aviation Insurance Program is reauthorized for five years.

I urge my colleagues to join me in supporting this legislation to reauthorize the aviation war risk insurance program for five years.

Mr. ENZI. I ask unanimous consent that the amendment be agreed to, the bill then be referred to the Commerce Committee; I further ask consent that the bill then be immediately discharged, the Senate proceed to its consideration, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure appear in the RECORD.

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

The Amendment (No. 249) was agreed to.

The bill (H.R. 98), as amended, was read the third time and passed.

Mr. ENZI. I finally ask unanimous consent that the amendment to the title, which is at the desk, be agreed to.

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

The title was amended so as to read: ''An Act to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program.''

MAKING OF RISK MANAGEMENT DECISIONS

Mr. ENZI. I ask unanimous consent that the Senate proceed to the immediate consideration of S. 756 introduced earlier today by Senator LINCOLN and Senator HUTCHINSON

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 756) to provide adversely affected crop producers with additional time to make fully informed risk management decisions for the 1999 crop year.

There being no objection the Senate proceeded to consider the bill.

Mrs. LINCOLN. Mr. President, this bill addresses a crop insurance crisis that is plaguing my home state of Arkansas.

As many of you know, the outlook for the agricultural economy is very bleak for many parts of the country. As farmers in Arkansas and other states making their planting decisions for the upcoming growing season, they were offered what seemed to be a light at the end of the tunnel. A crop insurance policy entitled CRCPlus.

CRCPlus is a supplemental crop insurance policy available only from America Agrisurance, Inc. and is offered on corn, cotton, grain sorghum, soybeans, wheat and rice in several states. For Arkansas' rice growers, the original CRCPlus policies offered what appeared to be a financially viable risk management tool by adding a privately backed 3 cents per pound to the underlying federal Crop Revenue Coverage (CRC) policies. This placed the guaranteed fall price for rice at a level above projected prices. With commodity prices depressed across the board, a large number of farmers decided to switch to growing rice based on this ''too good to be true'' offer.

At a time when the agricultural climate in Arkansas is devastated to begin with, these policies were a last ray of hope for hundreds of farmers. Now, essentially, American Agrisurance has pulled the rug out from under these families. On March 1, the company reneged, saying it would reduce the additional guarantee of coverage from 3 cents to 11/2 cents per pound. This announcement came after the sales period for crop insurance was closed, leaving many producers with a product they would not have otherwise purchased. Many producers felt they had been misled and I tend to agree. I am very thankful to Secretary of Agriculture Dan Glickman and Risk Management Agency Director, Ken Ackerman for their assistance in opening the cancellation period for crop insurance over the last two weeks so that the affected producers had more time to evaluate whether to keep the CRCPlus policies. This extra time eased the mind of many producers in my state during a very troubling period. During this extended cancellation period many producers reevaluated the cost/benefit ratios calculated at the 11/2 cent level rather than the 3 cent level. Several producers canceled their policies with American Agrisurance, but many producers decided that the coverage offered was still sufficient to provide protection during a very volatile growing season and opted to stick with American Agrisurance and the CRCPlus policy. I wish the story ended here.

American Agrisurance has since indicated that due to a problem with its reinsurers, they may not be able to live up to the additional 11/2 cents of coverage on policies currently held by many producers. The company is reviewing its financial status and will announce on March 25th whether or not the 11/2 cent polices will be honored. This situation has further clouded the outlook for producers and left them wondering what to believe and who to trust.

Regardless of the company's excuses for its actions, it is now imperative that farmers who were wronged by this company be able to withdraw their business. I have been working with the Administration, the distinguished Chairman of the Senate Agriculture Committee Chairman Lugar, and several other members of the Senate Agriculture Committee to draft legislation that addresses our producers' needs. This bill allows the Department of Agriculture to reopen the crop insurance sales period so that producers affected by the uncertainty of the CRCPlus situation can transfer to another approved insurance provider.

Farmers are on the verge of planting, so a swift response is necessary to clear

up the confusion over their insurance protection. As the daughter of a seventh generation Arkansas farm family, I truly understand that in situations like this it's the farmer who gets left holding the bag. Each year, farmers go out on a limb and make critical planting decisions based on obligations and promises. My heart goes out to all who have made plans based on these policies. I urge my colleagues to act quickly on this matter so that a wrong can be righted in America's heartland. Thank you, Mr. President. I yield the floor.

Mr. ENZI. I ask unanimous consent that the bill be considered read the third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear in the RECORD.

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

The bill (S. 756) was considered read the third time and passed, as follows:

S. 756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CROP INSURANCE OPTIONS FOR PRODUCERS WHO APPLIED FOR CROP REVENUE COVERAGE PLUS.

(a) ELIGIBLE PRODUCERS.—This section applies with respect to a producer eligible for insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) who applied for the supplemental crop insurance endorsement known as Crop Revenue Coverage PLUS (referred to in this section as ''CRCPLUS'') for the 1999 crop year for a spring planted agricultural commodity.

(b) ADDITIONAL PERIOD FOR OBTAINING OR TRANSFERRING COVERAGE.—Notwithstanding the sales closing date for obtaining crop insurance coverage established under section 508(f)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(f)(2)) and notwithstanding any other provision of law, the Federal Crop Insurance Corporation shall provide a 14-day period beginning on the date of enactment of this Act, but not to extend beyond April 12, 1999, during which a producer described in subsection (a) may—

(1) with respect to a federally reinsured policy, obtain from any approved insurance provider a level of federally reinsured coverage for the agricultural commodity for which the producer applied for the CRCPLUS endorsement that is equivalent to or less than the level of federally reinsured coverage that the producer applied for from the insurance provider that offered the CRCPLUS endorsement; and

(2) transfer to any approved insurance provider any federally reinsured coverage provided for other agricultural commodities of the producer by the same insurance provider that offered the CRCPLUS endorsement, as determined by the Corporation.

PROTECTION FOR PRODUCERS OF AGRICULTURAL COMMODITIES

Mr. ENZI. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1212, just received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1212) to protect producers of agricultural commodities who applied for a Crop Revenue Coverage PLUS supplemental endorsement for the 1999 crop year.

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

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

Mr. ENZI. I ask unanimous consent that the bill be read the third time, passed, and the motion to reconsider be laid upon the table.

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

The bill (H.R. 1212) was read the third time, and passed.

THE CALENDAR

UNANIMOUS-CONSENT AGREEMENT

Mr. ENZI. I ask unanimous consent that the Senate now proceed to the consideration en bloc of the following bills reported by the Energy Committee:

S. 278, Calendar No. 41; S. 291, Calendar No. 46; S. 292, Calendar No. 47; S. 293, Calendar No. 42; S. 243, Calendar No. 45; S. 334, Calendar No. 63; S. 356, Calendar No. 48; S. 366, Calendar No. 49; S. 382, Calendar No. 50; S. 422, Calendar No. 65; H.R. 171, Calendar No. 51; and H.R. 193, Calendar No. 52.

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

Mr. ENZI. I ask unanimous consent that the amendment numbered 250 to S. 293, which is at the desk, be agreed to, and the amendment numbered 251 to S. 243 be agreed to, any committee amendments where applicable be agreed to, the bills then be considered read the third time and passed, as amended, if amended, the motions to reconsider be laid upon the table, and that any statements relating to any of these bills appear in the RECORD with the above occurring en bloc.

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

CONVEYANCE OF CERTAIN LANDS TO THE COUNTY OF RIO ARRIBA, NM

The bill (S. 278) to direct the Secretary of the Interior to convey certain lands to the county of Rio Arriba, New Mexico, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OLD COYOTE ADMINISTRATIVE SITE.

(a) CONVEYANCE OF PROPERTY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior (herein ''the Secretary'') shall convey to the County of Rio Arriba, New Mexico (herein ''the County''), subject to the terms and conditions stated in subsection (b), all right, title, and interest of the United States in and to the land (including all improvements on the land) known as the ''Old Coyote Administrative Site'' located approximately 1/2 mile east of the Village of Coyote, New Mexico, on State Road 96, comprising one tract of 130.27 acres (as described in Public Land Order 3730), and one tract of 276.76 acres (as described in Executive Order 4599).

(b) TERMS AND CONDITIONS.—

(1) Consideration for the conveyance described in subsection (a) shall be—

(A) an amount that is consistent with the special pricing program for Governmental entities under the Recreation and Public Purposes Act; and

(B) an agreement between the Secretary and the County 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 public purposes. If such lands cease to be used for public purposes, at the option of the United States, such lands will revert to the United States.

(c) LAND WITHDRAWALS.—Land withdrawals under Public Land Order 3730 and Executive Order 4599 as extended in the Federal Register on May 25, 1989 (54 F.R. 22629) shall be revoked simultaneous with the conveyance of the property under subsection (a).

Mr. DOMENICI. Mr. President, I am very pleased that the Senate has again passed legislation to convey unwanted federal land to Rio Arriba County, New Mexico. While identical legislation passed the Senate last summer, it was unable to get through the House of Representatives due to political wrangling in the waning days of the 105th Congress.

Meanwhile, Rio Arriba has been waiting for access to this much-needed land and facilities. The vast majority of this Northern New Mexico county is in federal ownership. Communities find themselves unable to grow or find available property necessary to provide local services. This legislation allows for transfer by the Secretary of the Interior real property and improvements at an abandoned and surplus administrative site for the Carson National Forest to the County. The site is known as the old Coyote Ranger District Station, near the small town of Coyote, New Mexico.

The Coyote Station will continue to be used for public purposes, including a community center, and a fire substation. Some of the buildings will also be available for the County to use for storage and repair of road maintenance equipment, and other County vehicles.

Mr. President, the Forest Service has determined that this site is of no further use to them, since they have recently completed construction of a new administrative facility for the Coyote Range District. The Forest Service reported to the General Services Administration that the improvements on the site were considered surplus, and would be available for disposal under their administrative procedures. At this particular site, however, the land on

which the facilities have been built is withdrawn public domain land, under the jurisdiction of the Bureau of Land Management.

The Administration is supportive of the legislation. Since neither the Bureau of land Management nor the Forest Service have any interest in maintaining Federal ownership of this land and the surplus facilities, and Rio Arriba County desperately needs them, passage of S. 278 is a win-win situation for the federal government and New Mexico. I hope this meritorious bill will be passed promptly in the House, and quickly become law to give Rio Arriba County the necessary community land to grow.

CARLSBAD IRRIGATION PROJECT ACQUIRED LAND TRANSFER ACT

The bill (S. 291) to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 291

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 ''Carlsbad Irrigation Project Acquired Land Transfer Act''.

SEC. 2. CONVEYANCE.

(a) LANDS AND FACILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), and subject to subsection (c), the Secretary of the Interior (in this Act referred to as the ''Secretary'') may convey to the Carlsbad Irrigation District (a quasi-municipal corporation formed under the laws of the State of New Mexico and in this Act referred to as the ''District''), all right, title, and interest of the United States in and to the lands described in subsection (b) (in this Act referred to as the ''acquired lands'') and all interests the United States holds in the irrigation and drainage system of the Carlsbad Project and all related lands including ditch rider houses, maintenance shop and buildings, and Pecos River Flume.

(2) LIMITATION.—

(A) RETAINED SURFACE RIGHTS.—The Secretary shall retain title to the surface estate (but not the mineral estate) of such acquired lands which are located under the footprint of Brantley and Avalon dams or any other project dam or reservoir division structure.

(B) STORAGE AND FLOW EASEMENT.—The Secretary shall retain storage and flow easements for any tracts located under the maximum spillway elevations of Avalon and Brantley Reservoirs.

(b) ACQUIRED LANDS DESCRIBED.—The lands referred to in subsection (a) are those lands (including the surface and mineral estate) in Eddy County, New Mexico, described as the acquired lands and in section (7) of the ''Status of Lands and Title Report: Carlsbad Project'' as reported by the Bureau of Reclamation in 1978.

(c) TERMS AND CONDITIONS OF CONVEYANCE.—Any conveyance of the acquired lands under this Act shall be subject to the following terms and conditions:

(1) MANAGEMENT AND USE, GENERALLY.—The conveyed lands shall continue to be managed and used by the District for the purposes for which the Carlsbad Project was authorized, based on historic operations and consistent with the management of other adjacent project lands.

(2) ASSUMED RIGHTS AND OBLIGATIONS.—Except as provided in paragraph (3), the District shall assume all rights and obligations of the United States under—

(A) the agreement dated July 28, 1994, between the United States and the Director, New Mexico Department of Game and Fish (Document No. 2–LM–40–00640), relating to management of certain lands near Brantley Reservoir for fish and wildlife purposes; and

(B) the agreement dated March 9, 1977, between the United States and the New Mexico Department of Energy, Minerals, and Natural Resources (Contract No. 7–07–57–X0888) for the management and operation of Brantley Lake State Park.

(3) EXCEPTIONS.—In relation to agreements referred to in paragraph (2)—

(A) the District shall not be obligated for any financial support agreed to by the Secretary, or the Secretary's designee, in either agreement; and

(B) the District shall not be entitled to any receipts for revenues generated as a result of either agreement.

(d) COMPLETION OF CONVEYANCE.—If the Secretary does not complete the conveyance within 180 days from the date of enactment of this Act, the Secretary shall submit a report to the Congress within 30 days after that period that includes a detailed explanation of problems that have been encountered in completing the conveyance, and specific steps that the Secretary has taken or will take to complete the conveyance.

SEC. 3. LEASE MANAGEMENT AND PAST REVENUES COLLECTED FROM THE ACQUIRED LANDS.

(a) IDENTIFICATION AND NOTIFICATION OF LEASEHOLDERS.—Within 120 days after the date of enactment of this Act, the Secretary of the Interior shall—

(1) provide to the District a written identification of all mineral and grazing leases in effect on the acquired lands on the date of enactment of this Act; and

(2) notify all leaseholders of the conveyance authorized by this Act.

(b) MANAGEMENT OF MINERAL AND GRAZING LEASES, LICENSES, AND PERMITS.—The District shall assume all rights and obligations of the United States for all mineral and grazing leases, licenses, and permits existing on the acquired lands conveyed under section 2, and shall be entitled to any receipts from such leases, licenses, and permits accruing after the date of conveyance. All such receipts shall be used for purposes for which the Project was authorized and for financing the portion of operations, maintenance, and replacement of the Summer Dam which, prior to conveyance, was the responsibility of the Bureau of Reclamation, with the exception of major maintenance programs in progress prior to conveyance which shall be funded through the cost share formulas in place at the time of conveyance. The District shall continue to adhere to the current Bureau of Reclamation mineral leasing stipulations for the Carlsbad Project.

(c) AVAILABILITY OF AMOUNTS PAID INTO RECLAMATION FUND.—

(1) EXISTING RECEIPTS.—Receipts in the reclamation fund on the date of enactment of this Act which exist as construction credits to the Carlsbad Project under the terms of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–359) shall be deposited in the General Treasury and credited to deficit reduction or retirement of the Federal debt.

(2) RECEIPTS AFTER ENACTMENT.—Of the receipts from mineral and grazing leases, licenses, and permits on acquired lands to be conveyed under section 2, that are received by the United States after the date of enactment and before the date of conveyance—

(A) not to exceed $200,000 shall be available to the Secretary for the actual costs of implementing this Act with any additional costs shared equally between the Secretary and the District; and

(B) the remainder shall be deposited into the General Treasury of the United States and credited to deficit reduction or retirement of the Federal debt.

SEC. 4. VOLUNTARY WATER CONSERVATION PRACTICES.

Nothing in this Act shall be construed to limit the ability of the District to voluntarily implement water conservation practices.

SEC. 5. LIABILITY.

Effective on the date of conveyance of any lands and facilities authorized by this Act, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the conveyed property, except for damages caused by acts of negligence committed by the United States or by its employees, agents, or contractors, prior to conveyance. Nothing in this section shall be considered to increase the liability of the United States beyond that provided under chapter 171 of title 28, United States Code, popularly known as the Federal Tort Claims Act.

SEC. 6. FUTURE BENEFITS.

Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Reclamation Act of June 17, 1902, and Acts supplementary thereof or amendatory thereto attributable to their status as part of a Reclamation Project.

Mr. DOMENICI. Madam President, I once again rise to express pleasure that the Senate has passed S. 291—the Carlsbad Irrigation Project Acquired Land Transfer Act. I, along with Congressman SKEEN, have been working to convey tracts of land—paid for by Carlsbad Irrigation District and referred to as ''acquired lands''—back to the district, during the past several congresses. Identical legislation passed the Senate last year, it enjoys bi-partisan support, and hopefully will pass in the House of Representatives soon.

The Carlsbad Irrigation District has had operations and maintenance responsibilities for this Bureau of Reclamation project for the past 66 years. It met all the repayment obligations to the government in 1991, and it's about time we let the District have what is rightfully theirs. This legislation will not affect operations at the New Mexico state park at Brantley Dam, or the operations and ownership of the dam itself. Furthermore, the bill will not affect recreation activities in the area.

This legislation accomplishes three main things: it allows conveyance of acquired lands and facilities to Carlsbad Irrigation District; allows the District to assume management of leases and the benefits of the receipts from

these acquired lands; and sets a 180 day deadline for the transfer, establishing a 50–50 cost-sharing standard for carrying out the transfer.

Unfortunately, after years of testimony from the District and support from the Administration, this legislation failed to pass the House of Representatives in the waning days of the 105th Congress. With such continued support for this logical and fair bill, I hope the House will put aside its differences and pass this worthy legislation soon. The Carlsbad Irrigation District has been waiting more than long enough to begin getting the benefits for that which they have paid.

ROUTE 66 LEGISLATION

The Senate proceeded to consider the bill (S. 292) to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance.

Mr. DOMENICI. Mr. President, once again this body will take an historic step in preserving one of America's cultural treasures—Route 66. Passage of S. 292, the Route 66 Corridor Preservation Act, will preserve the unique cultural resources along the famous Route and authorize the Interior Secretary to provide assistance through the Park Service. Congresswoman HEATHER WILSON of Albuquerque, New Mexico, reintroduced a companion bill (H.R. 66) in the House of Representatives. This legislation almost became law at the end of the 105th Congress, but failed to pass in the House of Representatives due to last minute political wrangling. However, I believe that unfortunate turn of events had more to do with political grandstanding than to any question of merit.

I introduced the ''Route 66 Study Act of 1990,'' which directed the National Park Service to determine the best ways to preserve, commemorate and interpret Route 66. As a result of that study, I introduced legislation last summer authorizing the National Park Service to join with federal, state and private efforts to preserve aspects of historic Route 66, the nation's most important thoroughfare for east-west migration in the 20th century.

The Administration once again testified in favor of this legislation, which is identical to last year's bill. S. 292 authorizes a funding level over 10 years and stresses that we want the federal government to support grassroots efforts to preserve aspects of this historic highway.

Designated in 1926, the 2,200-mile Route 66 stretched from Chicago to Santa Monica, Calif. It rolled through eight American states, and in New Mexico, it went through the communities of Tucumcari, Santa Rosa, Albuquerque, Grants and Gallup. New Mexico added to the aura of Route 66, giving new generations of Americans their first experience of our colorful culture and heritage. Route 66 allowed generations of vacationers to travel to previously remote areas and experience the natural beauty and cultures of the Southwest and Far West. This bill is designed to assist private efforts to preserve structures and other cultural resources of the historic Route 66 corridor.

S. 292 authorizes the National Park Service to support state, local and private efforts to preserve the Route 66 corridor by providing technical assistance, participating in cost-sharing programs, and making grants. The Park Service will also act as a clearing house for communication among federal, state, local, private and American Indian entities interested in the preservation of America's Main Street.

I thank my colleagues for once again recognizing the importance of this legislation. I hope this bill will not suffer unfairly as it did last year in the House, and we may quickly have a law recognizing the 20th Century equivalent to the Santa Fe Trail.

The bill (S. 292) was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITIONS.

In this Act:

(1) ROUTE 66 CORRIDOR.—The term ''Route 66 corridor'' means structures and other cultural resources described in paragraph (3), including—

(A) public land within the immediate vicinity of those portions of the highway formerly designated as United States Route 66; and

(B) private land within that immediate vicinity that is owned by persons or entities that are willing to participate in the programs authorized by this Act.

(2) CULTURAL RESOURCE PROGRAMS.—The term ''Cultural Resource Programs'' means the programs established and administered by the National Park Service for the benefit of and in support of preservation of the Route 66 corridor, either directly or indirectly.

(3) PRESERVATION OF THE ROUTE 66 CORRIDOR.—The term ''preservation of the Route 66 corridor'' means the preservation or restoration of structures or other cultural resources of businesses, sites of interest, and other contributing resources that—

(A) are located within the land described in paragraph (1);

(B) existed during the route's period of outstanding historic significance (principally between 1933 and 1970), as defined by the study prepared by the National Park Service and entitled ''Special Resource Study of Route 66'', dated July 1995; and

(C) remain in existence as of the date of enactment of this Act.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Cultural Resource Programs at the National Park Service.

(5) STATE.—The term ''State'' means a State in which a portion of the Route 66 corridor is located.

SEC. 2. MANAGEMENT.

(a) IN GENERAL.—The Secretary, in collaboration with the entities described in subsection (c), shall facilitate the development of guidelines and a program of technical assistance and grants that will set priorities for the preservation of the Route 66 corridor.

(b) DESIGNATION OF OFFICIALS.—The Secretary shall designate officials of the National Park Service stationed at locations convenient to the States to perform the functions of the Cultural Resource Programs under this Act.

(c) GENERAL FUNCTIONS.—The Secretary shall—

(1) support efforts of State and local public and private persons, nonprofit Route 66 preservation entities, Indian tribes, State Historic Preservation Offices, and entities in the States for the preservation of the Route 66 corridor by providing technical assistance, participating in cost-sharing programs, and making grants;

(2) act as a clearinghouse for communication among Federal, State, and local agencies, nonprofit Route 66 preservation entities, Indian tribes, State Historic Preservation Offices, and private persons and entities interested in the preservation of the Route 66 corridor; and

(3) assist the States in determining the appropriate form of and establishing and supporting a non-Federal entity or entities to perform the functions of the Cultural Resource Programs after those programs are terminated.

(d) AUTHORITIES.—In carrying out this Act, the Secretary may—

(1) enter into cooperative agreements, including, but not limited to study, planning, preservation, rehabilitation and restoration;

(2) accept donations;

(3) provide cost-share grants and information;

(4) provide technical assistance in historic preservation; and

(5) conduct research.

(e) PRESERVATION ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall provide assistance in the preservation of the Route 66 corridor in a manner that is compatible with the idiosyncratic nature of the Route 66 corridor.

(2) PLANNING.—The Secretary shall not prepare or require preparation of an overall management plan for the Route 66 corridor, but shall cooperate with the States and local public and private persons and entities, State Historic Preservation Offices, nonprofit Route 66 preservation entities, and Indian tribes in developing local preservation plans to guide efforts to protect the most important or representative resources of the Route 66 corridor.

SEC. 3. RESOURCE TREATMENT.

(a) TECHNICAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary shall develop a program of technical assistance in the preservation of the Route 66 corridor.

(2) GUIDELINES FOR PRESERVATION NEEDS.—

(A) IN GENERAL.—As part of the program under paragraph (1), the Secretary shall establish guidelines for setting priorities for preservation needs.

(B) BASIS.—The guidelines under subparagraph (A) may be based on national register standards, modified as appropriate to meet the needs for preservation of the Route 66 corridor.

(b) PROGRAM FOR COORDINATION OF ACTIVITIES.—

(1) IN GENERAL.—The Secretary shall coordinate a program of historic research, curation, preservation strategies, and the

collection of oral and video histories of events that occurred along the Route 66 corridor.

(2) DESIGN.—The program under paragraph (1) shall be designed for continuing use and implementation by other organizations after the Cultural Resource Programs are terminated.

(c) GRANTS.—The Secretary shall—

(1) make cost-share grants for preservation of the Route 66 corridor available for resources that meet the guidelines under subsection (a); and

(2) provide information about existing cost-share opportunities.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $10,000,000 for the period of fiscal years 2000 through 2009 to carry out the purposes of this Act.

FERC LICENSING OF HYDROELECTRIC PROJECTS ON FRESH WATERS IN HAWAII

The bill (S. 334) to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROJECTS ON FRESH WATERS IN THE STATE OF HAWAII.

Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended in the first sentence by striking ''several States, or upon'' and inserting ''several States (except fresh waters in the State of Hawaii, unless a license would be required under section 23), or upon''.

WELLTON-MOHAWK TRANSFER ACT

The bill (S. 356) to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 356

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 referred to as the ''Wellton-Mohawk Transfer Act''.

SEC. 2. TRANSFER.

The Secretary of the Interior (''Secretary'') is authorized to carry out the terms of the Memorandum of Agreement No. 8–AA–34–WAO14 (''Agreement'') dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District (''District'') providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

SEC. 3. WATER AND POWER CONTRACTS.

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

SEC. 4. SAVINGS.

Nothing in this Act shall affect any obligations under the Colorado River Basin Salinity Control Act (Public Law 93–320, 43 U.S.C. 1571).

SEC. 5. REPORT.

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

SEC. 6. AUTHORIZATION.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

MINUTEMAN MISSILE NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 1999

The bill (S. 382) to establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 382

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 ''Minuteman Missile National Historic Site Establishment Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Minuteman II intercontinental ballistic missile (referred to in this Act as ''ICBM'') launch control facility and launch facility known as ''Delta 1'' and ''Delta 9'', respectively, have national significance as the best preserved examples of the operational character of American history during the Cold War;

(2) the facilities are symbolic of the dedication and preparedness exhibited by the missileers of the Air Force stationed throughout the upper Great Plains in remote and forbidding locations during the Cold War;

(3) the facilities provide a unique opportunity to illustrate the history and significance of the Cold War, the arms race, and ICBM development; and

(4) the National Park System does not contain a unit that specifically commemorates or interprets the Cold War.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations the structures associated with the Minuteman II missile defense system;

(2) to interpret the historical role of the Minuteman II missile defense system—

(A) as a key component of America's strategic commitment to preserve world peace; and

(B) in the broader context of the Cold War; and

(3) to complement the interpretive programs relating to the Minuteman II missile defense system offered by the South Dakota Air and Space Museum at Ellsworth Air Force Base.

SEC. 3. MINUTEMAN MISSILE NATIONAL HISTORIC SITE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Minuteman Missile National Historic Site in the State of South Dakota (referred to in this Act as the ''historic site'') is established as a unit of the National Park System.

(2) COMPONENTS OF SITE.—The historic site shall consist of the land and interests in land comprising the Minuteman II ICBM launch control facilities, as generally depicted on the map referred to as ''Minuteman Missile National Historic Site'', numbered 406/80,008 and dated September, 1998, including—

(A) the area surrounding the Minuteman II ICBM launch control facility depicted as ''Delta 1 Launch Control Facility''; and

(B) the area surrounding the Minuteman II ICBM launch control facility depicted as ''Delta 9 Launch Facility''.

(3) AVAILABILITY OF MAP.—The map described in paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) ADJUSTMENTS TO BOUNDARY.—The Secretary of the Interior (referred to in this Act as the ''Secretary'') is authorized to make minor adjustments to the boundary of the historic site.

(b) ADMINISTRATION OF HISTORIC SITE.—The Secretary shall administer the historic site in accordance with this Act and laws generally applicable to units of the National Park System, including—

(1) the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled ''An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes'', approved August 21, 1935 (16 U.S.C. 461 et seq.).

(c) COORDINATION WITH HEADS OF OTHER AGENCIES.—The Secretary shall consult with the Secretary of Defense and the Secretary of State, as appropriate, to ensure that the administration of the historic site is in compliance with applicable treaties.

(d) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with appropriate public and private entities and individuals to carry out this Act.

(e) LAND ACQUISITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the historic site by—

(A) donation;

(B) purchase with donated or appropriated funds; or

(C) exchange or transfer from another Federal agency.

(2) PROHIBITED ACQUISITIONS.—

(A) CONTAMINATED LAND.—The Secretary shall not acquire any land under this Act if the Secretary determines that the land to be acquired, or any portion of the land, is contaminated with hazardous substances (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)), unless, with respect to the land, all remedial action necessary to protect human health and the environment has been taken under that Act.

(B) SOUTH DAKOTA LAND.—The Secretary may acquire land or an interest in land

owned by the State of South Dakota only by donation or exchange.

(f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date funds are made available to carry out this Act, the Secretary shall prepare a general management plan for the historic site.

(2) CONTENTS OF PLAN.—

(A) NEW SITE LOCATION.—The plan shall include an evaluation of appropriate locations for a visitor facility and administrative site within the areas depicted on the map described in subsection (a)(2) as—

(i) ''Support Facility Study Area—Alternative A''; or

(ii) ''Support Facility Study Area—Alternative B''.

(B) NEW SITE BOUNDARY MODIFICATION.—On a determination by the Secretary of the appropriate location for a visitor facility and administrative site, the boundary of the historic site shall be modified to include the selected site.

(3) COORDINATION WITH BADLANDS NATIONAL PARK.—In developing the plan, the Secretary shall consider coordinating or consolidating appropriate administrative, management, and personnel functions of the historic site and the Badlands National Park.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

(b) AIR FORCE FUNDS.—

(1) TRANSFER.—The Secretary of the Air Force shall transfer to the Secretary any funds specifically appropriated to the Air Force in fiscal year 1999 for the maintenance, protection, or preservation of the land or interests in land described in section 3.

(2) USE OF AIR FORCE FUNDS.—Funds transferred under paragraph (1) shall be used by the Secretary for establishing, operating, and maintaining the historic site.

(c) LEGACY RESOURCE MANAGEMENT PROGRAM.—Nothing in this Act affects the use of any funds available for the Legacy Resource Management Program being carried out by the Air Force that, before the date of enactment of this Act, were directed to be used for resource preservation and treaty compliance.

ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS

The Senate proceeded to consider the bill (S. 422) to provide for Alaska state jurisdiction over small hydroelectric projects, which has been reported from the Committee on Energy and Natural Resources, with an amendment on page 4, line 23, to insert the word ''not'' between ''are'' and ''located.''

The amendment was agreed to.

The bill was considered, ordered to be engrossed for a third reading, read the third time and passed; as follows:

S. 422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

''SEC. 32. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

''(a) DISCONTINUANCE OF REGULATION BY THE COMMISSION.—Notwithstanding sections 4(e) and 23(b), the Commission shall discontinue exercising licensing and regulatory authority under this Part over qualifying project works in the State of Alaska, effective on the date on which the Commission certifies that the State of Alaska has in place a regulatory program for water-power development that—

''(1) protects the public interest, the purposes listed in paragraph (2), and the environment to the same extent provided by licensing and regulation by the Commission under this Part and other applicable Federal laws, including the Endangered Species Act (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

''(2) gives equal consideration to the purposes of—

''(A) energy conservation;

''(B) the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat);

''(C) the protection of recreational opportunities,

''(D) the preservation of other aspects of environmental quality,

''(E) the interests of Alaska Natives, and

''(F) other beneficial public uses, including irrigation, flood control, water supply, and navigation; and

''(3) requires, as a condition of a license for any project works—

''(A) the construction, maintenance, and operation by a licensee at its own expense of such lights and signals as may be directed by the Secretary of the Department in which the Coast Guard is operating, and such fishways as may be prescribed by the Secretary of the Interior or the Secretary of Commerce, as appropriate;

''(B) the operation of any navigation facilities which may be constructed as part of any project to be controlled at all times by such reasonable rules and regulations as may be made by the Secretary of the Army; and

''(C) conditions for the protection, mitigation, and enhancement of fish and wildlife based on recommendations received pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) from the National Marine Fisheries Service, the United States Fish and Wildlife Service, and State fish and wildlife agencies.

''(b) DEFINITION OF 'QUALIFYING PROJECT WORKS'.—For purposes of this section, the term 'qualifying project works' means project works—

''(1) that are not part of a project licensed under this Part or exempted from licensing under this Part or section 405 of the Public Utility Regulatory Policies Act of 1978 prior to the date of enactment of this section;

''(2) for which a preliminary permit, a license application, or an application for an exemption from licensing has not been accepted for filing by the Commission prior to the date of enactment of subsection (c) (unless such application is withdrawn at the election of the applicant);

''(3) that are part of a project that has a power production capacity of 5,000 kilowatts or less;

''(4) that are located entirely within the boundaries of the State of Alaska; and

''(5) that are *not* located in whole or in part on any Indian reservation, a conservation system unit (as defined in section 102(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102(4))), or segment of a river designated for study for addition to the Wild and Scenic Rivers System.

''(c) ELECTION OF STATE LICENSING.—In the case of nonqualifying project works that would be a qualifying project works but for the fact that the project has been licensed (or exempted from licensing) by the Commission prior to the enactment of this section, the licensee of such project may in its discretion elect to make the project subject to licensing and regulation by the State of Alaska under this section.

''(d) PROJECT WORKS ON FEDERAL LANDS.—With respect to projects located in whole or in part on a reservation, a conservation system unit, or the public lands, a State license or exemption from licensing shall be subject to—

''(1) the approval of the Secretary having jurisdiction over such lands; and

''(2) such conditions as the Secretary may prescribe.

''(e) CONSULTATION WITH AFFECTED AGENCIES.—The Commission shall consult with the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce before certifying the State of Alaska's regulatory program.

''(f) APPLICATION OF FEDERAL LAWS.—Nothing in this section shall preempt the application of Federal environmental, natural resources, or cultural resources protection laws according to their terms.

''(g) OVERSIGHT BY THE COMMISSION.—The State of Alaska shall notify the Commission not later than 30 days after making any significant modification to its regulatory program. The Commission shall periodically review the State's program to ensure compliance with the provisions of this section.

''(h) RESUMPTION OF COMMISSION AUTHORITY.—Notwithstanding subsection (a), the Commission shall reassert its licensing and regulatory authority under this Part if the Commission finds that the State of Alaska has not complied with one or more of the requirements of this section.

''(i) DETERMINATION BY THE COMMISSION.—

''(1) Upon application by the Governor of the State of Alaska, the Commission shall within 30 days commence a review of the State of Alaska's regulatory program for water-power development to determine whether it complies with the requirements of subsection (a).

''(2) The Commission's review required by paragraph (1) shall be completed within one year of initiation, and the Commission shall within 30 days thereafter issue a final order determining whether or not the State of Alaska's regulatory program for water-power development complies with the requirements of subsection (a).

''(3) If the Commission fails to issue a final order in accordance with paragraph (2), the State of Alaska's regulatory program for water-power development shall be deemed to be in compliance with subsection (a).''.

COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY

The bill (H.R. 171) to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

H.R. 171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of Public Law 100–515 (16 U.S.C. 1244 note) is amended—

(1) in subsection (b)(1), by striking ''$1,000,000'' and inserting ''$4,000,000''; and

(2) in subsection (c), by striking ''five'' and inserting ''10''.

SUDBURY, ASSABET, AND CONCORD WILD AND SCENIC RIVER ACT

The bill (H.R. 193) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, was considered, ordered to a third reading, read the third time, and passed.

H.R. 193

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 ''Sudbury, Assabet, and Concord Wild and Scenic River Act''.

SEC. 2. DESIGNATION OF SUDBURY, ASSABET, AND CONCORD SCENIC AND RECREATIONAL RIVERS, MASSACHUSETTS.

(a) FINDINGS.—The Congress finds the following:

(1) The Sudbury, Assabet, and Concord Wild and Scenic River Study Act (title VII of Public Law 101–628; 104 Stat. 4497)—

(A) designated segments of the Sudbury, Assabet, and Concord Rivers in the Commonwealth of Massachusetts, totaling 29 river miles, for study and potential addition to the National Wild and Scenic Rivers System; and

(B) directed the Secretary of the Interior to establish the Sudbury, Assabet, and Concord Rivers Study Committee (in this section referred to as the ''Study Committee'') to advise the Secretary in conducting the study and in the consideration of management alternatives should the rivers be included in the National Wild and Scenic Rivers System.

(2) The study determined the following river segments are eligible for inclusion in the National Wild and Scenic Rivers System based on their free-flowing condition and outstanding scenic, recreation, wildlife, cultural, and historic values:

(A) The 16.6-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, to its confluence with the Assabet River.

(B) The 4.4-mile segment of the Assabet River from 1,000 feet downstream from the Damon Mill Dam in the town of Concord to the confluence with the Sudbury River at Egg Rock in Concord.

(C) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers to the Route 3 bridge in the town of Billerica.

(3) The towns that directly abut the segments, including Framingham, Sudbury, Wayland, Lincoln, Concord, Bedford, Carlisle, and Billerica, Massachusetts, have each demonstrated their desire for National Wild and Scenic River designation through town meeting votes endorsing designation.

(4) During the study, the Study Committee and the National Park Service prepared a comprehensive management plan for the segment, entitled ''Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan'' and dated March 16, 1995 (in this section referred to as the ''plan''), which establishes objectives, standards, and action programs that will ensure long-term protection of the rivers' outstanding values and compatible management of their land and water resources.

(5) The Study Committee voted unanimously on February 23, 1995, to recommend that the Congress include these segments in the National Wild and Scenic Rivers System for management in accordance with the plan.

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

''(160) SUDBURY, ASSABET, AND CONCORD RIVERS, MASSACHUSETTS.—(A) The 29 miles of river segments in Massachusetts, as follows:

''(i) The 14.9-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, downstream to the Route 2 Bridge in Concord, as a scenic river.

''(ii) The 1.7-mile segment of the Sudbury River from the Route 2 Bridge downstream to its confluence with the Assabet River at Egg Rock, as a recreational river.

''(iii) The 4.4-mile segment of the Assabet River beginning 1,000 feet downstream from the Damon Mill Dam in the town of Concord, to its confluence with the Sudbury River at Egg Rock in Concord; as a recreational river.

''(iv) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers downstream to the Route 3 Bridge in the town of Billerica, as a recreational river.

''(B) The segments referred to in subparagraph (A) shall be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council provided for in the plan referred to in subparagraph (C) through cooperative agreements under section 10(e) between the Secretary and the Commonwealth of Massachusetts and its relevant political subdivisions (including the towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Carlisle, Bedford, and Billerica).

''(C) The segments referred to in subparagraph (A) shall be managed in accordance with the plan entitled 'Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan', dated March 16, 1995. The plan is deemed to satisfy the requirement for a comprehensive management plan under subsection (d) of this section.''.

(c) FEDERAL ROLE IN MANAGEMENT.—(1) The Director of the National Park Service or the Director's designee shall represent the Secretary of the Interior in the implementation of the plan, this section, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by subsection (b), including the review of proposed federally assisted water resources projects that could have a direct and adverse effect on the values for which the segment is established, as authorized under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(2) Pursuant to sections 10(e) and section 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the Director shall offer to enter into cooperative agreements with the Commonwealth of Massachusetts, its relevant political subdivisions, the Sudbury Valley Trustees, and the Organization for the Assabet River. Such cooperative agreements shall be consistent with the plan and may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of each of the segments designated by the amendment made by subsection (b).

(3) The Director may provide technical assistance, staff support, and funding to assist in the implementation of the plan, except that the total cost to the Federal Government of activities to implement the plan may not exceed $100,000 each fiscal year.

(4) Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by subsection (b) that is not already within the National Park System shall not under this section—

(A) become a part of the National Park System;

(B) be managed by the National Park Service; or

(C) be subject to regulations which govern the National Park System.

(d) WATER RESOURCES PROJECTS.—(1) In determining whether a proposed water resources project would have a direct and adverse effect on the values for which the segments designated by the amendment made by subsection (b) were included in the National Wild and Scenic Rivers System, the Secretary of the Interior shall specifically consider the extent to which the project is consistent with the plan.

(2) The plan, including the detailed Water Resources Study incorporated by reference in the plan and such additional analysis as may be incorporated in the future, shall serve as the primary source of information regarding the flows needed to maintain instream resources and potential compatibility between resource protection and possible additional water withdrawals.

(e) LAND MANAGEMENT.—(1) The zoning bylaws of the towns of Framingham, Sudbury, Wayland, Lincoln, Concord, Carlisle, Bedford, and Billerica, Massachusetts, as in effect on the date of enactment of this Act, are deemed to satisfy the standards and requirements under section 6(c) of the Wild and Scenic rivers Act (16 U.S.C. 1277(c)). For the purpose of that section, the towns are deemed to be ''villages'' and the provisions of that section which prohibit Federal acquisition of lands through condemnation shall apply.

(2) The United States Government shall not acquire by any means title to land, easements, or other interests in land along the segments designated by the amendment made by subsection (b) or their tributaries for the purposes of designation of the segments under the amendment. Nothing in this section shall prohibit Federal acquisition of interests in land along those segments or tributaries under other laws for other purposes.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior to carry out this section not to exceed $100,000 for each fiscal year.

(g) EXISTING UNDESIGNATED PARAGRAPHS; REMOVAL OF DUPLICATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by striking the first undesignated paragraph after paragraph (156), relating to Elkhorn Creek, Oregon; and

(2) by designating the three remaining undesignated paragraphs after paragraph (156) as paragraphs (157), (158), and (159), respectively.

LEGISLATION TO TRANSFER PROPERTY IN SAN JUAN COUNTY, NEW MEXICO

The Senate proceeded to consider the bill (S. 293) to direct the Secretaries of Agriculture and Interior and to convey certain lands in San Juan County, New Mexico, to San Juan College.

The amendment (No. 250) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

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) above, shall be revoked simultaneous with the conveyance of the property under subsection (a).

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

(The text of the bill will be printed in a future edition of the RECORD.)

Mr. DOMENICI. Mr. President, I am pleased my colleagues have again passed this important legislation allowing for transfer of an unwanted piece of federal property to an educational institution which needs it. The Old Jicarilla Site Conveyance Act of 1999 allows for transfer by the Secretaries of Agriculture and Interior real property and improvements at an abandoned and surplus ranger station to San Juan College. This college, located in a county that amazingly is 90% in federal ownership, has been waiting for use of this land.

Finding appropriate sites for community and educational purposes can be difficult in predominantly federally-owned areas. The site that is the subject of this legislation is in the Carson National Forest near the village of Gobernador, New Mexico. The Jicarilla Site will continue to be used for public purposes, including educational and recreational purposes of the college.

The Forest Service determined that the acreage is of no further use to them because a new administrative facility has been located in the town of Bloomfield, New Mexico. In fact, the facility has had no occupants for several years, and the Forest Service testified last year that enactment of this bill would ''provide long-term benefits for the people of San Juan County and the students and faculty of San Juan College.''

While an identical bill passed the Senate last Congress, and was reintroduced this January, the Forest Service last week indicated it wished to make some last minute changes. The substitute amendment incorporates these technical corrections as to the acreage, and I hope the House of Representatives will quickly act on this noncontroversial bill and the land can readily be put to good use for San Juan College and the area residents. We also need to put this property in the hands of the college soon so it can protect the area from further deterioration and fire.

PERKINS COUNTY RURAL WATER SYSTEM ACT OF 1999

The Senate proceeded to consider the bill (S. 243) to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes.

The amendment (No. 251) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Perkins County Rural Water System Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in 1977, the North Dakota State Legislature authorized and directed the State Water Commission to conduct the Southwest Area Water Supply Study, which included water service to a portion of Perkins County, South Dakota;

(2) amendments made by the Garrison Diversion Unit Reformulation Act of 1986 (Public Law 101–294) authorized the Southwest Pipeline project as an eligible project for Federal cost share participation; and

(3) the Perkins County Rural Water System has continued to be recognized by the State of North Dakota, the Southwest Water Authority, the North Dakota Water Commission, the Department of the Interior, and Congress as a component of the Southwest Pipeline Project.

SEC. 3. DEFINITIONS.

In this Act:

(1) CORPORATION.—The term ''Corporation'' means the Perkins County Rural Water System, Inc., a nonprofit corporation established and operated under the laws of the State of South Dakota substantially in accordance with the feasibility study.

(2) FEASIBILITY STUDY.—The term ''feasibility study'' means the study entitled ''Feasibility Study for Rural Water System for Perkins County Rural Water System, Inc.'', as amended in March 1995.

(3) PROJECT CONSTRUCTION BUDGET.—The term ''project construction budget'' means the description of the total amount of funds that are needed for the construction of the water supply system, as described in the feasibility study.

(4) PUMPING AND INCIDENTAL OPERATIONAL REQUIREMENTS.—The term ''pumping and incidental operational requirements'' means all power requirements that are incidental to the operation of the water supply system by the Corporation.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(6) WATER SUPPLY SYSTEM.—The term ''water supply system'' means intake facilities, pumping stations, water treatment facilities, cooling facilities, reservoirs, and pipelines operated by the Perkins County Rural Water System, Inc., to the point of delivery of water to each entity that distributes water at retail to individual users.

SEC. 4. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.

(a) IN GENERAL.—The Secretary shall make grants to the Corporation for the Federal share of the costs of—

(1) the planning and construction of the water supply system; and

(2) repairs to existing public water distribution systems to ensure conservation of the resources and to make the systems functional under the new water supply system.

(b) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for the construction of the water supply system until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the water supply system; and

(2) a final engineering report and a plan for a water conservation program have been prepared and submitted to Congress for a period of not less than 90 days before the commencement of construction of the system.

SEC. 5. MITIGATION OF FISH AND WILDLIFE LOSSES.

Mitigation of fish and wildlife losses incurred as a result of the construction and operation of the water supply system shall be on an acre-for-acre basis, based on ecological equivalency, concurrent with project construction, as provided in the feasibility study.

SEC. 6. USE OF PICK-SLOAN POWER.

(a) IN GENERAL.—From power designated for future irrigation and drainage pumping for the Pick-Sloan Missouri River Basin Program, the Western Area Power Administration shall make available the capacity and energy required to meet the pumping and incidental operational requirements of the water supply system during the period beginning May 1 and ending October 31 of each year.

(b) CONDITIONS.—The capacity and energy described in subsection (a) shall be made available on the following conditions:

(1) The Corporation shall be operated on a not-for-profit basis.

(2) The Corporation may contract to purchase its entire electric service requirements

for the water supply system, including the capacity and energy made available under subsection (a), from a qualified preference power supplier that itself purchases power from the Western Area Power Administration.

(3) The rate schedule applicable to the capacity and energy made available under subsection (a) shall be the firm power rate schedule of the Pick-Sloan Eastern Division of the Western Area Power Administration in effect when the power is delivered by the Administration.

(4) It shall be agreed by contract among—

(A) the Western Area Power Administration;

(B) the power supplier with which the Corporation contracts under paragraph (2);

(C) the power supplier of the entity described in subparagraph (B); and

(D) the Corporation;

that in the case of the capacity and energy made available under subsection (a), the benefit of the rate schedule described in paragraph (3) shall be passed through to the Corporation, except that the power supplier of the Corporation shall not be precluded from including, in the charges of the supplier to the water system for the electric service, the other usual and customary charges of the supplier.

SEC. 7. FEDERAL SHARE.

The Federal share under section 4 shall be 75 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 8. NON-FEDERAL SHARE.

The non-Federal share under section 4 shall be 25 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 9. CONSTRUCTION OVERSIGHT.

(a) AUTHORIZATION.—At the request of the Corporation, the Secretary may provide the Corporation assistance in overseeing matters relating to construction of the water supply system.

(b) PROJECT OVERSIGHT ADMINISTRATION.—The amount of funds used by the Secretary for planning and construction of the water supply system may not exceed an amount equal to 3 percent of the amount provided in the total project construction budget for the portion of the project to be constructed in Perkins County, South Dakota.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary—

(1) $15,000,000 for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

The bill (S. 243) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 243

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 ''Perkins County Rural Water System Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in 1977, the North Dakota State Legislature authorized and directed the State Water Commission to conduct the Southwest Area Water Supply Study, which included water service to a portion of Perkins County, South Dakota;

(2) amendments made by the Garrison Diversion Unit Reformulation Act of 1986 (Public Law 101–294) authorized the Southwest Pipeline project as an eligible project for Federal cost share participation; and

(3) the Perkins County Rural Water System has continued to be recognized by the State of North Dakota, the Southwest Water Authority, the North Dakota Water Commission, the Department of the Interior, and Congress as a component of the Southwest Pipeline Project.

SEC. 3. DEFINITIONS.

In this Act:

(1) CORPORATION.—The term ''Corporation'' means the Perkins County Rural Water System, Inc., a nonprofit corporation established and operated under the laws of the State of South Dakota substantially in accordance with the feasibility study.

(2) FEASIBILITY STUDY.—The term ''feasibility study'' means the study entitled ''Feasibility Study for Rural Water System for Perkins County Rural Water System, Inc.'', as amended in March 1995.

(3) PROJECT CONSTRUCTION BUDGET.—The term ''project construction budget'' means the description of the total amount of funds that are needed for the construction of the water supply system, as described in the feasibility study.

(4) PUMPING AND INCIDENTAL OPERATIONAL REQUIREMENTS.—The term ''pumping and incidental operational requirements'' means all power requirements that are incidental to the operation of the water supply system by the Corporation.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(6) WATER SUPPLY SYSTEM.—The term ''water supply system'' means intake facilities, pumping stations, water treatment facilities, cooling facilities, reservoirs, and pipelines operated by the Perkins County Rural Water System, Inc., to the point of delivery of water to each entity that distributes water at retail to individual users.

SEC. 4. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.

(a) IN GENERAL.—The Secretary shall make grants to the Corporation for the Federal share of the costs of—

(1) the planning and construction of the water supply system; and

(2) repairs to existing public water distribution systems to ensure conservation of the resources and to make the systems functional under the new water supply system.

(b) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for the construction of the water supply system until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the water supply system; and

(2) a final engineering report and a plan for a water conservation program have been prepared and submitted to Congress for a period of not less than 90 days before the commencement of construction of the system.

SEC. 5. MITIGATION OF FISH AND WILDLIFE LOSSES.

Mitigation of fish and wildlife losses incurred as a result of the construction and operation of the water supply system shall be on an acre-for-acre basis, based on ecological equivalency, concurrent with project construction, as provided in the feasibility study.

SEC. 6. USE OF PICK-SLOAN POWER.

(a) IN GENERAL.—From power designated for future irrigation and drainage pumping for the Pick-Sloan Missouri River Basin Program, the Western Area Power Administration shall make available the capacity and energy required to meet the pumping and incidental operational requirements of the water supply system during the period beginning May 1 and ending October 31 of each year.

(b) CONDITIONS.—The capacity and energy described in subsection (a) shall be made available on the following conditions:

(1) The Corporation shall be operated on a not-for-profit basis.

(2) The Corporation may contract to purchase its entire electric service requirements for the water supply system, including the capacity and energy made available under subsection (a), from a qualified preference power supplier that itself purchases power from the Western Area Power Administration.

(3) The rate schedule applicable to the capacity and energy made available under subsection (a) shall be the firm power rate schedule of the Pick-Sloan Eastern Division of the Western Area Power Administration in effect when the power is delivered by the Administration.

(4) It shall be agreed by contract among—

(A) the Western Area Power Administration;

(B) the power supplier with which the Corporation contracts under paragraph (2);

(C) the power supplier of the entity described in subparagraph (B); and

(D) the Corporation;

that in the case of the capacity and energy made available under subsection (a), the benefit of the rate schedule described in paragraph (3) shall be passed through to the Corporation, except that the power supplier of the Corporation shall not be precluded from including, in the charges of the supplier to the water system for the electric service, the other usual and customary charges of the supplier.

SEC. 7. FEDERAL SHARE.

The Federal share under section 4 shall be 75 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 8. NON-FEDERAL SHARE.

The non-Federal share under section 4 shall be 25 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 9. CONSTRUCTION OVERSIGHT.

(a) AUTHORIZATION.—At the request of the Corporation, the Secretary may provide the

Corporation assistance in overseeing matters relating to construction of the water supply system.

(b) PROJECT OVERSIGHT ADMINISTRATION.—The amount of funds used by the Secretary for planning and construction of the water supply system may not exceed an amount equal to 3 percent of the amount provided in the total project construction budget for the portion of the project to be constructed in Perkins County, South Dakota.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary—

(1) $15,000,000 for the planning and construction of the water supply system under section 4; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

FURTHER CONSIDERATION OF NOMINATION

Mr. ENZI. Mr. President, as in executive session, I ask unanimous consent that the Governmental Affairs Committee be allowed further consideration, until April 26, 1999, of the nomination of David Williams to be the Treasury Inspector General for Tax Administration. I further ask unanimous consent that if the nomination is not reported by that date, the nomination be automatically discharged and placed on the calendar.

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

EXECUTIVE SESSION

CONVENTION ON NUCLEAR SAFETY

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaty on today's Executive Calendar: No. 1. I further ask unanimous consent that the treaty be considered as having been passed through its various parliamentary stages up to and including the presentation of the resolution of ratification; all committee provisos, reservations, understandings, and declarations be considered agreed to; that any statements be printed in the CONGRESSIONAL RECORD. I further ask unanimous consent that when the resolution of ratification is voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following disposition of the treaty the Senate return to legislative session.

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

The resolution of ratification, with its conditions and understandings, is as follows:

Resolved (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO CONDITIONS AND UNDERSTANDINGS.

The Senate advises and consents to the ratification of the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Senate Treaty Document 104–6), subject to the conditions of section 2 and the understandings of section 3.

SEC. 2. CONDITIONS.

The advice and consent of the Senate to ratification of the Convention on Nuclear Safety is subject to the following conditions, which shall be binding upon the President:

(1) CERTIFICATION ON THE ELIMINATION OF DUPLICATIVE ACTIVITIES.—

(A) IN GENERAL.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

(B) LIMITATION.—The United States shall not contribute to or participate in the operation of the Convention other than by depositing the United States instrument of ratification until the certification required by subparagraph (A) has been made.

(2) COMMITMENT TO REVIEW REPORTS.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the United States will comment in each review meeting held under Article 20 of the Convention (including each meeting of a subgroup) upon aspects of safety significance in any report submitted pursuant to Article 5 of the Convention by any State Party that is receiving United States financial or technical assistance relating to the improvement in safety of its nuclear installations.

(3) LIMITATION ON THE COST OF IMPLEMENTATION.—

(A) LIMITATION.—Notwithstanding any provision of the Convention, and subject to the requirements of subparagraphs (B), (C), (D), and (E), the United States shall pay no more than $1,000,000 as the portion of the United States annual assessed contribution to the International Atomic Energy Agency attributable to the payment of the costs incurred by the Agency in carrying out all activities under the Convention.

(B) RECALCULATION OF LIMITATION.—

(i) IN GENERAL.—On January 1, 2000, and at 3-year intervals thereafter, the Administrator of General Services, in consultation with the Secretary of State, shall prescribe an amount that shall apply in lieu of the amount specified in subparagraph (A) and that shall be determined by adjusting the last amount applicable under that subparagraph to reflect the percentage increase by which the Consumer Price Index for the preceding calendar year exceeds the Consumer Price Index for the calendar year three years previously.

(ii) CONSUMER PRICE INDEX DEFINED.—In this subparagraph, the term ''Consumer Price Index'' means the last Consumer Price Index for all-urban consumers published by the Department of Labor.

(C) ADDITIONAL CONTRIBUTIONS REQUIRING CONGRESSIONAL APPROVAL.—

(i) AUTHORITY.—Notwithstanding subparagraph (A), the President may furnish additional contributions to the regular budget of the International Atomic Energy Agency which would otherwise be prohibited under subparagraph (A) if—

(I) the President determines and certifies in writing to the appropriate committees of Congress that the failure to make such contributions for the operation of the Convention would jeopardize the national security interests of the United States; and

(II) Congress enacts a joint resolution approving the certification of the President under subclause (I).

(ii) STATEMENT OF REASONS.—Any certification made under clause (i) shall be accompanied by a detailed statement setting forth the specific reasons therefor and the specific uses to which the additional contributions provided to the International Atomic Energy Agency would be applied.

(4) COMPLETE REVIEW OF INFORMATION BY THE LEGISLATIVE BRANCH OF GOVERNMENT.—

(A) UNDERSTANDING.—The United States understands that neither Article 27 nor any other provision of the Convention shall be construed as limiting the access of the legislative branch of the United States Government to any information relating to the operation of the Convention, including access to information described in Article 27 of the Convention.

(B) PROTECTION OF INFORMATION.—The Senate understands that the confidentiality of information provided by other States Parties that is properly identified as protected pursuant to Article 27 of the Convention will be respected.

(C) CERTIFICATION.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the Comptroller General of the United States shall be given full and complete access to—

(i) all information in the possession of the United States Government specifically relating to the operation of the Convention that is submitted by any other State Party pursuant to Article 5 of the Convention, including any report or document; and

(ii) information specifically relating to any review or analysis by any department, agency, or other entity of the United States, or any official thereof, undertaken pursuant to Article 20 of the Convention, of any report or document submitted by any other State Party.

(D) REPORTS TO CONGRESS.—Upon the request of the chairman of either of the appropriate committees of Congress, the President shall submit to the respective committee an unclassified report, and a classified annex as appropriate, detailing—

(i) how the objective of a high level of nuclear safety has been furthered by the operation of the Convention;

(ii) with respect to the operation of the Convention on an Article-by-Article basis—

(I) the situation addressed in the Article of the Convention;

(II) the results achieved under the Convention in implementing the relevant obligation under that Article of the Convention; and

(III) the plans and measures for corrective action on both a national and international level to achieve further progress in implementing the relevant obligation under that Article of the Convention; and

(iii) on a country-by-country basis, for each country that is receiving United States financial or technical assistance relating to nuclear safety improvement—

(I) a list of all nuclear installations within the country, including those installations operating, closed, and planned, and an identification of those nuclear installations where significant corrective action is found necessary by assessment;

(II) a review of all safety assessments performed and the results of those assessments for existing nuclear installations;

(III) a review of the safety of each nuclear installation using installation-specific data

and analysis showing trends of safety significance and illustrated by particular safety-related issues at each installation;

(IV) a review of the position of the country as to the further operation of each nuclear installation in the country;

(V) an evaluation of the adequacy and effectiveness of the national legislative and regulatory framework in place in the country, including an assessment of the licensing system, inspection, assessment, and enforcement procedures governing the safety of nuclear installations;

(VI) a description of the country's on-site and off-site emergency preparedness; and

(VII) the amount of financial and technical assistance relating to nuclear safety improvement expended as of the date of the report by the United States, including, to the extent feasible, an itemization by nuclear installation, and the amount intended for expenditure by the United States on each such installation in the future.

(5) AMENDMENTS TO THE CONVENTION.—

(A) VOTING REPRESENTATION OF THE UNITED STATES.—A United States representative—

(i) will be present at any review meeting, extraordinary meeting, or Diplomatic Conference held to consider any amendment to the Convention Amendment Conferences; and

(ii) will cast a vote, either affirmative or negative, on each proposed amendment made at any such meeting or conference.

(B) SUBMISSION OF AMENDMENTS AS TREATIES.—The President shall submit to the Senate for its advice and consent to ratification under Article II, Section 2, Clause 2 of the Constitution of the United States any amendment to the Convention adopted at a review meeting, extraordinary meeting, or Diplomatic Conference.

(6) TREATY INTERPRETATION.—

(A) PRINCIPLES OF TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally-based principles of treaty interpretation set forth in condition (1) in the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988.

(B) CONSTRUCTION OF SENATE RESOLUTION OF RATIFICATION.—Nothing in condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, shall be construed as authorizing the President to obtain legislative approval for modifications or amendments to treaties through majority approval of both Houses of Congress.

(C) DEFINITION.—As used in this paragraph, the term ''INF Treaty'' refers to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles, together with the related memorandum of understanding and protocols, done at Washington on December 8, 1987.

SEC. 3. UNDERSTANDINGS.

The advice and consent of the Senate to the Convention on Nuclear Safety is subject to the following understandings:

(1) DISMANTLEMENT OF THE JURAGUA NUCLEAR REACTOR.—The United States understands that—

(A) no practical degree of upgrade to the safety of the planned nuclear installation at Cienfuegos, Cuba, can adequately improve the safety of the existing installation; and

(B) therefore, Cuba must undertake, in accordance with its obligations under the Convention, not to complete the Juragua nuclear installation.

(2) IAEA TECHNICAL ASSISTANCE.—

(A) FINDINGS.—The Senate finds that—

(i) since its creation, the International Atomic Energy Agency has provided more than $50,000,000 of technical assistance to countries of concern to the United States, as specified in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and in provisions of foreign operations appropriations Acts;

(ii) the International Atomic Energy Agency has budgeted, from 1995 through 1999, more than $1,500,000 for three ongoing technical assistance projects related to the Bushehr nuclear installation under construction in Iran; and

(iii) the International Atomic Energy Agency continues to provide technical assistance to the partially completed nuclear installation at Cienfuegos, Cuba.

(B) SENSE OF THE SENATE.—The Senate urges the President to withhold each fiscal year a proportionate share of the United States voluntary contribution allocated for the International Atomic Energy Agency's technical cooperation fund unless and until the Agency discontinues the provision of all technical assistance to programs and projects in Iran and Cuba.

SEC. 4. DEFINITIONS.

As used in this resolution:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) CONVENTION.—The term ''Convention'' means the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Senate Treaty Document 104–6).

(3) NUCLEAR INSTALLATION.—The term ''nuclear installation'' has the meaning given the term in Article 2(i) of the Convention.

(4) STATE PARTY.—The term ''State Party'' means any nation that is a party to the Convention.

(5) UNITED STATES INSTRUMENT OF RATIFICATION.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the Convention.

Mr. ENZI. I ask for a division vote on the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. A division is requested. Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

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

ORDERS FOR MONDAY, APRIL 12, 1999

Mr. ENZI. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment, under the provisions of S. Con. Res. 23, until 12 noon, Monday, April 12. I further ask unanimous consent that on Monday, 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 begin a period of morning business until 2 p.m. with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. ENZI. Mr. President, for the information of all Senators, the Senate will adjourn this evening until 12 noon on Monday, April 12. There will be no rollcall votes during Monday's session. However, Members can expect rollcall votes as early as Tuesday, April 13. As the leader previously announced, it is hoped that when the Senate returns from the Easter break, it will consider the supplemental appropriations conference report and the budget conference report, if available.

The leader would, again, like to thank all Senators for their cooperation during the past busy week.

ORDER FOR ADJOURNMENT

Mr. ENZI. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the provisions of S. Con. Res. 23 following the remarks of Senator BAUCUS.

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

The Senator from Montana is recognized.

CHINA'S WTO ACCESSION AND THE VISIT OF PREMIER ZHU RONGJI

KEEP THE POWDER DRY

Mr. BAUCUS. Mr. President, I rise today to bring your attention to a matter of pressing concern involving the upcoming visit of Chinese Premier Zhu Rongji and the prospects of China's accession to the World Trade Organization.

CONTEXT OF RELATIONSHIP

Let me begin, however, with some context.

On April 8 and 9, the Premier of China will visit our country. As we speak, the Administration is negotiating with China the terms of its possible accession to the WTO.

Already this session, the Senate has seen one floor debate concerning our overall China policy. That debate was prompted by an amendment that would have required Congress to vote on the terms of China's accession prior to the Administration's completion of an agreement. Such a pre-emptive vote raised several constitutional and precedential questions.

Congress has not voted on any of the previous 110 GATT and WTO accessions because since 1948 WTO accessions have been executive agreements which generally require no U.S. concessions.

I spoke loudly against that amendment for three specific reasons. First, a vote on WTO accession would more likely be a judgment on the immediate state of our overall relationship with China than on the trade policy details of the accession. Second, such a vote could result in the U.S. holding a set of unilateral trade concessions by China to the United States hostage to every other concern we have about China—from human rights to security, environment, labor policies and much more. Third, we are already required to vote on China's permanent Normal Trading Relation status before the agreement becomes binding. Therefore, I was pleased that the Senate saw fit to defeat this resolution by a resounding vote of 69 to 30. Now we can move on to the matter of pressing concern.

Mr. President, as the visit of the Chinese Premier nears, and as the Administration continues with its negotiations, I am sure that the Senate, the Administration, and the country as a whole will engage in an intense debate on China policy. Participants in this debate will have radically different views on the prospects of our relationship, and on the trade, security and human rights policies we should adopt in it.

I rise today to encourage all participants in this debate to take a deep breath and to think carefully about this issue. For there is much at stake. And it is incumbent upon all of us to make sure that our actions are in the best interests of our country.

STATEMENT TO THE ADMINISTRATION

First, let me address my remarks to the Administration, for they are engaged in an on-going dialogue with China over WTO accession.

Simply put, we must not allow the pending visit of the Premier to cause us to want an agreement so badly that we will accept it on anything less than the best possible terms. It may sound trite, Mr. President, but this is serious stuff—we have to get it right. I do not want to see us simply agree to a commercially viable agreement, instead I want us to sign a commercially powerful agreement.

We've waited a long time to achieve liberalized trade with China. Many times in the past dozen years, we have tried unsuccessfully. But despite, our questions concerning enforcement never before have we been so close in terms of real progress and genuine commitment to agreeable terms that right now. And we must recognize that whatever happens, China will be a challenge for years to come.

Take for example the matter of China refusing to import Pacific-Northwest wheat. For the first time in over two decades, we are near a breakthrough concerning their zero tolerance policy. While talk is good and I encourage it continue, we still have not resolved the underlying problem. China is not importing our wheat. Thus the true measure of success will be weighed in terms of action and reaction—both China's commitment to dropping its ban and its importation of Pacific Northwest wheat.

On a broader scale, Mr. President, I believe that any agreement with China must contain at a minimum, the following terms:

First, it must apply to three critical trade sectors: agriculture, manufacturing, and financial services. We must ensure that China is willing to trade fairly across the board with U.S. companies in each of these sectors. The agreement should include significant tariff reductions, elimination of non-tariff barriers and other measures to liberalize trade in goods.

It should include market access for agriculture, including the elimination of phony health barriers on Pacific Northwest wheat, citrus, meats and other products. And it should include liberalization of service sectors including distribution, telecommunications, finance, and audiovisual industries. Let me be very clear: China must agree to accept all WTO disciplines after a negotiated phase in. They should be afforded no special treatment.

Second, the agreement must be commercially viable, verifiable, and enforceable. Good words and good intentions are not enough, Mr. President. This must be a commercially powerful agreement. The American people and American companies deserve to know that the words will be backed up by actions. In other trade negotiations, some have proposed an annual report card to monitor progress.

Mr. President, I plan to review any accession agreement very carefully. If necessary, I will carry legislation to ensure that compliance with such an accession agreement is carefully monitored to ensure that it is met in letter and spirit. For example, I think the concept of a general safeguard which would allow unilateral sanctions if China failed to meet its commitments is the most important element. Use of this general safeguard should also be linked to an annual review of the agreement.

Third, and finally, I believe that the agreement should be coupled with a showing of good-faith by China. Now, I don't want to prejudge the on-going negotiations. Rather I want to wait and see what the results of those negotiations are. But I don't think it is beyond reason to expect that a WTO accession agreement would include trade targets or up-front purchase agreements for U.S. products.

But again, Mr. President, I am not in the room with the Administration as they negotiate this agreement, and I want to leave them some flexibility on this point. Let me reiterate that I mean ''some'' flexibility and Mr. President, I can't emphasize this enough. Flexibility with Caution because we don't want an accession agreement with China at any price. We do want an agreement must be fair and in the best interests of the United States.

In particular I urge the Administration to closely scrutinize any agreement to make sure it meets this test and be vigilant about the details. And if the offer falls short of the mark, I would suggest that the United States wait rather than push forward with this accession.

STATEMENT TO SENATE COLLEAGUES

Mr. President, I also wish to speak to my Senate colleagues today. Issues related to China can stir our passions. As we move forward with negotiations on China's accession to WTO, I urge you to simply ''keep your powder dry.'' Let's wait and take a look at the outcome of the negotiations.

We must not lose sight of the vital American interests that are at stake. From our perspective, WTO accession can create a more reciprocal trade relationship; promote the rule of law in China; and accelerate the long-term trend toward China's integration into the world economy and the Pacific region.

And let me be absolutely clear. This is about more than wheat. The whole spectrum of the U.S. economy stands to benefit from a commercially powerful accession agreement with China. Agriculture, manufacturing, and financial services—industries affecting literally every state in the United States.

But, Mr. President, the WTO accession holds more at stake than the interests of U.S. industries. This integration is, we should always remember, immensely important to our long-term security interests.

To choose one example, twenty-five years ago China would likely have seen the Asian financial crisis as an opportunity to destabilize the governments of Southeast Asia, South Korea and perhaps even Japan. Today China sees the crisis as a threat to its own investment and export prospects, and has thus contributed to IMF recovery packages and maintained currency stability. Thus China's policy has paralleled and complemented our own; and as a result, the Asian financial crisis remains an economic and humanitarian issue rather than a political and security crisis.

From China's perspective, WTO entry has the long-term benefits of strengthening guarantees of Chinese access to foreign markets and promoting competition and reform in the domestic economy; and the short-term benefit of creating a new source of domestic and foreign investor confidence at a time of immense economic difficulty.

So I say to my Senate colleagues that we must review any agreement carefully. Just as I have said that we should not accept it out of hand, so I do not believe that we should reject it out of hand. I believe that issues related to nuclear security, human rights and Taiwan are all important issues.

Mr. President, I believe that each of in the Senate need to take a close look at the agreement and weigh it in the context of all U.S. interests. Until we have done that, Mr. President, we should ''keep our powder dry.''

STATEMENT TO CHINA

Mr. President, before I conclude, let me also send a message to China. I believe that the window of opportunity for China's accession to the WTO is closing rapidly. The next WTO round begins in November in Seattle. If we cannot reach agreement on WTO accession, it may be many years before this opportunity arises again.

Let me say this clearly to the Chinese leadership: If you are willing to negotiate in good faith, if you are willing to agree to a commercially viable agreement and to eliminate phony barriers to the import of Pacific-Northwest wheat and other products, then I will be willing to support China's accession to the WTO. And I think that many of my colleagues feel the same way. But if you are not willing to take that step; if you are not willing to agree to free and fair trade, then I will oppose China's accession to the WTO and I will urge the Administration to join me in that opposition.

CONCLUSION

In conclusion, Mr. President, China's pending accession must be considered carefully.

This Administration must closely scrutinize any agreement to ensure that it meets the ''commercially powerful'' test. If the offer is genuine and sound, the Administration should work toward an agreement, if it falls short, then the United States should wait.

We in the Senate should ''keep our powder dry.'' That is to let calmer heads prevail by not pre-judging the agreement.

Instead we should play an active role in the negotiations and lend our input as we work toward a successful agreement.

And finally, China must make every effort to demonstrate its desire to enter the global marketplace by bringing forth a commercially meaningful offer. The ball is in China's court.

In sum, I would say that Premier Zhu's visit offers us an immensely important opportunity to define the course of our overall U.S.-China relationship. I welcome his visit and hope my colleagues and the Administration will do the same.

ADJOURNMENT UNTIL 12 NOON MONDAY, APRIL 12, 1999

The PRESIDING OFFICER. The Senate, under the previous order, will stand adjourned until 12 noon, Monday, April 12, 1999.

Thereupon, the Senate, at 10:42 p.m., adjourned until Monday, April 12, 1999, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate March 25, 1999:

DEPARTMENT OF COMMERCE

JOHNNIE E. FRAZIER, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF COMMERCE, VICE FRANK DEGEORGE, RESIGNED.

THE JUDICIARY

JAMES W. KLEIN, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE STANLEY S. HARRIS, RETIRED.

ELLEN SEGAL HUVELLE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA VICE JOHN GARRETT PENN, RETIRED.

BARBARA M. LYNN, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE HAROLD BAREFOOT SANDERS, JR., RETIRED.

DEPARTMENT OF EDUCATION

MARSHALL S. SMITH, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF EDUCATION, VICE MADELEINE KUNIN.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 25, 1999:

DEPARTMENT OF ENERGY

ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (NON-PROLIFERATION AND NATIONAL SECURITY).

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

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

To be lieutenant general

MAJ. GEN. EUGENE L. TATTINI, 3329.

IN THE ARMY

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

To be major general

BRIG. GEN. HAROLD L. TIMBOE, 9807.

IN THE AIR FORCE

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

To be brigadier general

COL. WILLIAM C. JONES, JR., 9159.

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

To be lieutenant general

MAJ. GEN. MICHAEL V. HAYDEN, 0513.

IN THE ARMY

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

To be major general

BRIG. GEN. REGINALD A. CENTRACCHIO, 0724.

IN THE NAVY

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

To be Rear admiral (lower half)

CAPT. EDWARD J. FAHY, JR., 2444.

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

To be rear admiral

REAR ADM. (LH) DANIEL R. BOWLER, 8602.
REAR ADM. (LH) JOHN E. BOYINGTON, JR., 1186.
REAR ADM. (LH) JOHN V. CHENEVEY, 1818.
REAR ADM. (LH) ALBERT T. CHURCH, III, 9703.
REAR ADM. (LH) JOHN P. DAVIS, 4560.
REAR ADM. (LH) JOHN B. FOLEY, III, 8786.
REAR ADM. (LH) VERONICA A. FROMAN, 7314.
REAR ADM. (LH) ALFRED G. HARMS, JR., 7295.
REAR ADM. (LH) JOHN M. JOHNSON, 9184.
REAR ADM. (LH) TIMOTHY J. KEATING, 8508.
REAR ADM. (LH) ROLAND B. KNAPP, 2486.
REAR ADM. (LH) TIMOTHY W. LAFLEUR, 3609.
REAR ADM. (LH) JAMES W. METZGER, 6693.
REAR ADM. (LH) RICHARD J. NAUGHTON, 8886.
REAR ADM. (LH) JOHN B. PADGETT, 6225.
REAR ADM. (LH) KATHLEEN K. PAIGE, 7645.
REAR ADM. (LH) DAVID P. POLATTY, III, 4771.
REAR ADM. (LH) RONALD A. ROUTE, 7031.
REAR ADM. (LH) STEVEN G. SMITH, 5244.
REAR ADM. (LH) RALPH E. SUGGS, 6624.
REAR ADM. (LH) PAUL F. SULLIVAN, 4503.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333 (B):

To be colonel

PATRICK FINNEGAN, 1878.

ARMY NOMINATIONS BEGINNING CHRISTOPHER D. LATCHFORD, AND ENDING JAMES E. BRAMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

ARMY NOMINATIONS BEGINNING LEE G. KENNARD, AND ENDING MICHAEL E. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

ARMY NOMINATIONS BEGINNING WESLEY D. COLLIER, AND ENDING THOMAS L. MUSSELMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

ARMY NOMINATIONS BEGINNING DAVID E. BELL, AND ENDING HOWARD LOCKWOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

ARMY NOMINATIONS BEGINNING *JAN E. ALDYKIEWICZ, AND ENDING *LOUIS P. YOB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

ARMY NOMINATIONS BEGINNING TIMOTHY K. ADAMS, AND ENDING DERICK B. ZIEGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

IN THE MARINE CORPS

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

To be lieutenant colonel

STANLEY A. PACKARD, 3502.

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

To be major

TODD D. BJORKLUND, 3251

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TAREK A. ELBESHBESHY, 8897.

NAVY NOMINATIONS BEGINNING GLEN C. CRAWFORD, AND ENDING LEONARD G. ROSS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

NAVY NOMINATIONS BEGINNING STEVEN W. ALLEN, AND ENDING DANIEL C. WYATT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 8, 1999.

EXTENSIONS OF REMARKS

LET US NOT SEND TROOPS TO KOSOVO

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. HORN. Mr. Chairman, earlier today I expressed my views on why the American military should not be sent to Kosovo.

The conflict in Kosovo is taking place within a sovereign nation. If we are going to go to war with a sovereign nation, we ought to provide a declaration of war. That is what the Constitution of the United States would have us do. I think all of us in this chamber know that Serbian leader Milosevic is a war criminal that should be tried by an international tribunal. The issue here today is, by what criteria should Congress and the President of the United States judge whether American troops should go there?

When is the success known by American troops sent to Kosovo? The President repeatedly broke promises regarding the length of service in Bosnia before admitting our troops will be there indefinitely. Are they going to spend 50 years in the Balkans around Kosovo to bring peace as we have in Korea? Korea was where another Nation invaded South Korea.

This is the time to ask the President to face up to the tough questions and give us the answers to the questions that have been submitted to him. I would keep American troops out of Kosovo. I am opposed to any bombing of civilians. Any targets should be military in nature.

The President has failed to explain the urgent national interest which requires the introduction of U.S. forces into Kosovo. He has failed to even attempt a full explanation of this policy to Congress. The Constitution has given Congress a clear role to play which the President has ignored.

The Administration argues that if the House votes against authorizing its experiments in peacebuilding today, it will undercut ongoing negotiations and perhaps even lead to more bloodshed. This is insulting. It is the Administration's refusal to consult with Congress and its inability to form a strong policy against Serbian aggression that has led to the debate today. The Administration has rejected all attempts by Congress to assert its Constitutional role on every occasion it has put our forces in harm's way without a clear explanation of its mission or on what our forces were supposed to accomplish. The current objections by the White House are more of the same rhetoric from an Executive Branch derisive of consultation with Congress.

The conflict in Kosovo is taking place within a sovereign nation. Intervention in Kosovo, even following an agreement forced upon both sides, is the intervention in a civil war to mediate between two sides which we are trying to force into an agreement that will require our forces to uphold.

By what criteria would the President judge success in this mission whereby American troops could be recalled from Kosovo? The President repeatedly broke promises regarding the length of service in Bosnia before admitting that our troops will be there indefinitely. Once a peacekeeping force enters Kosovo to uphold a forced agreement, that force will serve indefinitely unless Congress acts to responsibly to restrict yet another open-ended commitment to achieve nebulous goals.

While the House debates the commitment of forces to Kosovo, we are also wrestling with the question of funding our armed forces, forces stretched thin by multiple commitments around the world. We are debating how to protect our nation from missile attack, perhaps from missiles improved with stolen American technology. How, then, will another open-ended commitment of American forces help American security. I have heard the arguments on why American forces must be present to make a peacekeeping force work, and while these arguments have merit, they also point out the failure of Europe to deal with issues in its own backyard.

Under the agreement being negotiated now, the peacekeeping force would attack Serbia if its forces or sympathizers violate the agreement, but what would happen if elements of the Kosovo Liberation Army violates the agreement? How would the United States with NATO punish Kosovar violations?

The United States presumably has a responsibility to end the bloodshed in Kosovo because it is the only nation left with the resources to do so. So why, then, is the Administration not seeking to put peacekeepers on the ground in Turkey, where thousands of innocent Kurds have been killed in Turkey's attempt to destroy the terrorists of the PKK? Why have American peacekeepers not been dispatched to Sierra Leone, where the killing continues? Why were international peacekeepers not part of the Irish or Basque peace agreement? What makes Kosovo different?

Let us keep American Troops out of Kosovo. If lives are to be in harm's way, let the European members of NATO handle regional conflicts in their own backyard.

IN THE HOUSE OF REPRESENTATIVES IN HONOR OF THE 35TH ANNIVERSARY OF THE BARTON SENIOR CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Barton Senior Center for its 35-year record of enriching the quality of life for seniors in Lakewood, Ohio.

The Barton Center has been the inspiration for countless noteworthy projects and activities designed to benefit the Lakewood community. This non-profit, self-supporting organization offers a variety of social, educational, recreational and health related activities, classes, programs and services to the seniors of Lakewood. It is truly a multi-purpose senior center.

The inspiration for the Barton Center happened in 1963 when the first residents of the newly built Westerly senior apartment building realized their need for a common social area. With help from government loans, foundation gifts and individual donations, a full service senior center was built, complete with a spacious lounge and dining room, a fully equipped kitchen, a room for arts and crafts, a library, a pool and game room, a workshop and hobby room, and office space. A full-time director and activities coordinator was also hired.

Since its beginning, the Barton Center has continued to grow and expand. The center publishes a regular newsletter that has a circulation of over 1,500 people. Current programs and services such as the Driver Evaluation Program, Home Town Band Concerts, the Holiday Fair, the Dinner Theater, health and exercise programs and neighborhood transportation service are also immensely popular with the hundreds of members of the center.

My fellow colleagues, please join me in recognizing the 35th anniversary of the Barton Senior Center.

CELEBRATING ACHIEVEMENTS OF WOMEN OF COLOR DURING WOMEN'S HISTORY MONTH

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. PELOSI. Mr. Speaker, I rise today to commemorate Harriet Tubman and her lifelong dedication to social justice. We remember Harriet Tubman for her role in winning freedom for African-Americans. We remember her work on behalf of the Underground Railroad. We remember her courage in risking her life and freedom to help others to escape the tyranny of enslavement.

Harriet Tubman was born a slave in the early 1820s in Bucktown, Maryland, near Cambridge. At birth, she was named Araminta, but later adopted her mother's first name. In 1884, she married John Tubman, a freed slave. Starting life on a plantation, she grew up doing hard labor in the fields and suffering repeated beatings. Once, at age 13, an overseer struck her with a heavy weight and, for the rest of her life, she struggled with the serious effects of a fractured skull.

In 1849, after her owner died, she fled alone to Philadelphia on the underground railroad. Congress then passed the 1850 Fugitive Slave Act, a law that criminalized providing help to runaway slaves. Nevertheless, Harriet immediately dared to make her first return trip. Over the next decade, Tubman used the Underground Railroad to make 18 separate trips to free slaves. In total, she helped more than 3,000 slaves escape and earned the nickname "Moses" for having led so many of her people to freedom.

It is said that she planned carefully, never repeated her route, and became an inspirational role model. Her success is measured by the reactions of slave owners, who placed a $40,000 bounty on her head, a fortune in today's dollars.

During the Civil War, she worked as a Union spy, scout, and nurse. In these roles, she helped even more slaves to escape. After the Civil War, she campaigned to raise funds for black schools. Later, she established the Harriet Tubman Home for Indigent Aged Negroes in her own home. Like many others who have dedicated their lives to social justice, Harriet lived her later years in poverty. A few years before her death, Congress finally awarded her a monthly pension. Today, I urge my colleagues to refresh our recognition of her life and good works.

The date of Harriet Ross Tubman's birth is uncertain, but experts believe it is March 10, 1820. She died on March 10, 1913. It is, therefore, highly appropriate to honor this American hero during March's Women's History Month. At her death, Tubman was impoverished in economic terms, but her life was rich with great accomplishments, great works, and the knowledge that she had brought freedom to thousands of slaves. She is an inspiration to all of us.

"PROJECT 2000"—A NATIONAL MODEL FOR HUMANITARIAN SUPPORT

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. FORD. Mr. Speaker, I rise today to honor a constituent, friend and esteemed member of the clergy from Tennessee's Ninth District, Reverend Bill Adkins.

On Wednesday, March 15, Reverend Adkins announced an ambitious project in Memphis that will bring together people of faith from across the city, from all dominations, to address our community's most pressing needs. Entitled "Project 2000," the initiative would begin on Easter Sunday and continue throughout the year. Participating churches would set aside the receipt from one Sunday's collection for a special community project.

Reverend Adkins described this initiative best when he urged his fellow clergy to join him in his cause:

"We pray about poverty, housing, incarceration, illnesses and the lack of jobs, and we should. But what are the churches doing? Why can't we take one Sunday out of 52 and do something together for the betterment of the community? One hundred churches alone in Memphis could generate several million dollars." (Source: The Commercial Appeal, March 16, 1999)

"Project 2000" exemplifies the American ideals of community and mutual responsibility. As Americans, we should not live as individuals in isolation, but as members of a community, working together to solve our common problems. In our labors, we should draw on the spiritual, moral, intellectual and financial strength of our church community. There is no limit to what we can accomplish when we marshal the good will and resources of the more than 150 million people of faith who attend weekly services in over 300,000 congregations in the United States.

Mr. Speaker, I ask all of my colleagues to join me today in honoring Reverend Adkins and "Project 2000." But more than that, Mr. Speaker, I believe the best tribute to Reverend Adkins and "Project 2000" would be for all of my colleagues in the House of Representatives to introduce this unique initiative to their constituents. I have included a copy of a recent news article describing this initiative and ask that it be included in the RECORD.

[From The Commercial Appeal, Mar. 16, 1999]

CHURCHES ASKED TO DONATE A SUNDAY

(By David Waters)

Monday, he was on the radio rallying citizens to do something positive for the oft-maligned neighborhood of Whitehaven.

Tuesday, he was at the City Council meeting, lobbying council members to do something to fix a voting plan he thinks is unfair.

Wednesday, he held a press conference and challenged his congregation and others to do something collectively to help the community.

"We pray about poverty, housing, incarceration, illness and the lack of jobs, and we should," Rev. Bill Adkins, pastor of Greater Imani Church, said as he presented his idea for Project 2000.

"But what are the churches doing?"

Adkins suggested that, starting next year, all local churches contribute one Sunday's receipts to a special community project.

The first Project 2000 Sunday could be Jan. 30, 2000, the fifth Sunday of that month.

"Most churches consider fifth Sundays as gravy," Adkins said.

"Why can't we take one Sunday out of 52 and do something together for the betterment of the community?"

Adkins would like to get representatives from each participating congregation to form a board to choose a Project 2000 recipient.

"One hundred churches alone in Memphis could generate several million dollars," he said.

"The church, especially the traditional black church, has the might to bring resurrection power to this community."

Adkins said Project 2000 will begin on Easter Sunday.

Easter this year falls on April 4 for the first time since Dr. Martin Luther King Jr. was killed on that date in Memphis in 1968.

To commemorate that date, Adkins said Greater Imani will celebrate Easter at the Mid-South Coliseum this year. The service will begin at 9 a.m.

THE IRA CHARITABLE ROLLOVER INCENTIVE ACT OF 1999

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. CRANE. Mr. Speaker, today I am joined by my Ways and Means Committee colleague Mr. NEAL in introducing the IRA Charitable Rollover Incentive Act. This bill will allow Americans who have reached age 59½ to donate their IRA assets to a charity without incurring income tax on the distribution.

Under current law, distributions from IRA's are taken in as income to the account holder and taxed. This proposal will allow the assets in the IRA to pass directly to the charity without being taken in and taxed as income. However, the donor may not also claim a charitable contribution deduction as the IRA assets represent previously untaxed income.

The IRA Charitable Rollover Incentive Act has come about thanks to the valuable input from hundreds of charitable organizations across the country. I want to specifically thank Northwestern University President Henry Bienen for bringing to my attention the problems the current laws governing IRA's have created for donors who wish to transfer their assets to charities.

This bill has the potential for unlocking significant financial resources for charitable organizations. I urge my colleagues to join us in this effort by cosponsoring the IRA Charitable Rollover Incentive Act.

IN HONOR OF TOM AND PAUL CALAMARAS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Tom and Paul Calamaras. They were honored on November 20, 1998, as "Men of the Year" by the Broadway-Astoria Merchants & Professionals Association at their 18th Annual Dinner Dance at the Crystal Palace.

Tom and Paul Calamaras, the owners of the Crystal Palace and Oyster Bay Catering Hall, have played an immensely significant role in New York City's Greek-American community.

The history of the Calamaras family is the story of the American Dream. Thomas, Paul, and their sister, Eleni, were born in Sparta to Despina and John Calamaras. When the children were still young, John came to the United States to support his family. He worked at the Oyster Bay Restaurant, first as a dishwasher and later as a chef. In 1944, John opened a small coffee shop on the Lower East Side.

John, who was not a citizen, was finally able to bring his family to the United States in the late 1940s. The Calamaras family ran the coffee shop, and when the restaurant next door became available, they expanded the restaurant into the Blue Sea Restaurant.

In 1957, Paul returned to Greece where he met and married Mary Stefanos Resiopoulos

of Athens. They returned to the United States in 1958. Today, they live on the north shore of Long Island with their three sons, John, Stefanos, and Athanasios.

In 1959, Tom also returned to Greece where he met and married Aphrodite Christopoulos of Kalamata. They currently live on the Upper East Side of Manhattan.

In 1959, John, Paul and Tom purchased the Oyster Bay Restaurant, John's first place of employment in the United States. The Oyster Bay joined the Blue Sea Restaurant and many other diners and restaurants run by the Calamaras family. In 1961, John fulfilled another one of his dreams when he purchased the Broadway Movie Theater. The Calamaras family also established the Crystal Palace Caterers around this time.

Sadly, John passed away in 1973, but Tom and Paul are continuing his legacy. They still own and operate their father's restaurant and they are also continuing his tradition of honoring their Greek roots.

In recognition of their continued support of causes that promote Hellenism in America, in February of this year Thomas and Paul Calamaras received the title of Archon Depoutatos by the Ecumenical Patriarch Dimitrios.

Mr. Speaker, I am honored to bring to your attention these important men, Tom and Paul Calamaras, as they are honored as "Men of the Year." I would also like to offer my sincere congratulations to the Broadway-Astoria Merchants & Professionals Association as it celebrates its 18th Annual Dinner Dance.

A TRIBUTE TO ED HASTEY

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of my very good friend, Ed Hastey. Ed is looking forward to a full and productive retirement after serving the Bureau of Land Management, the State of California, and the nation for over 46 years.

A fourth generation Californian and native of Pacific Grove, Ed attended Fresno State College and Monterey Peninsula College, and following his service in the military, graduated from the University of Washington in 1957. He joined BLM in 1957 after several years in the Army Airborne. Over the years, he served as the BLM's national budget officer, assistant director for administration, and as associate director in Washington, DC. He also served two stints as BLM's California State Director, the last stretching from 1982 to the present.

During his tenure at the BLM, Ed spent most of his career directing the management of 16 million acres of public lands in California and Northern Nevada. In that time, he has worked under a dozen Secretaries of Interior. "I once referred to Ed Hastey as 'the viceroy of California,' and I truly believe no single individual has had a more positive impact on California's landscapes than Ed," said Interior Secretary Bruce Babbitt. "He will be missed."

Ed is widely credited with founding the California Biodiversity Council which draws together all Federal and State land management and environmental agencies with County Supervisors Associations from throughout the state to collaborate on ways to better manage California's diverse natural resources.

Ed is especially proud of the land exchange and acquisition program that he directed in cooperation with the State of California and several private land conservancies that has ensured protection of many unique California landscapes. Several examples include the King Range National Conservation Area on the north coast, the Carrizo Plain in central California, the Santa Rosa Mountains in Southern California, and Cosummes Preserve in Sacramento County, and numerous other areas throughout the state. Ed was also instrumental in the recent acquisition of the Headwaters Forest in Humboldt County which the BLM will manage in partnership with the state.

On a personal note, Ed has been a longtime friend and trusted advisor on important public land issues affecting my congressional district in southern California. We have, over the years, enjoyed many back country excursions together. I know that our friendship will continue and fully expect to spend many more days together exploring the vast and beautiful California wilderness.

Mr. Speaker, few people in public life ever make the type of contributions made by my very good friend, Ed Hastey. As he begins his well-deserved retirement, Ed leaves many admirers in and out of government who respect him for his work, his fundamental sense of decency, and most importantly, his integrity. All of us wish Ed, his wife of 45 years, Joyce, and his family much happiness in the coming years. It is only appropriate that the House pay tribute to Ed Hastey today.

HONORING COAHOMA COMMUNITY COLLEGE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, it gives me great pleasure to stand before you today to honor an institution of higher learning that is currently enjoying its 50th year of academic excellence.

Coahoma Community College, nestled in Clarksdale, Mississippi, was established on June 8, 1949, by the Board of Trustees of Coahoma County agricultural High School. Back then, they got together to discuss adding a freshman year of college to the high school as provided by a special act of the state legislature. At the same time, they changed the name of the school to Coahoma Junior College and Agricultural High School which now stands as Coahoma Community College.

Coahoma Community College started out as a college where African-American students could pursue their dreams of obtaining a college education when no other opportunities were available to them. Today, they strive to meet the dreams of every student, adult and businessperson who has a desire to improve his or her place in life.

Mr. Speaker, in closing, I want to add that Coahoma Community College is just that . . . a college for the community. It has definitely come a long way since 1949. With the additions of the Skill/Tech Industrial Training Center and other programs, Coahoma works with businesses and industrial plants offering start-up training, employee and skills enhancement training and health and safety training. Through its academic, vo-tech and skill/tech classes, the college offers a variety of non-credit courses designed to enhance the quality of life in the community as well as increase a person's skills in lifelong learning.

From a college that gave blacks an opportunity to attain a college education to providing the community with diverse centers for learning, Coahoma Community College continues to fulfill its original mission of providing opportunities for advancement for the people it serves.

THE 75TH ANNIVERSARY OF CORTEZ GROWERS

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. CONDIT. Mr. Speaker, I rise today to recognize and honor the 75th Anniversary of Cortez Growers.

Many of the original founders of the Cortez Growers Association first came to California in 1910. The farming cooperative takes it name from the small Santa Fe Railroad stop north of Livingston and southeast of Turlock in my district in California's great Central Valley.

Lured to the Valley by a popular Japanese-language newspaper, the immigrants, unable to speak English and ineligible to own land or become U.S. citizens doggedly pursued the American dream, eventually catching it, revolutionizing farming and transforming Merced County into a major agricultural center.

Immigrating in search of opportunity, they lived as sharecroppers and laborers while searching for the American dream in Berkeley, Watsonville, Salinas, Woodlands, Sacramento, San Francisco and nearly any other place where they found inexpensive farmland where they quickly found they could grow nearly anything.

With little money the immigrants faced incredible odds. Under the Alien Land Law of 1913, Asians couldn't own land because they couldn't become citizens. At the same time, many of the established farmers around Livingston didn't welcome the newcomers. Meeting the challenges steadfastly, the new residents of Cortez formed their grower's association on April 18, 1924.

They struggled with anti-Japanese sentiments during World War II, with many forced into internment camps. Though thousands of Japanese-Americans lost everything during the war, the crisis did not end the dreams of the Cortez members. By January, 1945, the tides of war had firmly turned in the Allied forces' favor, and the Western Defense Command had lifted military restrictions on Japanese-Americans. Following the war, the association began radical changes that would see

it reach out to its neighbors and change the way we farm in California.

Cortez looks much different than it did 75 years ago. Instead of jackrabbits, there are cars, tractors and trucks. The sand has been replaced by lush greenery. Today there are 80 members; fewer than half claim Japanese roots. The average farm size is only 60 acres, but because of pooled resources, the association has the clout of a much larger organization.

Mr. Speaker, I am proud to represent these farmers and ask that my colleagues in the House of Representatives rise and join me in honoring the Cortez Growers Association on their 75th anniversary.

EXPRESSING SUPPORT OF HOUSE OF REPRESENTATIVES FOR MEMBERS OF U.S. ARMED FORCES ENGAGED IN MILITARY OPERATIONS AGAINST FEDERAL REPUBLIC OF YUGOSLAVIA

SPEECH OF

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Ms. SLAUGHTER. Mr. Speaker, I rise today in strong support of H. Res. 130, a resolution expressing the support of the House of Representatives for our American troops engaged in military operations against the Federal Republic of Yugoslavia.

Last year, I traveled to the Balkans as a representative of the Organization for Security and Cooperation in Europe. There, I was able to see firsthand the violence and destruction caused by a deep-seated hatred between ethnic groups, and more specifically, by the policies of Serbian President Slobodan Milosevic and his oppressive regime.

For the past 2 years, the world has watched as the ethnic Albanian people in Kosovo have been subjected to numerous killings, rapes, torture, and other forms of violence and human suffering. I strongly believe that something must be done to bring about a permanent end to the egregious human rights violations that are occurring against these people.

I support the President's decision to allow our troops to participate in NATO air strikes against Serbian forces within Yugoslavia. I am closely monitoring this situation and offer my hopes and prayers for all of our young men and women who are bravely serving their nation in the name of peace.

PEACE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PAUL. Mr. Speaker, today I rise and with gratitude to Edmund Burke and paraphrase words he first spoke 224 years ago this week. As it is presently true that to restore liberty and dignity to a nation so great and distracted as ours is indeed a significant undertaking. For, judging of what we are by what we ought to be, I have persuaded myself that this body might accept this reasonable proposition.

The proposition is peace. Not peace through the medium of war, not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all part of the earth; not peace to depend on juridical determination of perplexing questions, or the precise marking the shadowy boundaries of distant nations. It is simply peace, sought in its natural course and in it ordinary haunts.

Let other nations always keep the idea of their sovereign self-government associated with our Republic and they will befriend us, and no force under heaven will be of power to tear them from our allegiance. But let it be once understood that our government may be one thing and their sovereignty another, that these two things exist without mutual regard one for the other—and the affinity will be gone, the friendship loosened and the alliance hasten to decay and dissolution. As long as we have the wisdom to keep this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever mankind worships freedom they will turn their faces toward us. The more they multiply, the more friends we will have, the more ardently they love liberty, the more perfect will be our relations. Slavery they can find anywhere, as near to us as Cuba or as remote as China. But until we become lost to all feeling of our national interest and natural legacy, freedom and self-rule they can find in none but the American founding. These are precious commodities, and our nation alone was founded them. This is the true currency which binds to us the commerce of nations and through them secures the wealth of the world. But deny others of their national sovereignty and self-government, and you break that sole bond which originally made, and must still preserve, friendship among nations. Do not entertain so weak an imagination as that UN Charters and Security Councils, GATT and international laws, World Trade Organizations and General Assemblies, are what promote commerce and friendship. Do not dream that NATO and peacekeeping forces are the things that can hold nations together. It is the spirit of community that gives nations their lives and efficacy. And it is the spirit of the constitution of our founders that can invigorate every nation of the world, even down to the minutest of these.

For is it not the same virtue which would do the thing for us here in these United States? Do you imagine than that it is the Income Tax which pays our revenue? That it is the annual vote of the Ways and Means Committee, which provide us an army? Or that it is the Court Martial which inspires it with bravery and discipline? No! Surely, no! It is the private activity of citizens which gives government revenue, and it is the defense of our country that encourages young people to not only populate our army and navy but also has infused them with a patriotism without which our army will become a base rubble and our navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us: a sort of people who think that nothing exists but what is gross and material, and who, therefore, far from begin qualified to be directors of the great movement of this nation, are not fit to turn a wheel in the machinery of our government. But to men truly initiated and rightly taught, these ruling and master principles, which in the opinion of such men as I have mentioned have no substantial existence, are in truth everything. Magnanimity in politics is often the truest wisdom, and a great nation and little minds go ill together. If we are conscious of our situation, and work zealously to fill our places as becomes the history of this great institution, we ought to auspiciate all our public proceedings on Kosovo with the old warning of the Church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our forefathers turned a savage wilderness into a glorious nation, and have made the most extensive and the only honorable conquests, not by bombing and sabre-rattling, but by promoting the wealth, the liberty, and the peace of mankind. Let us gain our allies as we obtain our own liberty. Respect of self-government has made our nation all that it is, peace and neutrality alone will makes ours the Republic that it can yet still be.

HONORING DAVID E. SMITH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KILDEE. Mr. Speaker, I stand before you today to recognize the accomplishments of a man who has made it his life's work to protect and defend human dignity, and to ensure the safety of our shores, for our citizens and our children. On April 23, friends and family will gather to honor the career of State Commander David E. Smith, for a lifetime of service, including more than 20 years as a member of the Disabled American Veterans.

A lifetime resident of Michigan, David Smith's introduction to the United States Armed Forces began with his grandfather, who served in World War I, and his father, Earl, who served in World War II. Upon completion of his tour of duty, the elder Mr. Smith moved his family to Christmas, Michigan, and later Mount Morris, in the Flint area. Mr. Smith enlisted in the United States Army on June 20, 1960, and served for six years, three of which were in Germany as a member of the 7th Army. He also served with the 1st Armored Division in Fort Hood, Texas, and the 1st Army at Fort Devens, Massachusetts. During this time, he rose to the rank of Sergeant.

In May of 1966, Sergeant Smith was medically discharged with service connected disability, however has continued to serve his country as he worked for the Department of the Army in Dover, New Jersey, before returning to Michigan in 1967. He began a career with general motors, which spaned three years before his disability prevented him from continuing. Showing determination to excel despite his disability, Mr. Smith and his family

moved to Ann Arbor, Michigan, to be close to VA physicians. Mr. Smith began a new career, one that lasted five years until his disability rating was upgraded to 100% and he was ordered to cease working altogether.

In July of 1974, Mr. Smith joined the Disabled American Veterans as a like member. He began regularly attending DAV meetings in the fall of 1983. His regular attendance of Chapter Service Officer trainings prepared him for his future roles as Chapter Adjutant, Treasurer, and Service Officer. For three years, Mr. Smith served as Chapter Commander, and has held every statewide Vice-Commander positions, prior to his current position as State Commander. He has been honored as Chapter Service Officer of the Year on five separate occasions, and was recognized as Michigan Disabled Veteran of the Year in 1990.

Mr. Speaker, as we owe much to our nation's veterans, Commander David Smith has acknowledged the fact that his accomplishments would not have been possible without support from his wife Peggy, and his children, all of whom, are veterans as well. I ask my colleagues in the 106th Congress to join me in congratulating him for this dedication and perseverance.

IN RECOGNITION OF THE HEART CENTER AT PARMA COMMUNITY GENERAL HOSPITAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the opening of the Heart Center at Parma Community General Hospital and the hospital's continued dedication to meeting the healthcare needs of the community.

Parma Community General Hospital, a not-for-profit, community-based hospital dedicated to bringing high quality health care services in a familiar, cost-effective setting, received numerous awards in 1998. According to a study by a national organization, Parma Hospital was rated first in quality of care in orthopedics of the 31 hospitals in its six-county region. In addition, Parma Hospital ranked in the top five in overall performance based on all services offered.

The nursing staff, a critical element in Parma Hospital's excellence, also received accolades for their commitment to quality. Mary Ann Hassing, R.N., in the Small Wonders Maternity Unit, was named Health Care Worker of the Year by the Ohio Association for Hospitals and Health Systems. In addition, Karen Krauth, R.N., certified Diabetes Educator and Renee Knapp, R.N. who works in the Emergency Department, were chosen by the Plain Dealer readers as the Best of the Best.

Last year, Parma also became the first hospital in the area to sign the pledge created by the National Healthcare Workers Safety Program and convert to needle safety blood drawing products and IV angiocatheters. Parma also provided care for a record number of patients in the Emergency Room in 1998.

My fellow colleagues, please join me in honoring the accomplishments of Parma Community General Hospital and the Sunday, March 28, 1999 opening of the Heart Center at Parma Community General Hospital.

CESAR CHAVEZ

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. PELOSI. Mr. Speaker, I rise today to honor the organizing work of Cesar Chavez and to memorialize his lifelong struggle for justice, respect, and decent living conditions for America's farm workers.

Cesar Chavez was born on March 31, 1927, on a small farm in Arizona. When he died in 1993, at the age of 66, Cesar was President of the United Farm Workers of America. For most of his life, Cesar toiled on farms—both picking fruit and organizing workers—and dedicated himself to improving the plight of migrant workers.

Cesar grew up living as a migrant farm worker in the Southwest, and migrated with his family in their struggles to earn a living. His experiences taught him the importance of collective action and the importance of organizing to address America's economic and social inequity.

Cesar Chavez and his family were living in the East San Jose barrio of Sal Si Puedes, roughly translated this means Get Out If You Can, in 1952. That year, Cesar met Fred Ross Sr., an organizer for the Community Service Organization (C.S.O.), one of the first civic action groups in the Mexican-American communities of California and Arizona. Fred Ross became his mentor, and together they built 32 chapters of the C.S.O., organizing thousands of Mexican Americans to become active leaders of their communities. Cesar taught these leaders how to organize and win battles to end discrimination in education, housing, employment and health care. He led successful citizenship, voter registration, and get out the vote campaigns in both urban and rural communities throughout California. Because of his efforts, more than 500,000 new voters were added to America's rolls in the 1950's and early 1960's

Due to his determination and hard work, he rose from his humble origins to become the national director of CSO. He departed in 1962 to found the National Farm Workers Association. Against great odds, Cesar led a successful five year strike and boycott that rallied millions of supporters to the farm workers movement. He forged an international support coalition of unions, religious groups, students, minorities and fair minded consumers.

From the beginning, he adhered to the principles of non-violence practiced by Gandhi and Dr. Martin Luther King Jr. In 1968, Cesar fasted for 25 days to reaffirm the UFW's commitment to non-violence. The late Senator Robert F. Kennedy called Cesar "one of the heroic figures of our time" and joined him in Delano when he ended his fast.

Cesar's work has had a lasting impact on our nation. Seventeen million Americans honored the grape boycott, and thousands joined his non-violent struggle for justice in more active ways, through picket lines, civil disobedience, going to jail, and working as five dollar per week plus room and board volunteers, the same compensation that Cesar earned. My San Francisco District Director, Fred Ross Jr., son of Cesar's mentor, was one of these young people inspired by Cesar to join the cause and help migrant workers win the respect, dignity, and decent living conditions that they deserved.

On August 8, 1994, Cesar posthumously received the Presidential Medal of Freedom, the highest honor in the United States. Recently, the U.S. Department of Labor honored him by inducting him into its Hall of Fame.

I support House Joint Resolution 22, To Commemorate the Birthday of Cesar E. Chavez, which would declare March 31 a Federal holiday in his honor. Cesar dedicated his life to improving the living conditions of America's workers. I urge my colleagues to recognize his life's work.

TRIBUTE TO HAMILTON HIGH SCHOOL CHOIR

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. FORD. Mr. Speaker, I rise to pay tribute to thirty extraordinarily gifted young men and women from Tennessee's Ninth Congressional District who are in Washington this week to display their talents before the nation.

Under the leadership of Mr. Reginald Gaston, the Hamilton High School Choir has become one of the best concert and gospel choirs in the State of Tennessee. Dedicated to the pursuit of excellence, the Hamilton Choir has earned national recognition for their superior ratings in the recent Mid-America Choral Festival in Orlando, Florida.

It gives me great honor, Mr. Speaker, to present the names of these thirty fine young representatives Tennessee's Ninth District: Marlon Mitchell, Mario Albright, Jason Mitchell, Jacinth Ragland, Jattir Ragland, Phillip Britteum, Jonathan Anderson, Burl Toler, Jared Bledsoe, Tre' Canady, Royry Walker, Rickeya Townes, Felecia Wiggins, Sally Ousley, Yamina Tunstall, Sekida Norwood, Tawanda Dean, Sukeeya Haley, April Johnson, Christian Kirk, Sharonda, Walker, Ranata Adams, Thais Polk, Jovannii Ayers, LaDaris Spearman, Paige Brown, Yolanda Bolton, Ashley Wheeler, Monique Joiner, Tinisha Daniels, and Ms. Adrianne Strong. The hard work of these young people defies the inaccurate notion of an "uncommitted generation." The young people of this nation possess an overwhelming level of dedication and aptitude, and the students of the Hamilton High School Choir serve as a testimony to that.

We must continue to encourage the young people of this nation. We must continue to remind them of their potential. Moreover, we must congratulate them when they reach their goals and fulfill their potential. In that spirit, it gives me great pleasure to present this inspirational group of young men and women to official Washington, to my colleagues and to the hundreds of Americans who will be touring the

people's capitol. May their voices ring from the steps of the capitol and echo the dedication and commitment of their generation.

THE CHARITABLE GIVING TAX RELIEF ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. CRANE. Mr. Speaker, today I am joined by my Ways and Means Committee colleagues Messrs. COYNE and HERGER and Mrs. THURMAN in introducing the Charitable Giving Tax Relief Act.

Identical to a bill we introduced in the 105th Congress, the Charitable Giving Tax Relief Act will allow taxpayers who do not itemize their tax returns to deduct a portion of their charitable giving. Specifically, non-itemizers whose cumulative annual charitable donations exceed $500 will be able to deduct 50 percent of any charitable donations over that amount.

Under current law, non-itemizers receive a standard deduction while only taxpayers who itemize their deductions receive a direct tax benefit for giving to charity. Non-itemizers make up the vast majority of tax filers with two and a half times more returns than itemizers. Moreover, non-itemizers are typically middle to lower middle income level taxpayers who, despite their modest earnings, still give quite generously to charitable causes. In fact, non-itemizers earning less than $30,000 give the highest percentage of their household income to charity. I believe these individuals deserve a tax break for their generosity.

This idea is not new. In the early 1980s, non-itemizers did enjoy the ability to deduct a portion of their charitable giving. In the last Congress, thanks to the support of the not-for-profit community, especially Independent Sector and its member organizations, 144 colleagues cosponsored my bill. I hope to build on that success and have this legislation included in any major tax bill that we might consider during this Congress.

As direct federal subsidies to non-profit organizations are being reduced, the private sector must fill the gap to provide the necessary resources. The Charitable Giving Tax Relief Act will help in that cause by rewarding those taxpayers standing in the gap. Independent Sector believes that this bill may even encourage more giving to charitable organizations. In fact, one study projects that giving could increase by $2.7 billion a year.

Americans have traditionally been the most generous people in the world. From churches to schools, the arts to social services, we fund and support all types of charitable causes. I believe altruism is the basis for that generosity. However, I realize that those who give can be sensitive to tax considerations. My ultimate goal is to remove the tax code as an obstacle to charitable giving.

I encourage my colleagues to join Mr. COYNE, Mr. HERGER, Mrs. THURMAN and me in our effort to reward and encourage the American tradition of philanthropy by agreeing to sponsor the Charitable Giving Relief Act.

IN HONOR OF THE 60TH DIAMOND WEDDING ANNIVERSARY OF PANTELIS AND DESPINA MARANGOS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Pantelis and Despina Marangos as they celebrate their 60th Diamond Wedding Anniversary. They celebrated their joyous occasion on Sunday, November 8, 1998.

Pantelis, born in Kalavasos, Cyprus, the son of Mary and John Shakalisk, was known as ''Peter the Carpenters' son,'' thus the name Marangos. Despina was born in Bethlehem, Pennsylvania, the daughter of Zaharias Kyriacou from Cyprus and Chrisanthy Protoulis from Greece.

At the age of 18, Pantelis arrived at Ellis Island at the height of the Great Depression with five dollars in his pocket. But he soon found work and within a few years as a skilled pastry chef. Despina came to New York as a child and attended P.S. 116 and Julia Richmond High School. During the Depression, she worked in the Garment District with her mother.

In 1938, Pantelis and Despina met, fell in love and married. In 1943, their first child, Mary Anna, was born, Their son, John Zaharias, was born in 1950.

During World War II, Pantelis served in the Navy as a Petty Officer on a mine sweeper and took part in the invasion of Anzio and St. Tropez while Despina served on the Home Front, working in defense plants.

Despina, who had the responsibility of caring for her parents in addition to her own family, found time to be a Den Mother and an Officer in both the Parents' Association and the Women's Auxiliary.

After his discharge from the Navy, Pantelis returned to the restaurant business where he was a manager, chef and proprietor of Michael's Restaurant until his retirement in 1975.

Despina worked at Macy's Department store during the 1959 Christmas season and retired after 30 years of dedicated service in 1989.

In 1966, Pantelis suffered a stroke and once again demonstrated the courage and bravery he showed when coming to this country alone. In the past two years he has become a living symbol for the handicapped.

The doctors told Despina that he would never function, yet today he is proving them wrong with a combination of therapies. The Chian Federation honored his courage in 1998. Despina and other Hellenic immigrants were also recognized at a ceremony on Ellis Island.

Mr. Speaker, I am honored to bring to your attention this important milestone in the life of a remarkable couple. It is an honor to have them in my district.

A TRIBUTE TO PAUL THOMPSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of my good friend, Paul Thompson. Paul is looking forward to a full and productive retirement after serving Congress and the nation as a professional staff member of the House Appropriations Committee for 29 years.

Paul first came to the Hill in 1970 as a detailee to the VA–HUD and Independent Agencies Subcommittee from the Department of Interior where he worked in the Bureau of Indian Affairs budget office. It was a VA–HUD that Paul found his home away from home and where he made himself over the years, quite literally, an invaluable part of the Appropriations process. With his knowledge of the legislative process, he became a technician's technician; he knew, better than most, how to put a bill together effectively from start to finish. Because Paul was never politically motivated, he has always been perceived by his colleagues, and more importantly, by Members of the House, as unfailingly fair and intellectually honest.

During his tenure as both professional staff and majority clerk of the subcommittee, Paul served under six subcommittee chairs including Chairmen WALSH, LEWIS, Stokes, Traxler, Boland and Evins. Not surprisingly, during that time, Paul and his chairmen developed remarkable professional relationships as well as genuine lasting friendships that continue to prosper and endure.

There are, of course, a few things everyone should know about Paul. He loves a good laugh, maintains a work ethic from another era, and enjoys his Guinness in a coffee mug. When he's not working, you will find Paul on the water in his Ray Ban sunglasses with a cold drink in one hand while casting a line with the other. In fact, I expect many of Paul's friends will soon be receiving invitations to join him in his newly acquired fishing boat which he will tow behind the largest bright red pickup truck ever seen in the Rayburn garage.

Those who know Paul best have nothing but the finest things to say about him. ''A greater guy I have never worked with,'' said one longtime Appropriations staffer. Another, remembering how he single-handedly ate two dozen crabs while on a daytime cruise of the Chesapeake Bay, observed, ''Paul loves his crab but he's never crabby himself.''

Mr. Speaker, professional staff come and go in the People's House but few ever make the type of contribution made by my good friend, Paul Thompson. As he begins his well deserved retirement, Paul leaves an institution filled with many admirers who love and respect him for his work, his gentle heart, and his integrity. All of us wish Paul, his lovely bride, Geri and his three sons—Rick, Bill and John—much happiness in the coming years. Having said that, Mr. Speaker, it is only fitting that the House pay tribute to Paul Thompson today.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 67–71 yesterday. Had I been present, I would have voted :''yea'' or ''aye'' on rollcall votes 68 and 71; I would have voted ''nay'' or ''no'' on rollcall votes 67, 69 and 70.

WELCOMING THE CLASS OF DODSON MIDDLE SCHOOL

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KUYKENDALL Mr. Speaker, I rise today to welcome fifty exceptional students from the Dodson Middle School's Gifted High Ability Magnet Program. These students are visiting the nation's capital to see first-hand how their government works. It is an interesting time to watch a democracy, as we struggle to decide how to strike the financial balance among many worthwhile government programs, and as we deploy American soldiers as part of ongoing NATO peacekeeping forces. I hope all of these students some day will appreciate the enormity of the decisions we make, and, at the same time, enjoy the experience.

I especially praise Stephanie Spychaj, who has been selected from her class to place the wreath on the Unknown' Soldier's gravesite. The other students are:

Craig Ackerman
Elizabeth Avila
Ruben Becerra
Beth Boechert
Kyle Brennan
Hazel Butler
Jason Chaing
Jeff Champion
Christina Cho
Jake Cummings
Daphne Detrano
Francesca Dolce
Jesse Flaunta
Alex Gellerman
Sarah Hargis
Rebecca Holtz
Marc Hull
Emily Ingram
Mathew Jackson
Cameron Jeans-Shaw
Zarina Jurlin
Tracy Kvanaugh
Jane Kim
Tiffany Kim
Kay Lalwani
Robin Lee
Patti Lester
Kathryn Mecija
Nicole Miller
Teri Miyahira
Jania Moretti
Roy Lewis
Nicole Oberfoell
Heather Peg
Aileen Phillips
Louis Pitre
Andrea Pynn
Daniel Sandri
Devin Schopp
Elliott Shahian
Stephanie Sypchaj
Zia Suzuki
Akane Takei
Paola Terzoli
Jessica Thill
Brent Weber
Eric Williams
Jason Wilson
Ryan Zivalic

Chaperones:
Tom Schroeter
Claudia Dunn
Joyce Kimura
John Reynolds

HONORING THE PRINCE WILLIAM COUNTY VALOR AWARD WINNERS

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to the 1999 Prince William Regional Chamber of Commerce and the Prince William County Greater Manassas Chamber of Commerce Valor Award Winners. The Valor Awards honor public service officers who have demonstrated extreme self-sacrifice, personal bravery, and ingenuity in the performance of their duty. Significantly, this year marks the thirteenth anniversary of the event honoring members of law enforcement and fire and rescue agencies historically servicing Prince William County, Dumfries, Haymarket, Manassas, Manassas Park, Occoquan, and Quantico. There are five categories: The Gold Medal of Valor, the Silver Medal of Valor, the Bronze Medal of Valor, the Certificate of Valor, and the Lifesaving Award.

The Silver Medal of Valor is the second highest award for bravery and heroism. Awarded in situations when a public safety official knowingly exposes himself/herself to great personal risk in the performance of an official act.

The Silver Medal of Valor Award Winners for 1999 are: Sergeant Barry D. Childress, Jr., USMC; Hospital Corpsman Third Class Eric Scott Parillo, USN.

The Bronze Medal of Valor is awarded in situations where during the course of an emergency, a public safety official demonstrates judgment, ingenuity, or performance at a level that clearly exceeds that required and expected in the performance of his/her duties. May include the saving of a life that is threatened by medical or physical reasons.

The Bronze Medal of Valor Award Winners for 1999 are: Gunnery Sergeant Michael W. Todd, USMC; Captain Mark L. Doyle; Driver Operator David W. Luckett; Firefighter Roger D. Pinkston, USMC; Technicians II Shawn Crispin and John Sims, Prince William County Department of Fire and Rescue; Sergeant Darrell G. Steepleton and Firefighter Michael L. Skeele, Occoquan-Woodbridge-Lorton Volunteer Fire Department; Officer James E. Buchanan, Prince William County Police Department.

The Certificate of Valor is awarded for acts that involve personal risk and/or demonstration of judgment, zeal, or ingenuity above what is normally expected in the performance of duties.

The Certificate of Valor Award Winners for 1999 are: Corporal Roberto Armendariz, USMC; Gunnery Sergeant Suzanne R. How, USMC; Troopers Douglas G. Brooks and Darrell D. Estess, and Special Agent Ron Paschal, Commonwealth of Virginia, Department of State Police; Sergeant Jesse A. Noriega, USMC; Sergeant David May, Corporal Douglas Songer, Officers Carl Larry and John Murray, Prince William-Manassas Regional Adult Detention Center.

The Lifesaving Award is awarded in recognition of acts taken in a life-threatening situation where an individual's life is in jeopardy, either medically or physically.

The Lifesaving Award Winners for 1999 are: Captain Matthew J. Noble, USMC; Emergency Medical Technician Michelle Dickison, Dumfries-Triangle Rescue Squad; Lance Corporal Matthew D. Hammond and Private First Class Jeremy A. Schenck, USMC; Officers Andrew Arnold and Pierre Costello, Prince William-Manassas Regional Adult Detention Center; Senior Police Officer Nathan S. Hill, Jr., Prince William County Police Department; Trooper Eric W. Berge, Commonwealth of Virginia, Department of State Police.

Mr. Speaker, in conclusion, I would like to send my sincere gratitude and heartfelt appreciation to these distinguished public servants, who put their lives on the line everyday on behalf of their fellow Virginians.

ST. JOSEPH SCHOOL CELEBRATES 75TH ANNIVERSARY

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. CAMP. Mr. Speaker, I rise today to congratulate St. Joseph School in St. Johns, Mich., on 75 years of serving the community. It is an honor to have this extraordinary school in the 4th Congressional District of Michigan.

This remarkable school opened Sept. 8, 1924, with 61 students. Currently it draws 302 students from more than 200 area families, and serves kindergarten-6th students.

Much of the success of today's education system depends on strong leadership from school teachers, administrators and parents, and St. Joseph School serves as an outstanding example. Its parents have devoted their precious time to ensure a quality education for their children. The teachers and administration of St. Joseph have had a tremendous impact on the lives of many students. They have promoted and maintained a solid system of education for countless young people over the past 75 years.

I commend the staff, students and parents of St. Joseph School for their hard work in building an effective community for learning. Principal Tomi Ann Schultheiss' selfless commitment for the past seven years has helped prepare St. Joseph School for the 21st century. The focus on literacy and assurance that students obtain the essential skills needed for life are exemplary, and I am glad we have St. Joseph as an example for how we need to work to educate our children.

I am confident that future generations of families will be able to count on St. Joseph School for a healthy start and a head start for their children. I wish the St. Joseph School the best for the future.

PAUL CALLENS PROMOTES RACIAL UNITY WITH EVERY STEP

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. STARK. Mr. Speaker, I wish to bring to the attention of my colleagues the endeavor of my good friend Paul Callens.

Paul has gathered several of his friends to join him on a seven-month walk for national unity—an 11-state, 3,200-mile journey from Maryland's Eastern Shore to the city of San Francisco, to promote racial unity throughout the United States.

Along the way, the Unity Walkers will pass the birth place of abolitionist and former slave Harriet Tubman, stop at the site of last year's Middle East Peace Talks, and arrive in Washington, D.C. for a weekend celebration on the National Mall on Sunday, April 4 to commemorate the anniversary of the assassination of the Rev. Dr. Martin Luther King, Jr.

We would like to think that blatant racism is a thing of the past, but daily reports of police brutality, church burnings, hate crimes and acts of racially-motivated violence shatter the illusion that bigotry no longer exists in our country.

The goal of the walkers and their supporters is to build a national unity movement that celebrates the differences among Americans and promotes appreciation of the racial and cultural blend that makes up the population of the United States. They hope to interest community leaders and local government officials in celebrating a National Unity Day, to be observed on October 10.

In these next few months, Paul Callens will ask our communities to examine the attitudes we've inherited about race and to reevaluate our treatment of racial differences. Some who would promote intolerance and irrational prejudice have made an attempt to turn back the clock on the progress we've made in the fight for civil rights. Paul and his friends will spread the word that hostility based on racial or ethnic identity has no place in America.

Please join me in congratulating Paul and the Unity Walkers and wish them success in their effort to heal the wounds of racial intolerance in our country. We make progress one step at a time.

MINNESOTA VALLEY NATIONAL WILDLIFE REFUGE PROTECTION ACT OF 1999

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing legislation to protect one of the crown jewels of our national wildlife refuge system, the Minnesota Valley National Wildlife Refuge. On Wednesday, February 3, 1999 I chaired a hearing of the Committee on Resources on the impacts of the Minneapolis-St. Paul, Minnesota airport expansion on this premier national wildlife refuge.

This refuge is home to a broad range of wildlife species which deserve every bit as much protection as do the species that live in other national refuges. Species living in this refuge include threatened bald eagles, 35 mammal species, 23 reptile and amphibian species, and 97 species of birds including Tundra Swans migrating all the way from Alaska. The displacement of these species could throw nature's delicate balance into a tail spin. If we allow the destruction of this refuge and these species, it could send a shockwave through the entire ecosystem and impact every species in its footprint—a devastating biological echo.

The new runway expansion will cause so much noise and disturbance to visitors that most of the facilities under the path of the runway will have to be relocated. In fact, the refuge will be so impacted by the noise, that the FAA has agreed to pay the Fish and Wildlife Service over $26 million to compensate them for the "taking" of their property by virtue of the noise and the impact on visitors to the refuge. This payment, however, will not mitigate or reduce the harm to endangered species, migratory birds, or fish living in the refuge. This payment is intended to allow the refuge to build additional buildings, relocate visitors facilities, build a new parking lot, and additional roads.

Yet, even with this level of disturbance, the Fish and Wildlife Service and the FAA found that the wildlife would not be disturbed so much that the airport expansion should be stopped. They also found no impact on the threatened bald eagle and no need for the protections of the Endangered Species Act in this case. They found that the wildlife in the refuge would adjust to the noise. They found that there is a little scientific evidence that wildlife will be seriously harmed by over 5,000 takeoffs and landings per month at less than 2,000 feet above these important migratory bird breeding, feeding and resting areas. In fact, over 2,000 flights will be at less than 500 feet above ground level. Yet the Fish and Wildlife Service has not required one dollar to be spent to protect the wildlife living in this refuge.

An environmental impact statement was prepared by the Federal Aviation Administration, in consultation with the Fish and Wildlife Service. However, this environmental impact statement makes little effort to address the impacts on endangered and threatened species in the refuge. Therefore, my view is that the EIS should be redone before this project is allowed to proceed.

I know that wildlife and humans can coexist. In the coastal plain of Alaska, oil production and caribou have coexisted and the caribou population has increased. I have a picture in my office that illustrates that point beautifully. It shows a large herd of caribou peacefully resting and grazing in the shadow of a large oil drilling rig right on Alaska's north slope.

Yet some Members of Congress, including some who have agreed to allow this airport expansion in Minnesota, have introduced legislation that would preclude most human activities in the Arctic National Wildlife Refuge by designating that area as a permanent wilderness. I guess they believe that wildlife in Alaska can't adjust to human activities . . . but wildlife in Minnesota can.

I want to make it clear that I support our refuges. I sponsored the National Wildlife Refuge System Improvement Act in 1997, which is now the law of the land. I want refuges to be places where wildlife can thrive and I want them accessible to the public. I support adequate funding so that our refuges can be open to the public. I agree that refuges and wildlife should not be used to stop needed projects and development in nearby communities.

Let's protect the very little habitat for wildlife in these highly developed areas of the east. This is truly a last refuge for many of these species. Unlike Alaska, which has preserved over 130 million acres for protecting the environment, the highly congested and developed areas around Minneapolis-St. Paul simply cannot afford to lose the little amount of wild spaces left. The United States, as a world leader in preserving lands of significant and symbolic value, cannot let this sort of degradation occur to its land or wildlife. We have only one chance to save the beauty of this natural landscape, the crown jewel of America's wildlife refuges, for generations of younger Americans. Once it is gone, it is gone forever, nature can never truly recover from such adverse actions visited upon its fabric, an attack upon the scope and breadth of life that, for now, call this place—home.

For this reason, I am introducing this legislation to protect the Minnesota Valley National Wildlife Refuge.

TRIBUTE TO ADRIENNE GIORDANO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention, Ms. Adrienne Giordano of Belleville, New Jersey.

Adrienne Giordano wrote this letter for a school project reflecting the impact that Cancer has had on the families of its victims, and how it has had an impact on virtually every family in America. Adrienne's expressions are viewed through the eyes of a young girl as she watched the devastation of Cancer on her family members. This essay was written out of pure emotion and it is her insights that have made an impression on me.

Her essay reads as follows:

When I was young I had two sets of healthy and out-going grandparents, or so I thought. I grew up thinking that way until I was about six years old. At that time, my dad told me that my grandma, his mom, had cancer since he was a young boy. However, she was now in remission and was supposedly doing quite well. By the time I was nine, I found out that my grandma's cancer had returned, but she hadn't told anyone for five years or so.

From that point on, my family and I saw her go in and out of hospitals for a few years. Each time she was out, she would make the best of it even though she was suffering inside. She became very ill at one point and the doctors said that she would die within a couple of months. To make matters worse, my other grandfather went into the hospital for cancer too.

He became very sick, in fact to the point that he could hardly speak, or even breathe. The thought of living without my grandpa as a part of my life was very difficult for me. In words I cannot express the pain inside of me, although it couldn't possibly amount to the pain that he was going through. He was suffering but showed it rarely, but then again how could he not, he was in a hospital, on a floor with dying cancer patients who were waiting to die. He had to deal with what he had and how it was going to be. There was no

say in what was happening to him, as a healthy man for all of his previous life nobody though that he would ever be this sickly, and either did he. About four months after he went in, he passed away. Although I knew it was coming, it hit me hard and it hit my heart. I thought that I would go through some sort of emotional grieving stage, but I didn't, my feelings stayed bundled up inside until the days of the wake and funeral. On those days I cried more that I ever had in my whole lifetime. But I had to move on and keep the joyful memories in the back of my mind. Every time I feel upset or wondered, ''Why them, why such wonderful people, what have they done to deserve this?'', I looked back to all of the good times they had, and what wonderful lives they had to remember. Sometimes thinking about how they loved life and cherished each moment of the day made me realize that their lives weren't only misery and fighting this deadly disease, but enjoying the good times, and making the best of the bad.

Weeks passed after the death of my grandfather and by then my grandma had gathered enough strength to pull through. Once again, she was released from the hospital, but inside I knew that the fight wasn't over yet and she would soon return to the halls of the sickly dying cancer patients. I had seen her fight for so many years, and the story repeated itself, in the hospital and out, and back in again. What could make me think that this time would be different? It was the same and always the same, I knew that one day she would take the final punch and the fight would finally end.

As I predicted, she went back five months later. Although I've seen her go in and out of hospitals for as long as I could remember, when I saw her that time I noticed something different. She seemed as though she was sick of cancer and tired of fighting it. A couple more months passed and it looked worse and worse. The most upsetting thing for me to deal with was that I was losing two grandparents, who are two of the most important people in the world to me, to a deadly disease that killed millions each year, CANCER! By that time I didn't want to hear another word about cancer, and I wished and prayed that it could be cured, and quick. But it did exist and there wasn't a cure. It felt like an evil monster that had corrupted my grandparents bodies. In May of 1998, my beloved grandmother died. I will never forget that day, it was one of the worst days of my life. Inside I was torn up and my heart was shredded to pieces, then I realized that my grandparents wouldn't be able to take part in my life ever again. I remember thinking to myself how I wished they could be alive again just the way it was.

However, as I look back at those thoughts, it was selfish of me to want them to be back in the hospital, dying and suffering from cancer, because that was the way it was, and now I take back those wishes. Also I realized that the memories I had with them in the past have become priceless and those are the memories that I will remember them in the future. I can finally say that I am relieved that my grandparents aren't suffering anymore and they are in a peaceful place. It is now very important for me to think about all people, not just myself, I have to understand that some people aren't as lucky as I am, I am healthy and out-going and I should cherish every moment of life. Things come and go, including health, but you should never lose your happiness and the love for the people who love you.

Mr. Speaker, please join me, our colleagues, Adrienne's family and friends in wishing her continued success in all of her future endeavors.

IN HONOR OF MONTE AHUJA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mr. Monte Ahuja, a Cleveland entrepreneur and Cleveland State graduate, for his achievements and generous contributions to Cleveland State University. Mr. Ahuja has donated $1 million and has pledged an additional $1 million to Cleveland State University, primarily in support of the James J. Nance College of Business Administration.

Born in India, Mr. Ahuja received a bachelor of science degree in mechanical engineering from Punjab Engineering College in 1967. He arrived in the U.S. in 1969 and earned a master's degree in mechanical engineering from Ohio State University in 1970. After moving to Cleveland in 1971, and while working full time with a Maple Heights automotive firm, he earned his MBA from Cleveland State's College of Business Administration in 1975. As an assignment for a marketing class, he developed a business plan for an auto transmission supply business. After graduation, Mr. Ahuja turned this plan into his own company—Transtar Industries, Inc. Although the firm began with only two employees and virtually no capital, today Transtar has nearly 700 employees and is the leader in the transmission products industry with 21 operations in the U.S. and worldwide distribution.

In addition to his generous monetary donations to Cleveland State University, Mr. Ahuja has dedicated his time by serving as a director of the Cleveland State University Foundation, and establishing the Ahuja Endowed Scholarship Fund in Business Administration and Engineering and the Distinguished Scholar in Comparative Indian and Western Philosophy, a cultural endowment initiated by a close friend, Dr. D.C. Bhaiji. As chairman of the Board of Trustees, Mr. Ahuja oversaw one of the largest physical expansions in Cleveland State's history. In 1990, he was named one of Cleveland State's top 25 distinguished alumni.

Let us join Cleveland State University as they honor Mr. Ahuja on March 26, 1999, for his contributions to the university.

CLOSER TO EMPIRE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PAUL. Mr. Speaker, I rise again today to consider the effect of our current actions in Kosovo, but this time I do not wish to address the folly of war, for attempts to prevent war measures against that nation are now futile. Mr. Speaker, today I rise to address a long term concern, a problem larger even than war. I am referring to the folly of empire.

Our involvement in Kosovo and in Iraq, and in Bosnia—when combined with America's role in Korea, and in the Middle East and other places around the world, is now lurching our republic ever closer to empire. Empire is something that all Americans ought to oppose.

I remind those who believe in the Judeo-Christian tradition that opposition to empire is to be found in the warnings found in the book of Ezekiel, warnings against the empowerment of a king. And it is this same principle which is evident in the story of the Tower of Babel, and in that admonition of Christ, which reminds that those things which are of Caesar are not of God.

To pragmatists, agnostics and such, I point to the decline and fall which has historically attended every other empire. The Ottomans and Romans, the Spanish and the British, all who have tried empire have faltered, and at great costs to their own nations.

Mr. Speaker, to liberals I would remind that these interventions, however well-intended they may be, all require the use of forces of occupation, and this is the key step toward colonialism, itself always leading to subjugation and to oppression.

To conservatives, I want to recall the founding of our Republic, our nation's breaking from the yoke of empire in order that we might realize the benefits of liberty and self-determination, and that we might obtain the blessings that flow naturally from limitations on centralized power. Empire reflecting the most perfect means yet devised to concentrate power in the fewest hands.

Now, Mr. Speaker, our own nation faces a choice and we may well be at the very precipice. Indeed, to move even one step further down the road to empire may mean that there will be no turning back short of the eventual decline and fall. Will we act now to restore our Republic?

It is oft repeated that we do not realize the import of our most critical actions at the time that we begin to undertake them. How true, Mr. Speaker, this statement is. Were Mr. Townshend, or the King in England the least contemplative of the true cost which would eventuate as a result of the tea tax or the stamp act?

Now we must ask, is our nation on the verge of empire? Some will say no, because, they say, we do not seek to have direct control over the governments of foreign lands, but how close are we to doing just that? And is it so important whether the dictates of empire come from the head of our government or from the Secretary General of some multilateral entity which we direct?

Today we attempt, directly or indirectly, to dictate to other sovereign nations who they ought and ought not have as leader, which peace accords they should sign, and what form of governments they must enact. How limited is the distinction between our actions today and those of the emperors of history? How limited indeed. In fact, one might suggest that this is a distinction without a substantive difference.

And where now are we willing to commit troops and under what conditions? If we are to stop all violations of human rights, what will we do of Cuba, which recently announced new crackdowns?

And what of communist China? Not only do they steal our secrets, but they violate their

own citizens. Who should be more upset, for example, about forced abortion? Is it those who proclaim the inviolable right to life or those who argue for so-called reproductive rights? Even these polar opposites recognize the crimes of the Chinese government in forced abortion. Should we then stop this oppression of millions? Are we committed to lob missiles at this massive nation until it ceases this program?

Will the principle upon which we are now claiming to act lead us to impose our political solutions upon the nations that now contain Tibet, and Kurdistan, and should the sentiment rear, even Quebec and Chechnya?

The most dangerous thing about where we are headed is our lack of historical memory and our disastrous inattention to the effect of the principles upon which we act, for ideas do indeed have consequences, Mr. Speaker, and they pick up a momentum that becomes all their own.

I do believe that we are on the brink, Mr. Speaker, but it is not yet too late. Soon I fear the train, as it is said, will have left the station. We stand on the verge of crossing that line that so firmly distinguishes empire from republic. This occurs not so much by an action or series of actions but by the acceptance of an idea, the idea that we have a right, a duty, an obligation, or a national interest to perfect foreign nations even while we remain less than principled ourselves.

When will we, as a people and as an institution, say "we choose to keep our republic, your designs for empire interest us not in the least." I can only hope it will be soon, for it is my sincerest fear that failing to do so much longer will put us beyond this great divide.

THE SILICONE BREAST IMPLANT RESEARCH AND INFORMATION ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. GREEN of Texas. Mr. Speaker, as a Member of the House Commerce Subcommittee on Health, I am committed to ensuring patients have complete and comprehensive access to information before they make a decision about a medical procedure.

To this end, I am proud to re-introduce the Silicone Breast Implant Research and Information Act because I believe it is critical to the advancement of women's health and is the first step towards answering the many questions about the safety and efficacy of silicone breast implants.

By re-introducing this bill today, I along with the 41 original cosponsors, hope to draw attention to an issue that has been either neglected or out right ignored for too long.

It is estimated that as many as 2 million women have received silicone breast implants over the last 30 years. Unfortunately, the information provided to these women before they elected to have silicone breast implants has been both incomplete and even inaccurate.

Moreover, results from past studies have only raised more questions about possible negative effects that ruptured or leaking silicone breast implants may have on breast milk, connective tissue, autoimmune diseases and the accuracy of breast cancer screening tests.

Our legislation ultimately seeks to change this by focusing on three critical points—information, research, and communication.

First, and in my opinion most importantly, this bill will ensure that information sent to women about silicone breast implants contains the most up to date and accurate information available.

Current information packets sent to women do not accurately describe some of the potential risks of silicone breast implants. While recent studies by the Institute of Medicine indicate the rupture rate may be as high as 70 percent, information sent to women suggests the rupture rate is only 1 percent.

Second, this bill encourages the director of the National Institutes of Health to expand existing research projects and clinical trials. Doing so will compliment past and existing studies and will hopefully clear up much of the confusion surrounding the safety and efficacy of silicone breast implants.

Finally, this bill establishes an open line of communication between federal agencies, researchers, the public health community and patient and breast cancer advocates.

Women, especially breast cancer patients, want and deserve full and open access to silicone breast implants. Therefore, it is critical that these products are safe and effective, and that women are provided complete and frequently updated information about the health risks and benefits of silicone breast implants.

While I unequivocally support a women's right to choose to use silicone breast implants, I believe we have a responsibility to support research efforts that will provide the maximum amount of information and understanding about these products.

Recently, I met with a group of women who had silicone breast implants. One of them shared with me her story about trying to get health insurance after she received her implants. To my dismay, it is standard operating procedures for several health plans to deny health insurance for women with breast implants. And this was a healthy woman! This story only reinforced my belief that silicone breast implants may cause very serious health problems.

The day has come to answer the questions and find out what is causing so many women who have implants to get sick. I hope each of you join me in support of this important legislation.

THE REFORESTATION TAX ACT OF 1999

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. DUNN. Mr. Speaker, on March 11 when I introduced the Reforestation Tax Act of 1999, my statement focused on the benefits of this legislation to the forest products sector of our economy. Today, as I add eight more cosponsors to this increasingly popular effort, I would like to focus my remarks on the benefits for non-industrial forest landowners.

America's privately-owned forests make up almost 58% of our nation's total forest lands and are one of our most valuable resources. They provide wildlife habitat, maintain watershed health, and are used for a wide array of recreational activities such as hiking, camping, fishing, and hunting. In addition, they provide the foundation for a multi-billion dollar forest products industry.

To ensure that our wildlife habitat and watershed needs as well as a reliable supply of timber is available for the future, we need to encourage industrial and nonindustrial landowners to invest in enhancing their forest ownership. Investing in forest land is risky. Trees can take anywhere from 25 to 75 years to grow to maturity, depending on the type of tree, regional weather, and soil conditions. The key to success is good management, which is costly. Furthermore, fire, disease, floods, and ice storms—events that are uninsurable—can wipe out acres of trees at any time during the long, risky growing period.

The Reforestation Tax Act of 1999 will remove disincentives for private investment in our forests and help with the cost of maintaining them. By reducing the capital gains paid on timber for individuals and corporations by 3 percent each year the timber is held—up to a maximum reduction of 50 percent—forest landowners will be partially protected from being taxed on inflationary gains. While this provision would not fully compensate for the negative tax impact of inflation, it would provide a significant incentive for those forest landowners who must nurture their investment for a long period of time.

Today, many landowners cease reforestation efforts when they reach the current $10,000 ceiling on expenses that are eligible for the credit. Removing the cap on expenses eligible for the credit would eliminate a disincentive for private forest landowners to plant more trees. Current law allows this $10,000 in reforestation expenses to be amortized over a seven year period. My legislation not only eliminates the monetary cap but also reduces the amortization period to five years. With these changes, the reforestation tax credit and amortization will encourage forest landowners to operate in an ecologically-sound manner that leads to the expansion of investment in this vital natural resource.

By removing these current law disincentives to sustainable forestry for both our industrial and non-industrial forest landowners, we will increase reforestation and enhance sound environmental management on private land. We believe this will benefit Americans across the country, not just forest landowners.

I am grateful for the broad support the Reforestation Tax Act of 1999 has gained since its introduction, and I look forward to working with my colleagues in the House to make this bill a reality.

JUSTICE FOR ATOMIC VETERANS ACT—H.R. 1286

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. EVANS. Mr. Speaker, on behalf on myself and Congresswoman BERKLEY, I am today introducing H.R. 1286 the Justice for Atomic Veterans Act. This important legislation provides a presumption of service-connection for certain radiation-related illnesses suffered by veterans who were exposed during military service to ionizing radiation. These veterans include those who participated in atmospheric testing of a nuclear device, who participated in the occupation of Hiroshima or Nagasaki between August 6, 1945 and July 1, 1946 and who were interned as prisoners of war in Japan during World War II and were therefore exposed to ionizing radiation.

During their military service, these veterans put their lives and health at risk. They were, in most cases, sworn to secrecy concerning the nature of their work. They were not provided with adequate protection from radiation. the amount of radiation to which they were exposed was not measured. Albert ''Smokey'' Parrish, a veteran who served at the Nevada test site wrote ''We, the Atomic veterans feel like an innocent man in prison for life, and no one will listen to the facts of the case.''

Under present law, veterans who engaged in radiation risk activities during military service are entitled to a presumption of service-connection for some illnesses, but for other illnesses veterans must prove causation by ''dose reconstruction estimates'' which many reputable scientists have found fatally flawed. Because of the recognized problems inherent in dose reconstruction, last year, the Department of Veterans Affairs Deputy Under Secretary for Health, Dr. Kenneth Kizer, wrote that he personally recommended strong support as a ''matter of equity and fairness'' for legislation similar to the Justice for Atomic Veterans Act which was then proposed by Senator WELLSTONE.

It is not the fault of veterans that accurate records of their exposure to ionizing radiation were not kept and maintained. In fact, many veterans have not been able to obtain their medical records relating to their exposure during military service despite their best efforts. Records have been lost and records of radiation-related activities were classified and not made available to the veterans seeking compensation.

According to Dr. Kizer, ''the scientific methodology that is the basis for adjudicating radiation exposure cases may be sound, the problem is that the exposure cannot be reliably determined for many individuals, and it never will be able to be determined in my judgment. Thus, no matter how good the method is, if the input is not valid then the determination will be suspect.''

Our atomic veterans were put in harm's way in the service of our government. However, our government failed to collect the data and provide the follow-up that would enable our atomic veterans to effectively pursue claims for the harm which resulted.

Further, Congresswoman BERKLEY and I agree with the statement in the 1995 final report of the Advisory Committee on Human Radiation Experiments: ''When the nation exposes servicemen and women to hazardous substances, there is an obligation to keep appropriate records of both the exposures and the long-term medical outcomes.''

Our Nation failed to keep records on the exposures experienced by our atomic veterans. Veterans should not suffer for that neglect. Let us right the injustices visited on our atomic veterans since the days of World War II. Congress should enact a presumption of service-connection for illnesses which are likely to be due to radiation risk activity. Our veterans deserve this simple act of justice.

PROTECTION OF AMERICAN WORKERS AND EMPLOYERS FROM MUSCULOSKELETAL DISORDERS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. KUCINICH. Mr. Speaker, I rise to recommend that OSHA be enabled to continue its work on protecting American workers and employees by preventing Musculoskeletal injuries and other injuries at the workplace of America. An update of OSHA guidelines (which have been extensively and voluntarily used by employers for the last 10 years) is timely.

American employers currently spend $15–20 billion/year on disability and absenteeism due to work-related musculoskeletal disorders, not considering the legal costs of law suits filed by employees. The total cost to the American society is about $60 billion/year due to medical costs and lost productivity of injured employees.

The ergonomics of work is a well-studied field by scientists in academia and NIOSH and the conclusions from that research point that most musculoskeletal disorders caused by the unsound ergonomic practices could be avoided if guidelines by OSHA were implemented at the workplace, thus protecting workers from un-necessary suffering and saving money for employers. While the regulations by OSHA may be improved and made more efficient, flexible and responsive to the needs of a particular employer, OSHA's capability to protect American workers and employers should be maintained.

I believe that the costs of efficient OSHA regulations for protecting workers from musculoskeletal injuries are minuscule in comparison with the cost of maintaining the status quo and continuity of costly musculoskeletal injuries in the workplace.

HONORING JACK STARK UPON HIS RETIREMENT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. DREIER. Mr. Speaker, Jack Stark, the President of Claremont McKenna College, after nearly three decades of outstanding leadership, is retiring in July of this year. He will be succeeded by Pamela Brooks Gann, currently Dean of Duke University School of Law.

For thirty years, the world of higher education has been roiled by change. The free speech movement of the 1960's, the first challenge to campus authority, was succeeded by demands for black and other ethnic studies, by the anti-war movement, by sit-ins and violent demonstrations against ROTC. Then came contests over affirmative action in admission and faculty hiring, the challenge to courses in Western Civilization, ''Gay Rights,'' and the passions aroused by ''political correctness.'' Throughout this turmoil, Claremont McKenna College, unlike so many other academic institutions, has held firmly to its founding mission—and it has prospered mightily.

Jack Stark kept CMC on course through these stressful years, built its endowment, raised admission standards, and recruited distinguished faculty. If this were the sum of Jack Stark's achievement, we would honor him as one of the nation's great academic leaders. It is not only as a conservator, however, but also as an educational innovator that he deserves our attention.

Jack Stark built on the campus of CMC—a small, private, undergraduate liberal arts college—nine research institutes, each different in its scholarly focus, but each contributing to the education of CMC's one thousand students.

The first to be founded was The Henry Salvatori Center for the Study of Individual Freedom in the Modern World. The Salvatori Center supports the study of the conditions essential to the preservation of liberty, and under its directors, Ward Elliott, Ralph Rossum and Charles Kesler, has contributed vigorously to intellectual debate.

The Rose Institute of State and Local Government, which was founded 25 years ago this April, specializes in survey research, fiscal analysis, and database development. The Institute authors studies of political and demographic trends, and its student team is trained in many aspects of computer-aided research. Its Board Chairman, Al Lunsford, refers to it as an ''unmatched resource of data and analysis in its geographical area of focus,'' and under its long-time director, Dr. Alan Heslop, the Institute has built a formidable reputation.

The third to be founded was The Institute of Decision Science, which provides practical experience in economic and mathematical modeling, decision-making, and risk analysis for industry, government and the professions. It sponsors research and presents conferences on topics in decision science. IDS and its director, Janet Myhre, are frequently consulted by government agencies and major industrial corporations.

Next to be founded was The Lowe Institute of Political Economy. Initially under the direction of Dr. Craig Stubblebine, now headed by Dr. Sven Arndt, the Lowe Institute supports the study of major issues in economic policy. Recent work has focused on the North American Free Trade Agreement, APEC and on trade and regulatory policies.

The Keck Center for International and Strategic Studies was founded to support the study of critical issues in world affairs by sponsoring lectures, fellowships, visiting scholars,

conferences, publications, and student internships. Its director, Dr. C. J. Lee, is an expert on Asia and has led the center in studies on Korean affairs.

The Family of Benjamin Z. Gould Center of Humanistic Studies, originally headed by Dr. Ricardo Quinones, now by Dr. Jay Martin, is dedicated to understanding vital issues of the modern world in light of the perennial values provided by literature, philosophy, and religion. Towards this end, it sponsors publications, visiting speakers, student and faculty research, and organized lecture series.

The Roberts Environmental Center uses an interdisciplinary approach encompassing biology, chemistry, economics, and political science to analyze environmental problems and to evaluate policy alternatives. Under its founding director, the late Robert Felmeth, and now under Dr. Emil Morhardt, it conducts field research, trains students in the use of analytical software and sponsors the Environment, Economics, and Politics major.

The Kravis Leadership Institute provides for the academic study of leadership and sponsors speakers, mentoring, internships, and the Leadership Studies Sequence. Its director, Dr. Ronald Riggio, has been one of the pioneers of leadership studies in psychology.

Most recent is the newly formed Berger Institute on Work, Family, and Children—the ninth of the institutes to be fathered by Jack Stark.

At their best, these nine CMC research institutes provide students and faculty with opportunities to engage together in the investigation of key public policy issues. Students get close, hands-on experience of the challenges—the chores as well as the joys—of scholarship. Typically, their work is not for academic credit: the students are paid, and as their responsibilities increase so does their remuneration.

Research on important subjects, produced by small faculty-student teams, funded by outside grants and contracts, is achieving a solid reputation for CMC's institutes. CMC students are making important extra-curricular gains by working with faculty specialists in methodologies they are sure to encounter in their later careers and on the important subjects that face our society. Every one of those CMC students owes Jack Stark a debt of gratitude. The world of higher education, too, would be wise to note this pioneering achievement at Claremont McKenna College.

HONORING WAYNE COUNTY MEDICAL SOCIETY FOR 150 YEARS OF SERVICE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. DINGELL. Mr. Speaker, I rise to honor and congratulate a medical society which has provided quality service to Detroit, Wayne County, and the State of Michigan for the last 150 years.

On April 14, 1849 with just 50 physicians, the Wayne County Medical Society was founded. Today, with more than 4,200 physicians in their membership, they continue to provide Metropolitan Detroit with the highest caliber of service and outstanding commitment to those in need.

As they celebrate their sesquicentennial anniversary, the Wayne County Medical Society has labored to promote and encourage the unity and loyalty of the physicians of the community into a strong and cohesive medical society. They have brought into one organization the physicians of this county and with other county societies to form the Michigan State Medical Society and the American Medical Association.

This beloved medical society provides continuing medical education for physicians, and maintains a program of educational service to the public on health and scientific matters. But, most of all they insure that a patient's freedom to choose a physician be maintained, and that patients receive the highest quality of medical care.

Over the years the Wayne County Medical Society has had a positive impact on the public health of both Detroit and Wayne County. One of its most memorable accomplishments came under the direction of its former president, Dr. Francis P. Rhoades, who led a polio immunization drive which immunized thousands of Detroiters and virtually eliminated the threat of this crippling disease.

Today, the Wayne County Medical Society runs a free medical and dental clinic at the Webber School in Detroit. Every child is afforded free services including physical examinations, health education, dental fluoride, sealants and prophylaxis. In addition they organized an annual Christmas Party for children in foster care. Last year, they sponsored a teen pregnancy conference with more than 500 Detroit Public School children in attendance.

Mr. Speaker, it is with great honor and pride that I pay tribute to this exceptional medical society whose tradition of assisting those most in need is truly a part of Michigan's great history. I ask that all of my colleagues join me in recognizing the Wayne County Medical Society of Michigan on their 150th anniversary.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. MYRICK. Mr. Speaker, I missed 19 recorded votes while I was out due to illness. If I had been present, my vote would have been cast as follows.

MARCH 17, 1999

Rollcall vote 53, on agreeing to Mr. Upton's amendment, I would have voted "yes."

Rollcall vote 54, on agreeing to Mr. LoBiondo's amendment, I would have voted "yes."

Rollcall vote 55, on passage of the Coast Guard Authorization Act of 1999, I would have voted "yes."

Rollcall vote 56, on passage of the bill to provide for a Reduction in the Volume of Steel Imports, I would have voted "yes."

MARCH 18, 1999

Rollcall vote 57, on agreeing to the Rule regarding the National Missile Defense System, I would have voted "yes."

Rollcall vote 58, on the motion to recommit with instructions, I would have voted "no."

Rollcall vote 59, on passage of the National Missile Defense System, I would have voted "yes."

MARCH 23, 1999

Rollcall vote 66, on agreeing to the Committee Funding Resolution, I would have voted "yes."

Rollcall vote 65, on the motion to recommit the Committee Funding Resolution with instructions, I would have voted "no."

Rollcall vote 64, on the motion to instruct Conferees for the Education Flexibility Partnership Act, I would have voted "no."

Rollcall vote 63, to suspend the rules and pass H. Con. Res. 37 Concerning Anti-Semitic Statements Made by Members of the Duma of the Russian Federation, I would have voted "yes."

Rollcall vote 62, to suspend the rules and pass H. Con. Res. 56 Commemorating the 20th Anniversary of the Taiwan Relations Act, I would have voted "yes."

Rollcall vote 61, to suspend the rules and pass H.R. 70 the Arlington National Cemetery Burial Eligibility Act, I would have voted "yes."

Rollcall vote 60, to suspend the rules and pass H. Res 121 Affirming the Congress' Opposition to All Forms of Racism and Bigotry, I would have voted "yes."

MARCH 24, 1999

Rollcall vote 67, on agreeing to Mr. Stenholm's amendment, I would have voted "no."

Rollcall vote 68, on agreeing to Mr. Obey's amendment, I would have voted "no."

Rollcall vote 69, on agreeing to Mr. Tiahrt's amendment, I would have voted "yes."

Rollcall vote 70, on passing of the Emergency Supplemental Appropriations of FY 1999, I would have voted "yes."

Rollcall vote 71, on agreeing to the Resolution Expressing support of the U.S. House of Representatives for the members of the U.S. Armed Forces engaged in military operations against the Federal Republic of Yugoslavia, I would have voted "yes."

APPOINTMENT OF CONFEREES ON H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of the Clay motion to instruct. Mr. Speaker, the Ed-Flex bill in its current form lacks the efficiency and accountability needed to protect what took two decades to correct. Mr. Speaker, America understands that all students benefit where there is an appropriate ratio of students to teachers. Therefore, I echo America's call and ask that this Congress support initiatives to reduce class size by providing 100,000 new, qualified teachers.

I believe we can do both, support class size reduction, IDEA, and support local control of education. Some of my colleagues suggest we

should just vote for the Ed-Flex bill and decide on the other matters during other discussions. But as I listen to the debate here we are not talking about one bill or one instance, we are deciding the direction this nation will follow for the next millennia. I am aware of the attempt to cut funding from K–12 programs to pay for the recommended increase in IDEA. Let's not disguise these attempts by suggesting we should only deal with what is in front of us.

Mr. Speaker we must debate these issues now because we may never have another chance. I submit that this bill will affect all programs that I support. Programs like IDEA, Title I, help for disadvantaged students, Safe and Drug Free Schools and Communities, Technology for Education Programs, Innovative Education Strategies (Title VI), Emergency Immigrant Education, and the Perkins Vocational Education Act.

Let's not play politics. Let's get together and include a real bill for our children. I urge all members not to support this bill and support the Clay motion to instruct.

TRUTH IN LENDING MODERNIZATION ACTION OF 1999

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. LAFALCE. Mr. Speaker, today I am introducing legislation to update key provisions of the Truth in Lending Act, some of which have not been revised by Congress since the Act's passage in 1968. The "Truth in Lending Modernization Act of 1999" will restore important consumer protections that have been weakened by inflation and assure that outdated, anti-consumer accounting practices are eliminated. This legislation is strongly supported by the Consumer Federation of America, Consumers Union, the National Consumer Law Center and by the U.S. Public Interest Research Group.

Congress has given considerable time and attention in recent sessions to modernizing our nation's banking laws to free financial institutions of outdated restrictions that date back to the 1930s. I believe it is time for Congress to give equal attention to modernizing the cornerstone of consumer credit protection—the Truth in Lending Act (TILA).

Congress enacted TILA in 1968 to assure that consumers receive accurate and meaningful disclosure of the costs of consumer credit to enable them to compare credit terms and make informed credit choices. Prior to that time, consumers had no easy way to determine how much credit actually cost nor any basis for comparing various creditors. What little useful information consumers did receive was typically buried in fine print or couched in legalese. TILA addressed these problems by providing a standardized finance cost calculation—a simple, or actuarial annual percentage rate (APR)—to provide a comparable calculation of total financing costs for all credit transactions. It also required creditors to provide clear and accurate disclosure of all credit terms and costs.

Over the past thirty years, TILA has played a dual role in the financial marketplace. It has been the primary source of financial consumer protection, recognizing the rights of consumers to be informed and to be protected against fraudulent, deceitful, or grossly misleading information and advertising. It has also stimulated market competition by forcing creditors to openly compete for borrowers and by protecting ethical and efficient lenders from deceitful competitors. Congress believed in 1968 that an informed consumer credit market would help stabilize the economy by encouraging consumer restraint when credit costs increase. The need for an informed consumer market is as important today as it was thirty years ago.

Unfortunately, key consumer protections and remedies that Congress stated in dollar amounts in 1968 have not been updated to provide comparable protections today. The effects of thirty years of inflation have permitted increasing numbers of credit and lease transactions to fall outside the scope of TILA protections and have weakened the deterrent value of the penalties available to injured consumers. The Truth in Lending Modernization Act that I am introducing today would remedy these problems in several important areas.

TILA disclosure requirements and protections currently apply to all credit transactions secured by home equity and to other nonbusiness consumer loans under $25,000. In 1968 this $25,000 limit on unsecured credit transactions was considered more than adequate to ensure that most automobile, credit card and personal loan transactions would be covered. This is clearly not the case today, particularly in the area of automobile loans. A January Washington Post article estimated that the average price of new automobiles sold today is $22,000. This means that increasing numbers of automobile transactions are falling outside the scope of TILA, with no requirements to provide consumers with full and accurate credit disclosure. Many consumers also routinely receive offers of unsecured credit and debt consolidation loans that can easily approach or exceed $25,000. These transactions also will increasingly fall outside the scope of TILA.

The Congressional Budget Office estimates that the value of the dollar has declined by 75 percent since 1968, which means that it would require an exception over four times larger than the $25,000 in the 1968 Act (or over $108,000) to provide a comparable level of exempted transactions today. However, this fully adjusted amount is clearly excessive for today's marketplace. My bill would double the amount of this statutory exception, from $25,000 to $50,000, to assure that all typical credit transactions will continue to be accorded TILA protections.

A similar problem exists with the transaction exemption in the Consumer Leasing Act sections of TILA that restricts application of consumer disclosure and advertising requirements only to leases with total contractual obligation below $25,000. Again, this was considered more than adequate when Congress enacted the Consumer Leasing Act in 1976, but it is clearly inadequate today, particularly for automobile leases. Congress could not have anticipated the enormous role of leasing in our current auto markets. Leases now account for over 40 percent of all new automobile transactions, and an even more substantial percentage of transactions involving high-end luxury automobiles. My bill would assure that increasing numbers of automobile leases do not fall outside the scope of TILA by increasing the level of exempted leases from $25,000 to $50,000.

As a primary enforcement mechanism, TILA provides individual consumers with a right of action against creditors that engage in misleading or deceitful practices. Creditors that violate any TILA requirement are liable for actual damages, additional statutory damages and court costs. TILA permits statutory damages, in credit transactions of twice the amount of any finance charge and, in lease transactions, of 25 percent of the total amount of monthly payments under the lease. In both instances, however, these damages are limited by the requirement that damages "not be less than $100 nor greater than $1,000.

These statutory liability provisions were included in the statute in 1968 to provide ample economic incentive to deter violations. This is clearly not the case today. From my own analysis of abusive automobile leases, for example, I find that a clever and unethical dealer can easily exact thousands of dollars just in the initial stages of an auto lease, simply by not crediting trade-ins, adding undisclosed fees and including higher finance charges than disclosed to the consumer. A $1,000 maximum statutory damage clearly would not deter these and other actions that can cheat consumers out of thousands of dollars over the term of a loan or lease. My bill would increase the statutory damage limit to $5,000 for both credit and lease transactions.

It would also raise the statutory damages available to consumers in class action litigation. Currently, TILA limits statutory damages in class actions that arise out of the same violation to the lesser of $500,000 or 1 percent of the creditor's net worth. For most of today's financial corporations this $500,000 limit represents a fraction of 1 percent of their net worth. The bill would raise this statutory damage limit to $1 million for all credit and lease transactions.

Finally, my bill seeks to prohibit in credit transactions a little known accounting procedure, known as the Rule of 78, that is used whenever possible by creditors because it maximizes interest income to the creditor at the expense of consumers. TILA requires that consumers receive a refund of any unearned interest on precomputed installment loans when they prepay or refinance their loan. Until recently, most creditors used Rule of 78 accounting for calculating these refunds, a method that heavily favors creditors by counting interest paid in the early phases of the loan more heavily than actuarial accounting methods. While justified in the 1930s as helping to reduce costs of computing interest, modern calculators and computers have rendered the Rule of 78 obsolete and unjustifiable. It serves no other purpose today than to maximize interest income to creditors.

Bank regulators and the IRS have banned banks from using the Rule of 78 in reporting interest income. In 1992 Congress prohibited its use in calculating interest refunds on mortgages and other installment loans with terms over 61 months. In 1994, the Home Owners

and Equity Protection Act ended the use of Rule of 78 accounting in all high costs home equity loans. My bill would complete the task of eliminating Rule of 78 accounting in all remaining consumer credit transactions by prohibiting its use for calculating consumer interest refunds for precomputed installment loans with terms of less than 61 months, and also be requiring that creditors compute interest refunds using methods that are as favorable to the consumer as widely used actuarial methods.

Mr. Speaker, in enacting TILA Congress recognized the consumer's right to be informed and to be protected from deceitful and misleading credit practices. The ''Truth In Lending Modernization Act'' will assure that these basic consumer protections remain effective in the future. I urge my colleagues to join me as co-sponsors of this legislation and work with me toward its adoption.

IN HONOR OF SHIRLEY K. SMALL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. McINNIS. Mr. Speaker, with a heavy and sad heart I take this moment to recognize the life and contributions of Shirley K. Small, one of five daughters of Paul and Lucille Krier.

Shirley was a strong and patriotic American. She took immense pride in being a home maker and mother to her children Robbie, Darcy and Amy. She brought her children up with strong reverence for our great country. Often she would discuss with me her concerns for the direction of our country, its needs and its accomplishments over time. Shirley was a graduate of the University of Colorado and was preceded in death by her husband John.

Shirley's children have moved on to their own success in western Colorado and they too share their parents' love of and dedication to our country. Shirley's children's success is not only realized with accomplished careers, but above all with wonderful spouses and children of their own.

Even in the twilight of her life, Shirley took on her terrible disease with vigor and determination. In her last months, she attended numerous medical clinics, not for her own sake, but in the hopes she could help provide information that would lead to the cure of the disease that promised to take her life. Shirley willed her body to science so that doctors could continue to seek out a remedy for the infirmity that ailed her once she passed.

Mr. Speaker, I am proud to have been Shirley's Congressman and nephew. Her unconditional love for family and country will be greatly missed.

HONORING BOB CURRAN UPON HIS RETIREMENT

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. QUINN. Mr. Speaker, I rise today to honor Mr. Bob Curran, Columnist for the Buffalo News on the occasion of his retirement.

Bob Curran was born in Boston to Irish immigrants. World War II interrupted his football career at Cornell University. Bob was a Sergeant with the 95th Infantry Division and fought in France, Belgium and into Germany. Gen. George Patton personally gave him the Silver Star. Bob also received 2 Purple Hearts, Bronze Star and Combat Infantryman's Badge. His wounds kept him from playing football when he returned to Cornell.

Bob worked for Fawcett Publications in New York, becoming editor of Cavalier before resigning in 1961. He was director of college football's Gotham Bowl, head of sports publicity for NBC and syndicated columnist before moving to Buffalo in 1967.

Bob has been a columnist for the Buffalo News for 32 years. His columns are famous for telling readers how to ''win friends and influence him,'' asking trivia questions and telling backward jokes.

What has set Bob apart from other columnists has been his strong advocacy on behalf of veterans. He wrote about real heroes, the veterans in Western New York. As Chairman of the House Veterans' Benefits Subcommittee, I have greatly benefited from his insight and advice on veterans' issues.

As everyone in Western New York is aware, Bob has been a vocal advocate of the designation of December 7th, Pearl Harbor Day, as a national holiday. It was through Bob's passion, encouragement and support that he generated in the veteran's community, that persuaded me to submit legislation in the House of Representatives, H.R. 965, to designate Pearl Harbor Day as a federal holiday in the same manner as November 11, Veterans Day.

I and the many members of the Western New York veteran's community look forward to Bob's continued support for veteran issues.

Mr. Speaker, today I would like to join with the Curran family, the Buffalo News, our veterans and their families as well as the entire Western New York community in tribute to Mr. Bob Curran.

With retirement comes many new opportunities. May Bob meet each new opportunity with the same enthusiasm and vigor in which he demonstrated throughout his brilliant career, and may those opportunities be as fruitful as those in his past.

Thank you, Bob, for your advocacy, tireless effort and personal commitment to our community, and for your friendship.

IN HONOR OF SHANNON MELENDI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to share with my colleagues the tragic circumstances of a constituent, Shannon Melendi, a 19 year-old sophomore at Emory University in Atlanta.

Almost 5 years ago to the day, on March 26, 1994, Shannon disappeared on a Saturday afternoon from the Softball Country Club where she worked as a scorekeeper, during games.

Shannon took a work break from which she never returned and no one has seen her since that day.

The prime suspect, a part-time umpire at the park, was previously convicted of kidnapping and taking indecent liberties with a child and served only 2 years of a 4-year prison sentence.

This was his third sexual offense.

Perhaps if this man had served his full prison sentence, Shannon would not have disappeared.

Or, perhaps if he had received a harsher sentence, due to the fact that it was his third sexual offense and committed against a child, Shannon would still be here today.

Mr. Speaker, when sexual crimes are committed, we need to ensure that these criminals spend many years incarcerated so that women and children are safe from sexual predators who prey upon them.

I urge my colleagues to work together to enact legislation that will keep people who have committed sexual crimes off our streets so that what happened to Shannon will never have to happen again.

Shannon's father, Luis, summed it up the best when he said, ''What happened to us cannot be changed, but because of what happened to us, changes can be made.''

TRIBUTE TO EAGLEVILLE, TN

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. GORDON. Mr. Speaker, I rise today to recognize the 50th Anniversary of Eagleville, TN. Historically, the first known settlers arrived in the Eagleville area in 1790. There are indications that Native Americans also camped near the local springs. The town derives its name from a legend about an unusually large eagle that was killed near the village. This name was officially adopted on August 16, 1836. Eagleville received its charter of incorporation on March 31, 1949.

Today, the tradition of this historic city continues to grow with a nationally recognized school, the community churches and its businesses. The city government consists of an elected mayor, Nolan S. Barham, Sr., and six elected council members. Eagleville's population has steadily grown through the years and today stands at 501 people.

On Saturday, March 27, the town of Eagleville will celebrate their 50th anniversary. They will be holding a community dinner from 4:00 P.M. until 7:00 P.M. Some members of the community, who were present for the original incorporation ceremony, will be recognized during this event. Please join me in congratulating Eagleville for reaching this milestone.

FORT BENNING, GEORGIA—1999 ARMY COMMUNITIES OF EXCELLENCE COMMANDER-IN-CHIEF'S AWARD

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. COLLINS. Mr. Speaker, it is with great pride that I rise today to recognize Fort Benning, GA, the "Home of the Infantry" and the Army's premier installation, for being recognized with the 1999 Army Communities of Excellence Commander-in-Chief's Award.

This is the fourth Commander in Chief's Award Fort Benning has received in the last five years. The annual award recognizes the best Army installation in the world. Fort Benning has also been awarded, for the seventh consecutive year, the Chief of Staff, Army Award which recognizes the best Army installation in the continental United States.

The ability and professionalism of the tens of thousands of soldiers and nearly 7,000 civilians who pass through Fort Benning's gate each and every year are responsible for this recognition. The awards are also indicative of the successful partnership that has been developed over the years between Fort Benning, Columbus, Georgia, and Phenix City, Alabama.

Major General Ernst, Commanding General, and his able staff continue to reinforce Fort Benning's longstanding commitment to military quality, focusing on the watchwords "first in training, first in readiness, and first in quality of life." As the home of the infantry, Fort Benning's mission is to produce the world's finest combat-ready infantry and to continue to be the Army's premier installation and home for soldiers, families, civilian employees, and military retirees. This mission is achieved with distinction on a daily basis by Fort Benning soldiers who constitute a cornerstone of our Nation's Armed Forces.

While the infantry remains the central focus of activity at Fort Benning, other specialized units have been added over the years, enhancing the ability of the installation to accomplish its mission. Fort Benning houses, among others, the 11th and 29th Infantry Regiments, the 36th Engineer Group, the Ranger Training Brigade and the 75th Ranger Regiment, the U.S. Army Marksmanship Unit, the Drill Sergeant School, the Henry Caro Non-Commissioned Officer Academy, and the U.S. Army School of the Americas. Each of these units work tirelessly to defend our national interests around the world and to serve our communities at home.

To the military and civilian personnel of Fort Benning, I offer my sincere thanks and congratulations for a job well done.

MARCH IS NATIONAL SOCIAL WORK MONTH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. TOWNS. Mr. Speaker, I want to remind my colleagues as we adjourn for the district work period that March is "Social Work Month". As a trained social worker, I know first-hand the significant contributions that have been made nationwide by this profession. Professional social workers, throughout this nation, can be found in the most amazing places including fortune 500 companies, departments of health, courts, mental health centers, managed care companies, schools, child welfare agencies, nursing homes, health care settings, employee assistance programs, and public and private agencies. Daily they are tasked with helping to alleviate society's most intractable problems, working one-on-one with troubled children and families, organizing communities for change and performing cutting-edge research and administering social programs.

The business of social work is helping people help themselves. One such entity that has made a point of emphasizing the importance of social workers in the health care delivery system is the Miami-Dade County health department. Social workers play an integral role in servicing Dade County residents in a variety of public health areas. The fact that the county administration has agreed to give special recognition to its social workers is a testament to their significant contributions to the health department. Let me congratulate all my fellow social workers and we honor them for their service during the month of March.

BEAN THERE, DONE THAT

HON. JAMES A. BARCIA

OF MICHIGAN

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BARCIA. Mr. Speaker, we have all heard the famous story of Speaker Joe Cannon yelling "Thunderation!" when he went to the Member's Dining Room wanting a bowl of Michigan Navy Bean Soup, and not finding it on the menu. Ever since that day, this soup with its main ingredient, the Navy Bean, coming from most likely my congressional district, has been on the menu. But how many of you have heard the story of John A. McGill, Jr., the now-retired Executive Vice-President and Treasurer of the Michigan Bean Shippers Association having lunch with our former colleague, Bob Traxler, in the same dining room, and having to once again yell "Thunderation" when someone substituted impostor Great Northern Beans for the historic and acclaimed Navy Bean?

From 1969 until August 28, 1998, John McGill actively worked to promote the interests of the Michigan dry bean industry. Both shippers and growers benefited from this gentleman's expertise, his savvy business sense, and his well-known resolve to fight for what he believes to be right. And our Navy Bean Soup remains secure.

His work on behalf of research both at the Saginaw Valley Bean and Beet Farm and Michigan State University has resulted in the development of new varieties that will be planted for years to come. John was a major player in making sure the Michigan's beans continue to appear on plates throughout the United Kingdom. He participated in many trade missions to Africa and other potential markets with the U.S. Department of Agriculture, and was a vital player in increasing our sales in Mexico. His development and continued publication of the Michigan Dry Bean Digest provides one of the most comprehensive documents available to the industry. And he will never be forgotten for his devotion and competitiveness in the annual MBSA golf tournament at the Association's summer meeting.

Mr. CAMP. Mr. Speaker, to John and his wife Donna, we offer our most sincere best wishes and friendship in return for years of their guidance, friendship, sense of humor, and support. John's leadership for Michigan dry beans and for all of agriculture in Michigan—spanning the decades—will not be forgotten soon. He has truly set an example for future leaders, and to colleagues and friends. Mr. Speaker, we urge you and all of our colleagues to join us in wishing this wonderful gentleman his happiest years ever. May his hunting sights be filled, his tee shots straight and long, and his duck carving tools sharp and true.

HAPPY BIRTHDAY LUELLA POWELL KOONCE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PAYNE. Mr. Speaker, this weekend Mrs. Luella Powell Koonce will be joined by family and friends to celebrate her 90th birthday. Birthdays are perfect occasions for reflexion. Mrs. Koonce's life has been fruitful and she has much of which to be proud. She has many names—Mother, Mom-in-Law, Granny, Aunt Tee, and Cousin Lou. She is the eldest living member of the Powell-Hutchins-Koonce families and has more than 100 living relatives.

As you can imagine, a woman with so many relations must have a busy life. She is known as a counselor, professional seamstress, good cook, baby sitter, family banker and hot line monitor for her church and neighborhood. Luella Koonce was born 90 years ago on a farm in Blakely, Georgia. She was one of the four children of James and Elizabeth Hutchins Powell. After the family moved to Dothan, Alabama, she met and married Early Koonce and they subsequently moved their family of three children to Newark, New Jersey and eventually to East Orange, New Jersey.

Family unity, independence and moral values have always been emphasized in her family and she has passed those and other cultural traditions down to her children and

grandchildren. In the early 1940s, she joined St. Paul AME Church in East Orange. She has remained a faithful member since that time. During her membership, she has devoted her attention to the Pastor's Aide Club, Missionary Society, and Georgia Circle. A firm believer that "prayer changes things," she has made a believer out of many of her relatives.

While she is proud and boastful of the accomplishments of her children—Willie, my successful barber; Evelyn, a retired teacher/librarian; and Mary, a member of the East Orange City Council; she is always quick to remind them to remember where they came from and not get "too big for their britches." Her nine grandchildren have profited from her inspired motivational talks using the Prodigal Son as her text to teach the value of love. As a teenager, I remember visiting the Koonce home. It was a place that always seemed to have young people around. I am sure that was because we all had a tremendous amount of respect for Mrs. Koonce. She instilled values in all of us, not just her children. She always seemed to extend herself.

Mr. Speaker, I know my colleagues join me in sending Mrs. Koonce our best wishes for a wonderful birthday.

RECOGNIZING HOWARD "HOWIE" HERBERT

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. WILSON. Mr. Speaker, I wish to bring your attention to the contributions and leadership of Howard (Howie) Herbert, a resident of Albuquerque, New Mexico.

Howard Herbert moved to Albuquerque at the age of 20, in 1950. After building a reputation in sales and management Howie began his career as an entrepreneur. He opened the first discount store in the southwest, calling it Albuquerque Discount Club. Gas was sold for seven cents a gallon to those who had the Albuquerque Discount Club deal. After two years he sold this successful business and moved on to land development and the appliance business—Herbert Distributing. Mr. Herbert was a founding member of Western Bank.

Howard Herbert experienced business success, but believes that it is all about giving back to the community. Over the years he has served on more than 30 committees and boards including the Governors Drug Council, Youth Incarceration Business Outreach Program, Board of Directors for Special Olympics, Goodwill Industries, Trustee of the 100 Club of New Mexico, state chairman of the Easter Seals program and New Mexico Mental Health, founder of the Christmas Basket Program in Albuquerque and co-founder of the Halfway House Rehab for Alcoholics, and the list continues.

Please join me in the recognition of economic and social contributions Howard Herbert has made to my home of Albuquerque, New Mexico.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

TROOPER FACES PROBE OVER OUTBURST

EUGENE, OR (AP)—A state police trooper accused of shouting racial slurs and obscenities during an incident in Eugene is facing a criminal charge.

Joseph Michael Jansen, 28, assigned to the Madras patrol office, was in town for a wedding when he allegedly caused the 2 a.m. ruckus Jan. 24.

Jansen, who is charged with disorderly conduct, is on "modified duty status" while police investigate, state police spokesman Lt. Gregg Hastings said.

"That type of behavior, whether on duty or off duty, is very serious and it's taken very seriously," Hastings said.

Jansen and another man were on the first floor of the Valley River Inn yelling racial slurs about blacks and Mexicans, according to a Eugene police report.

Jansen gave his badge and state police identification to the officers, who didn't immediately believe he was a trooper because of his behavior.

Officers said they tried to calm him down, noting that hotel guests were waking up to see what was happening.

They said Jansen appeared to be extremely intoxicated and continued to yell and swear, telling one officer to "shut up" when she asked him to quiet down.

As officers put him in a patrol car, they said, they warned him that the car had a recording device, but he continued to yell.

Jansen posted $510 bail five hours later and was released. Hastings said Jansen in on paid leave, "duty-stationed at home," meaning he has to be available to perform paperwork-type duties during normal work hours.

Jansen, who was hired Jan. 1, 1997, could be fired, Hastings said. However, a decision isn't expected until the disorderly conduct charge is dealt with in court.

SCHOOL SAYS SYMBOL IN TILE IS NATIVE AMERICAN, NOT NAZI

WALLED LAKE, MI (AP)—A swastika-like symbol embedded in the mosaic floor of a Walled Lake public school for 77 years has brought the district under fire this week from the NAACP and an attorney.

The symbol, covered by a throw rug in the entryway of the district's Community Education Center, is a foot in diameter and was placed in the floor when the school was built in 1922.

District officials said the symbol is from American Indian culture. Unlike the Nazi swastika, the arms of the symbol on the school's floor point counterclockwise.

"It has nothing to do with the National Socialist Party of Germany,"Robert Masson, director of the center, told the Detroit Free Press for a story Wednesday. "The building and the symbol precedes the Nazis by a considerable amount of time."

School officials put a rug over the symbol in recent years because of "possible interpretation of its meaning as a swastika," Masson said.

Arnold Reed, an attorney representing a Walled Lake student involved in a scuffle with an administrator, complained about the symbol.

"When I pulled back that rug, I could barely move because fear gripped me. I felt like I didn't belong here," Reed told The Oakland Press. "You'd be hard pressed to find another African American who did't feel the same way."

Lawyer H. Wallace Parker, who represents the North Oakland County NAACP branch, said regardless of its origin, it is identified as a symbol of racial hatred and should have been removed long ago.

Reed said he wants a plaque mounted to explain the symbol.

CLINTON PROCLAIMS FEBRUARY BLACK HISTORY MONTH

WASHINGTON (AP)—President Clinton has issued his annual Black History Month proclamation, urging the Nation to 'not only remember the tragic errors of our past, but also celebrate the achievements" of the American descendants of African slaves.

Clinton said Monday that this year's events should focus on the proud legacy of leadership blacks have built over their 350-year history in the United States despite the trauma of slavery and government-sanctioned segregation. He urged public officials, educators, librarians and citizens in general to draw from the power of this collective achievement as they seek to resolve racial problems.

Specifically, Clinton listed notable blacks from NAACP co-founder W.E.B. DuBois to Martin Luther King Jr., and said all Americans could draw from the "skills, determination and indefatigable spirit" they displayed as the were "shaped but not defeated by their experience of racism."

In his proclamation, Clinton referred to February as "National African American History Month."

THE VACCINATE AMERICA'S CHILDREN NOW ACT

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today with my colleague Representative PHILIP ENGLISH to introduce the Vaccinate America's Children Now Act.

This legislation seeks to lower the excise tax on vaccines from $.75 per a dose to $.25 per a dose.

Congress imposed the vaccine excise tax in 1986 after forming the Vaccine Injury Compensation Program to provide compensation to children who develop complications due to vaccination.

In the beginning, various tax levels were set up for each vaccine and the amount of tax was based on best guess estimates.

Due to a building surplus in the fund, in 1993, the House Ways and Means Committee, directed the Administration to study the fund and report back to Congress with recommendations regarding the surplus.

The report, which included the approval from all areas of the public health community, called for a new flat tax of $.51 per vaccine.

With the surplus now over $1.25 billion (twice what it was in 1993) the time has come to lower the tax to $.25 per dose.

As part of the 1997 Balance Budget Act, Congress created a flat tax of $.75 per dose for each vaccine it covered thus ending the varying tax levels for different vaccines. We did not, however, deal with the larger problem of over funding the trust fund.

In 1997, the trust fund was estimated to receive $180 million in tax revenue. The interest alone, was $59 million and is more than enough to pay all claims that are filed.

At the $.25 per dose rate, tax revenues would be over $50 million a year with equally as much, if not more, coming from interest. This still brings in over $100 million in revenue each year to the trust fund.

Since the states are a major purchaser of vaccines, they stand to save a substantial amount of money that can be used in other areas. In fact, the Commonwealth of Kentucky could have saved over $830,000 in 1997 and Representative ENGLISH's state of Pennsylvania would have saved over $1.16 million.

This legislation was unanimously endorsed by the guardian of the trust fund, the Advisory Commission on Childhood Vaccines and was supported by the Association of State and Territorial Health Officers when it was introduced in the 105th Congress.

I encourage my colleagues to join Representative ENGLISH and myself in cosponsoring this important legislation.

THE FRED F. HOLMES AWARD

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. MCGOVERN. Mr. Speaker, the Fred F. Holmes award was established by the Veterans' Council of North Attleboro, Massachusetts, to recognize individuals who have had a positive effect on the lives of local veterans. On December 6, 1998, it was my great pleasure to attend a testimonial dinner honoring this year's recipient of the Holmes award, Mr. Charles E. Langille.

Mr. Langille was born in Cambridge, Massachusetts, in 1922. His family moved to North Attleboro where Mr. Langille attended a regional agricultural school and began a long period of employment with the Sales Dairy Farm.

Mr. Langille interrupted his employment in 1943, when he enlisted in the U.S. Army and became a member of the elite 82nd Airborne as a paratrooper-medic. In June 1944, Mr. Langille participated in the Normandy Invasion, carrying only a pistol and sometimes no weapon at all! Mr. Langille reports that he was one of the fortunate few to survive that war unscathed. After the war, Mr. Langille resumed his career in agriculture and later spent several years working in the lumber industry and as the Animal Control Officer in North Attleboro, retiring at the age of 70.

Those who know Charles Langille know he is a man of great compassion and loyalty, with an endless capacity for assisting those in need. As an example of his concern for others, over the past 20 years, Mr. Langille has regularly visited veterans at the VA hospital in Brockton, bringing them meals, providing recreation and helping them in countless other ways.

The citizens of North Attleboro, and especially its veterans, are fortunate to have a person like Charles Langille in their midst. I offer Mr. Langille my deep gratitude and heartfelt congratulations as this year's recipient of the Fred F. Holmes award.

INTRODUCTION OF THE AFTER-SCHOOL CHILDREN'S EDUCATION ACT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. CASTLE. Mr. Speaker, I am pleased to introduce the After-School Children's Education Act (ACE Act). My proposal, which does not spend a lot of money, will lead Congress to better information on after-school programs and guide us through a vitally important decision-making process on how to meet the educational needs of students across the nation.

There has been a lot of discussion about out-of-school time in recent months, with scientific studies proving what we have always intuitively known about the importance of quality care for young children, and for children in out-of-school time. There is a real threat to many American kids across the nation. Roughly five million children are not supervised after-school. This leaves them at risk of accidents and ripe for undesirable behaviors ranging from smoking and drinking to sexual activity and violent crime. In fact, juvenile crime goes up 300% after 3 p.m. and over half of all juvenile crime occurs between 3 p.m. and 6 p.m.

This is particularly disturbing given the benefits that can be derived from productive and educationally rewarding activities in after-school hours. After-school programs can be exceptionally beneficial by giving children the chance to interact with their peers and adults in a positive way, to gain or improve new skills, to master educational material, to develop strong bodies, and to foster creativity. In addition, studies have shown that students who attend productive after-school programs make significant academic gains, enjoy school more, feel more safe, and are less likely to participate in delinquent behaviors year found.

I believe we need to focus on improving the quality of children's out-of-school time through after-school programs. Studies indicate that 90% of parents want their children in an after-school program, yet less than 30% of schools have one. Amazingly, schools are locked 50% of the time parents are working. Many policy makers are coming to this realization and some have proposed billions of dollars of new spending on after-school programs. I am not convinced that such a large infusion of money is necessary, but I am convinced that up-to-date information on after-school programs is essential. There really is not good information available. The last major study of after-school programs was completed in 1993 by the National Institute of Out-Of-School-Time.

The ACE Act will help meet this need with a three prong approach. First, it requires the General Accounting Office to conduct a state-by-state study on after-school programs that will help us understand what programs currently exist and where the gaps are in providing educationally enriching and personally rewarding programs for children. Second, the ACE Act establishes a national clearinghouse of model after-school programs available on the Internet. Finally, it provides $10 million for states to use for activities that improve the quality and availability of after-school programs.

As I have witnessed in Delaware, some communities have collaborated to produce high quality after-school programs. For instance, the extended use of school facilities in Delaware has allowed several organizations, such as the Boys and Girls Clubs and the YMCA to successfully integrate after-school programs into schools. The ACE Act encourages continued collaborations so that communities can play a more active role in providing assistance in after-school activities in a number of ways.

In all of my discussions with constituents and after-school program specialist, the most troubling issue I have run across is the fact that both after-school program providers and after-school program participants need better access to information. We do not fully understand what programs are available and we should.

I hope you will join me and colleagues from both sides of the aisle to support and co-sponsor the After-School Children's Education Act.

VIRGINIA STATE POLICE MARSHALL FORCES TO ENHANCE HIGHWAY SAFETY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. WOLF. Mr. Speaker, on Sunday, February 21, 1999, under the leadership of the Superintendent of State Police, Colonel M. Wayne Huggins, a task force of 110 Virginia state troopers, supervisors and aviation units conducted an eight-hour enforcement initiative along the full 325-mile length of Interstate 81 in Virginia to control speeders and improve highway safety for all the people who use this heavily trafficked roadway.

The program was coordinated and implemented by Lt. Colonel W.G. Massengale and Major J.B. Scott with assistance of Captain J.R. Quinley (Culpeper), Captain H.G. Gregory (Appomattox), Captain C.R. Compton (Salem) and Captain W.K. Paul (Wytheville).

As a result of the dedicated performance of the Virginia State Police under their most able leadership, a huge stride toward traffic safety on Interstate 81 was made on February 21. This crackdown resulted in 1,730 tickets being issued to violators. Speed is a major cause of traffic accidents and the resultant deaths and injuries. These troopers and their commanders saved lives on the highway that Sunday and sent the message that Virginia is serious about protecting its people.

ARLINGTON NATIONAL CEMETERY BURIAL ELIGIBILITY ACT

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. EVERETT. Mr. Speaker, as Chairman of the Veterans' Affairs Subcommittee on Oversight and Investigations, I strongly support H.R. 70, a bill to codify burial eligibility requirements for Arlington National Cemetery. This bill would also put an end to the abuses my subcommittee found with politically connected burial waivers for individuals who have been getting into Arlington and taking the places earned by America's war heroes.

Full Committee Chairman BOB STUMP moved a similar bill last year and it was not acted upon by the Senate. I commend our Chairman for his persistence and for his devotion to our Nation's veterans in moving H.R 70 as one of his top priorities for the 106th Congress.

Veterans' service organization and military associations have overwhelmingly supported this legislation and especially its prohibition against waivers. They better than anyone know that politics should play no part in who rests in the hallowed ground of Arlington.

Mr. Speaker, apparently I differ with one of my colleagues on whether abuses occurred with Arlington burial waivers. At the January 28, 1999, Oversight and Investigations Subcommittee hearing on Arlington burial waivers, which I chaired, I stated that, "in my opinion, in some cases there undoubtedly has been favoritism, overwhelming pressure, political influence, string pulling, and arm twisting, as well as public relations consideration, even if no one will openly admit it." My view has not changed, and I believe these things were abuses. Call them what you may, they occurred and they should be stopped.

And, let there be no mistake about the matter of Larry Lawrence: he bought his way into Arlington with campaign contributions. His campaign contributions bought him an ambassadorship. His bought ambassadorship and his proven, not alleged, lies got him into Arlington. Even on his record, he was so miserably unqualified to be an ambassador that the Foreign Service Association took the unusual step of opposing his nomination. Money got him in, not his service to his country.

Mr. Speaker, I urge my colleagues to hold the line against waivers, just as our brave men and women in uniform have held the line in battle against the enemies of freedom.

ENVIRONMENTAL PROTECTIONS NEED TO BE AMONG OUR HIGHEST PRIORITIES

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BONIOR. Mr. Speaker, I rise today in strong support of water quality, smart growth and protecting our environment—and, therefore, in support of the Democratic budget resolution.

Clean and safe drinking water must be among our highest national priorities. We need to ensure that we protect farmland, slow suburban sprawl and protect open spaces. Further, the Environmental Protection Agency must have the adequate tools and resources to do their job—protecting our environment.

That is why I support the Democratic budget resolution which would have provided $1.6 billion more for natural resources and environmental programs than the Republican budget. Our bill allows for continued assistance to our communities to upgrade their sewer systems and wastewater treatment facilities. It also provides resources for our communities to protect farmland and preserve or restore green spaces. Our budget also provides grants for "smart growth" planning and park restoration.

For those of us in St. Clair and Macomb Counties who treasure the special place in which we live, the Democratic budget blueprint would allow us to preserve and improve our quality of life. That is among the most important things we can do.

In the months ahead, I look forward to working with my colleagues on both sides of the aisle to ensure that our water is safe to drink, our lakes are safe for swimming, and our continued growth is managed responsibly. I am also hopeful that our local and state officials will help us in our effort to help improve sewers and water treatment facilities, and to preserve farmland and open spaces.

Our environment is precious and valuable. We need to take steps today to ensure that it is preserved for our grandchildren to inherit. We will continue our fight to ensure that environmental protections are among our highest prioritiies.

ON THE PASSING OF THREE EXTRAORDINARY WOMEN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. PELOSI. Ms. Speaker, it sometimes happens that the unexpected juxtaposition of disparate events imposes its own logic, and the emerging pattern rivets our attention and commands our respect. So it is with the recent passing of three extraordinary women: Frances Ross, who died December 9th at 84 years of age; Helen Feinberg, who followed on February 22nd, also 84; and Vivian Hallinan, who departed March 16th after 88 years of life. Of the same generation that was tempered in the Great Depression and triumphant in World War II, all three women shared many characteristics and values. All, of course, were native or adoptive Californians. And, in the trail-blazing spirit of the Golden State, all were true pioneers in their respective fields: Ross in the treatment of the mentally ill; Feinberg in nursing and human rights; and Hallinan in a wide range of progressive causes.

All three women exhibited, early in life, the qualities we associate with leadership. They were relentless champions of social justice, peace, equality, democracy, and freedom. And in the pursuit of those values, their perseverance was legendary. Finally, and perhaps most impressive, Frances, Helen, and Vivian also shared the exquisite ability to balance an active life in the public domain with an equally impressive dedication to family and friends in the private realm.

In conclusion, Frances Ross, Helen Feinberg, and Vivian Hallinan were courageous leaders of a generation that is rapidly passing from our scene. We are losing a national treasure, and we should all pause to register our common loss. Details about the wonderful lives of these three women are included in the following tributes.

[From the San Francisco Examiner, Dec. 11, 1998]

FRANCES LILLIAN ROSS—ADVOCATE FOR MENTALLY ILL

(By Eric Brazil)

Frances Lillian Ross, who pioneered residential treatment for the mentally ill in San Francisco, died Wednesday in San Rafael at age 83.

She had been in failing health for two-months, following a stroke at her Villa Marin home.

From 1965 through 1997, Mrs. Ross was executive director of Conard House, which developed the model for treating mentally ill patients in a non-institutional setting.

"She was instrumental in establishing what community mental health looks like in this town," said Steve Fields, executive director of the Progress Foundation.

Conrad House "was very, very much on the ground floor. It was one of the first models of a halfway house, if not the first," recalled psychiatrist Dr. Price Cobbs.

Born in San Diego, Mrs. Ross attended 13 grammar schools and three high schools—including Polytechnic in San Francisco—before graduating from San Francisco State.

Even before the '30s had ended Mrs. Ross had lived an eventual life—as a "girl cashier" at the World's Fair on Treasure Island, as Northern California campaign manager for winning Democratic gubernatorial candidate Culbert Olson and in organizing relief for Spanish civil war refugees.

During the early 1940s, she was a teacher and social worker in Central Valley migrant labor camps, including Marysville-Yuba City, where she met and married her late husband, Fred Ross, a community organizer, whose career—including the discovery of farm labor leader Cesar Chavez—became legendary.

Her youngest son, Fred, now chief of staff to Rep. Nancy Pelosi, D-San Francisco, recalled that his mother taught birth control as well as drama and other subjects to wives of farm workers. He said, "Birth control was called 'baby spacing,' then, and one of the women asked her, 'Is that to teach us how to space them closer together or farther apart?'"

On the eve of World War II, Mrs. Ross worked to get refugee Jewish physicians out of Germany, and after the war began, she operated a drill press and worked for racial integration at a Cleveland airplane parts manufacturing plant, while her husband worked with Japanese Americans who had been relocated to the Midwest from the Pacific Coast.

At age 41, Mrs. Ross returned to San Francisco State and obtained a master's degree in clinical psychology.

Her professional career was interrupted by polio, and she was unable to work for nine years.

When Mrs. Ross was hired as executive director at Conard House—she had been a rehabilitation counselor at Lighthouse for the

Blind—institutionalization was virtually the only recognized form of treatment for the mentally ill.

Mrs. Ross started Conard House's co-op apartment program, which provides an extended period of recovery for clients admitted to the program's halfway house.

Katherine Erickson, owner of two retail gift shops at Pier 39, who worked for Mrs. Ross for seven years at Conard House, recalled her as ''the most powerful woman I've ever worked with . . . a most extraordinary woman. She had the ability to cut through the B.S. and see what was really going on.''

Mrs. Ross is survived by daughter Julia, a director of recovery systems in Larkspur; sons Robert, a high school teacher in Davis, and Fred of San Francisco; and by three grandchildren and one great-grandchild.

A memorial service will be held Dec. 19—her 84th birthday—at 3 p.m. in the auditorium of Villa Marin in San Rafael, where she had resided for the past 13 years.

The family suggests that friends wishing to remember Mrs. Ross with charitable contributions direct them to the Post Polio Support Group of Sonoma County, 4672 Park Trail Drive, Santa Rosa, CA 95405; or to the Larkspur public library.

[From the Los Angeles Times, Feb. 24, 1999]

HELEN FEINBERG, 84; SOCIAL ACTIVIST, SPANISH CIVIL WAR NURSE

(By Myrna Oliver)

Helen Freeman Feinberg, nurse and human rights advocate who aided victims of the Spanish Civil War and Ecuador border war as well as garment workers and Latino immigrants at home, has died. She was 84.

Feinberg died Monday of cancer in Newport Beach, said her daughter, Margo Feinberg.

A New Yorker trained in nursing at Brooklyn Jewish Hospital, the 22-year-old Helen Freeman had barely begun her nursing career in 1937 when a meeting on Spain's strife convinced her to sail abroad as a member of the Medical Bureau to Aid Spanish Democracy.

One of only 50 American women involved, she worked in makeshift front-line hospitals to aid soldiers of loyalist Spain and international volunteer fighters including Americans in the Abraham Lincoln Brigade. The young nurse was severely wounded during a bombing.

''We were so idealistic at the time. And we wanted everything for a better world,'' she recalled in 1990 after a speech to Veterans of the Abraham Lincoln Brigade in New York. Feinberg served as commander of the brigade's Los Angeles post in the 1980s and 1990s.

Her injuries in Spain prevented her from serving as a military nurse in World War II. But she spent that time in Ecuador, following its border war with Peru, with the U.S. Government Emergency Rehabilitation Committee organizing clinics and hospitals and training nurses in mountain and jungle communities.

After the war, she returned to Europe with the American Joint Distribution Committee to develop clinics, organize health education programs and treat chronically ill victims of Hitler's concentration camps.

The dedicated nurse also went to Oregon with the Agricultural Workers Health Assn. as a circuit-riding public health nurse for migrant labor camps, and worked with the New York City Health Department setting up community health care clinics.

Working for the Union Health Care Center of the International Ladies Garment Workers Union in 1952, she met and married Charles Feinberg, union organizer, professor and public health administrator. After her marriage, she went into school nursing in New York and, after the Feinbergs moved to Orange County in the 1970s, with the Newport Mesa Unified School District. In Orange County, Feinberg concentrated on working with children and families of migrant workers and other immigrants. She retired only last year, at 83.

In 1985, the school district named a new facility at Whittier Elementary School in Costa Mesa, Feinberg Hall in honor of both the nurse and her husband.

Feinberg is survived by a son and daughter, union labor lawyers Michael and Margo Feinberg, and two grandsons.

A memorial service is scheduled at 2 p.m. March 6 at Pacific View Memorial Park in Corona del Mar.

The family has suggested that memorial contributions be made either to the Abraham Lincoln Brigade Archives, 799 Broadway, Suite 227, New York, NY 10003, or to Whittier Elementary School, 1800 N. Whittier Ave., Costa Mesa, CA 92627, for its library.

[From the San Francisco Examiner, Mar. 17, 1999]

PEACE ACTIVIST, MATRIARCH VIVIAN HALLINAN

(By Seth Rosenfield)

SHE WAS ROLE MODEL FOR POLITICAL WOMEN

Vivian Hallinan, the preeminent peace activist, wife of the later legend Vincent Hallinan and matriach of San Francisco, best known Irish political family, whose members include prominent criminal defense lawyer Patrick Hallinan and San Francisco District Attorney Terence Hallinan, has died.

Mrs. Hallinan, who was 88, died Tuesday at the Berkeley home of her son Matthew. Family members said she has been in poor health in recent weeks and attributed her death to old age.

Over a five-decade span, Mrs. Hallinan played a prominent part in San Francisco's progressive politics with grace, beauty and courage. In 1986, when she was 77, she was tear-gassed in Chile while protesting human rights abuses.

Although Vincent Hallinan, an atheist who once sued the Catholic Church to prove the existence of God, was publicly perceived as the more radical of the pair, Vivian Hallinan fueled the family's political fire, two of her sons said.

''She was really the heart and soul of our family's political philosophy,'' said Patrick Hallinan, her eldest son. ''My father resented the abuse of political authority, but my mother had a focus. She was a very committed radical socialist.''

Mrs. Hallinan combined a dedication to her family, prowess in real estate and political passion.

U.S. Representative Nancy Pelosi, D-San Francisco, said Tuesday that Vivian Hallinan showed women they could combine family and politics. ''She was a role model for many of us,'' Pelosi said. ''If Vincent was the lion, Vivian was the lioness.''

Mrs. Hallinan was born Vivian Moore on Oct. 21, 1910, in San Francisco. Her father was Irish, her mother Italian, her family blue-collar.

Her father abandoned the family early, and she hardly knew him, said Patrick Hallinan. And though her mother was more present, Mrs. Hallinan was raised mostly by her mother's relatives.

Mrs. Hallinan attended Girls' High School, a now-defunct private Catholic school in San Francisco. She was admitted to UC-Berkeley but quit after two years to support herself by working in retail shops. Patrick Hallinan said. She never graduated.

She soon met Vincent Hallinan on a blind date. He was 13 years older and already a famous liberal lawyer.

''When I opened the door, I thought she was the most beautiful thing I'd ever seen,'' he once said.

They were married in 1932, an occasion reported by the late FBI Director J. Edgar Hoover as ''a case of one warped personality marrying another.''

The excitement began promptly. As the couple left for their honeymoon, Vincent Hallinan was jailed for contempt of court for refusing to surrender a client in a murder case. One headline read: ''Hallinan goes to jail, bride goes home.''

Mrs. Hallinan's striking beauty, with brunet hair and hazel eyes, was part of her persona, said Doris Brin Walker, a radical San Francisco lawyer and longtime friend of the Hallinans'.

''She always looked great,'' Walker said, ''but it was not the most important part.''

The Hallinans first lived in a Nob Hill apartment on Sacramento Street. About two years later, they had the first of six sons. (Their fourth son, Michael, later died.)

During the Depression, Mrs. Hallinan began investing some of her husband's legal earnings in real estate, refurbishing abandoned buildings and eventually building the family fortune, said Terence Hallinan, her second-born.

Although Mrs. Hallinan held ''socialist'' views—ideas that people should be guaranteed a decent living, that there should be racial equality and an end to war—she never joined any socialist or communist party and was a life-long Democrat, said Patrick Hallinan.

She was one of San Francisco's early civil rights activities, renting and selling homes to African Americans. Her efforts earned the enmity of other real estate agents and her own neighbors, her sons said.

In 1945, the Hallinans moved to political conservative Ross in Marin County, because it had the best public schools. They bought a a 22-room house with its own gyn and an Olympic-size pool.

But times got hard. In 1950, Mr. Hallinan was sentenced to six months in McNeil Island prison for a contempt citation he got while successfully defending union leader Harry Bridges against charges of being a communist.

In 1952, after Mrs. Hallinan persuaded her husband to campaign for president on Henry Wallace's Progressive Party ticket, the couple were indicted for tax evasion. She was acquitted, but he was sentenced to two years in jail.

The government seized some of the family's real estate holdings, said Terence Hallinan. And Doubleday refused to print more copies of a national best-seller she had written about her family, ''My Wild Irish Rogues,'' Patrick Hanninan said.

Hoover had branded the book as ''a flagrant employment of the Communist Party line, including references to racial discrimination and vicious attacks on the U.S. government.''

But Mrs. Hallinan was unfazed: She sustained the family with her real estate business and continued her jailed husband's presidential campaign on his behalf.

Mr. Hallinan was disbarred and in jail during most of the '50s, and Mrs. Hallinan remained under Hoover's scrutiny.

In 1964, she and sons Patrick and Matthew were arrested while sitting-in at San Francisco's ''auto row,'' the car dealers that then lined Van Ness Avenue, protesting their failure to hire African Americans. She served 30 days in county jail.

She helped organize anti-Vietnam war demonstrations, leading a march of 5,000 women in Washington, D.C.

She headed the San Francisco chapter of the Women's International League for Peace and Freedom. ''Peace was always her biggest issue,'' said Terence Hallinan.

In the 1980s, she opposed U.S. policy in Central America and befriended Daniel Ortega, Nicaragua's Sandinista leader. She also met with Fidel Castro.

In 1990, Mayor Art Agnos named her to The City's Human Rights Commission.

She is survived by five sons, Patrick, of Kentfield; Terrance, of San Francisco; and Matthew, an anthropologist, David, a travel consultant, and Conn, a journalism professor, all of Berkeley; 18 grandchildren; and one great-grandchild.

A memorial service is to be announced.

IRA CHARITABLE ROLLOVERS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, today my colleague from Illinois, Representative PHIL CRANE, and I are introducing the IRA Charitable Rollover Incentive Act of 1999.

Our legislation would allow individuals who have reached age 59½ to donate the assets of their individual retirement account to charity without incurring income tax liability.

I am sure that over the past few years many of our colleagues have heard from charities in their district that the charity was approached by an individual who had accumulated a large IRA and wished to make a charitable donation. However, they are effectively precluded from doing so by the unique tax laws that apply to IRAs. We intend to change this.

Our legislation would allow an individual to donate his or her IRA to charity without incurring any income tax consequences. The IRA would be donated to the charity without ever taking it into income so there is no tax consequence. Similarly, because current law IRAs represent previously untaxed income, there would be no charitable deduction for the donation. IRA rollovers to qualifying charitable deferred gifts would receive similar treatment.

Mr. Speaker, this change in tax law could provide a valuable new source of philanthropy for our nation's charities. I would hope that my colleagues will join Mr. CRANE and myself in sponsoring this innovative new approach to charitable giving.

IN HONOR OF THE 20TH ANNIVERSARY OF SEQUOIA COMMUNITY HEALTH CENTER

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. DOOLEY of California. Mr. Speaker, I rise before my colleagues today to pay tribute to the Sequoia Community Health Foundation, which is celebrating its twentieth anniversary this year.

The Sequoia Community Health Foundation has made countless contributions to the residents of the Central Valley. Working as a primary health care provider for nearly twenty years, Sequoia Community Health Foundation has served tens of thousands of Valley families, ensuring access to basic health services including immunizations and prenatal care.

Despite a brief period of administrative difficulties, the Sequoia Community Health Foundation has emerged stronger than ever in recent years and has restored and expanded the level of services provided to Valley residents. By partnering with local schools, recreation centers and churches, Sequoia Community Health Foundation has greatly facilitated access to health services in the Valley.

Sequoia Community Health Foundation has provided more than 200,000 patient visits in the last four years, caring for 15,000 patients a year including many area farmworkers. Sequoia also serves as a vital resource for prenatal and pediatric care by performing between 60 and 90 deliveries each month and immunizing between 200 and 400 children on a monthly basis.

Clinic services have been expanded to increase hours of service, expand health education programs, and add cardiology and psychiatry specialists on site. And the clinic has been a leader in recruiting and training Hispanic residents through the Sequoia Hispanic Residency Pathway.

Through the leadership of their dedicated staff, Sante Health System and ''Blue Ribbon'' Board, Sequoia Community Health Foundation has maintained a high level of commitment to the Central Valley.

I commend Sequoia Community Health Foundation's dedicated employees—past and present—for their admirable service, and I hope that their fellow citizens will continue to support them with vigorous appreciation.

THE INTRODUCTION OF THE TAX CODE SECTION 415 RELIEF BILL

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. WELLER. Mr. Speaker, a great deal of attention is being focused on retirement security by this Congress and by the Administration. Most of us recognize the need to make saving for retirement, through private pension plans and personal savings, a priority for all Americans. And, many of us recognize that complex and irrational pension rules in the Internal Revenue Code actually discourage retirement savings. Among such rules are limits under Code section 415 they deny workers the full benefits they have earned.

I rise today to introduce legislation on behalf of workers who have responsibly saved for retirement through collectively bargained, multiemployer defined benefit pension plans. These workers are being unfairly penalized under limits imposed by Code section 415. They are being denied the full benefits that they earned through many years of labor and on which they and their spouses have counted in planning their retirement.

We can all appreciate their frustration and anger when they are told, upon applying for their pension, that the federal government won't let the pension plan pay them the full amount of the benefits that they earned under the rules of their plan.

For some workers, this benefit cutback means they will not be able to retire when they wanted or needed to. For other workers, it means retirement with less income to live on. And, for some, it means retirement without health care coverage and other necessities of life.

The bill that I am introducing today will give all of these workers relief from the most confiscatory provisions of Section 415 and enable them to receive the full measure of their retirement savings.

Congress has recognized and corrected the adverse effects of Section 415 on government employee pension plans. Most recently, as part of the Tax Relief Act of 1997 (Public Law 105–34) and the Small Business Jobs Protection Act of 1996 (Public Law 104–188), we exempted government employee pension plans from the compensation-based limit, from certain early retirement limits, and from other provisions of Section 415. Other relief for government employee plans was included in earlier legislation amending Section 415.

Section 415 was enacted more than two decades ago when the pension world was quite different than it is today. The Section 415 limits were designed to contain the tax-sheltered pensions that could be received by highly paid executives and professionals. The passage of time and Congressional action has stood this original design on its head. The limits are forcing cutbacks in the pensions of rank-and-file workers. Executives and professionals are now able to receive pensions far in excess of the Section 415 limits by establishing non-qualified supplemental retirement programs.

COMPENSATION-BASED LIMITS

Generally, Section 415 limits the benefits payable to a worker by defined benefit pension plans to the lessor of: (1) the worker's average annual compensation for the three consecutive years when his compensation was the highest, the so-called ''compensation-based limit''; and (2) a dollar limit that is sharply reduced for retirement before the worker's Social Security normal retirement age.

The compensation-based limit assumes that the pension earned under a plan is linked to each worker's salary, as is typical in corporate pension plans (e.g., a percentage of the worker's final year's salary for each year of employment). That assumption is wrong as applied to multiemployer pension plans. Multiemployer plans, which cover more than ten million individuals, have long based their benefits on the collectively bargained contribution rates and years of covered employment with one or more of the multiple employers which contribute to the plan. In other words, benefits earned under a multiemployer plan have no relationship to the wages received by a worker from the contributing employers. The same benefit level is paid to all workers with the

same contribution and covered employment records regardless of their individual wage histories.

A second assumption underlying the compensation-based limit is that workers' salaries increase steadily over the course of their careers so that the three highest salary years will be the last three consecutive years. While this salary history may be the norm in the corporate world, it is unusual in the multiemployer plan world. In multiemployer plan industries like building and construction, workers' wage earnings typically fluctuate from year-to-year according to several variables, including the availability of covered work and whether the worker is unable to work due to illness or disability. An individual worker's wage history may include many dramatic ups-and-downs. Because of these fluctuations, the three highest years of compensation for many multiemployer plan participants are not consecutive. Consequently, the Section 415 compensation-based limit for these workers is artificially low; lower than it would be if they were covered by corporate plans.

Thus, the premises on which the compensation-based limit is founded do not fit the reality of workers covered by multiemployer plans. And, the limit should not apply.

My bill would exempt workers covered by multiemployer plans from the compensation-based limit, just as government employees are now exempt.

EARLY RETIREMENT LIMIT

Section 415's dollar limit is forcing severe cutbacks in the earned pensions of workers who retire under multiemployer pension plans before they reach age 65.

Construction work is physically hard, and is often performed under harsh climatic conditions. Workers are worn down sooner than in most other industries. Often, early retirement is a must. Multiemployer pension plans accommodate these needs of their covered workers by providing for early retirement, disability, and service pensions that provide a subsidized, partial or full pension benefit.

Section 415 is forcing cutbacks in these pensions because the dollar limit is severly reduced for each year younger than the Social Security normal retirement age that a worker is when he retires. For a worker who retires at age 50, the reduced dollar limit is now about $40,000 per year.

This reduced limit applies regardless of the circumstances under which the worker retires and regardless of his plan's rules regarding retirement age. A multiemployer plan participant worn out after years of physical challenge who is forced into early retirement is nonetheless subject to a reduced limit. A construction worker who, after 30 years of demanding labor, has well earned a 30-and-out service pension at age 50 is nonetheless subject to the reduced limit.

My bill will ease this early retirement benefit cutback by extending to workers covered by multiemployer plans some of the more favorable early retirement rules that now apply to government employee pension plans and other retirement plans. These rules still provide for a reduced dollar limit for retirements earlier than age 62, but the reduction is less severe than under the current rules that apply to multiemployer plans.

Finally, I am particularly concerned that early retirees who suffer pension benefit cutbacks will not be able to afford the health care coverage they need. Workers who retire before the Medicare eligibility age of 65 are typically required to pay all or a substantial part of the cost of their health insurance. Section 415 pension cutbacks deprive workers of income they need to bear these health care costs. This is contrary to the sound public policy of encouraging workers and retirees to responsibly provide for their health care.

THURGOOD MARSHALL UNITED STATES COURTHOUSE

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. RANGEL. Mr. Speaker, I rise today to support H.R. 130, a bipartisan bill which would "designate the United States Courthouse located at 40 Centre Street in New York, New York as the 'Thurgood Marshall United States Courthouse.'"

It is most fitting to honor this great American with this distinction as he was not only the first African American Justice of the U.S. Supreme Court, but was also one of the greatest trial and appellate lawyers in this nation. It was through his knowledge, advocacy, and devotion to the cause of civil rights, that propelled Thurgood Marshall into leading the charge for equality for African Americans.

Born in Baltimore, Maryland on July 2, 1908, Thurgood Marshall graduated cum laude from Lincoln University in Pennsylvania and went on to receive his law degree from Howard University here in Washington, DC where he graduated first in his class.

In 1936, Thurgood Marshall was appointed as Special Counsel to the National Association for the Advancement of Colored People (NAACP). A short time later, he founded the NAACP Legal Defense and Education Fund.

While at the NAACP, Thurgood Marshall was successful in winning 29 of 32 cases he argued before the U.S. Supreme Court. However, the victory for which he will best be remembered, was Brown vs. The Board of Education, in which Marshall convinced the Supreme Court to declare segregation in public schools unconstitutional.

In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. After only four years of receiving this appointment, President Lyndon B. Johnson chose Justice Marshall to be the nation's first black Solicitor General. Just 2 years later on June 13, 1967, President Johnson nominated Marshall to become the first black justice of the Supreme Court where he would serve until his retirement in 1991.

As my colleagues may remember, the bill passed the House last year, but did not come to the floor of the Senate before the session ended.

As Dean of the New York State delegation, it is my hope that my colleagues here in the House on both sides of the aisle, will support H.R. 130 for I can think of no greater tribute to the late Justice Thurgood Marshall, a man who stood for integrity, justice, and equality for all.

TRIBUTE TO SCOTT ANDERSON

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to Scott Anderson, a Duluth resident and pioneer in general aviation. On March 23rd, Scott died at the age of 33 following a tragic crash that occurred while he was testing a new aircraft in Northern Minnesota.

Scott was fatally injured when the first SR20 airplane to come off Cirrus Design's production line, which he was piloting, crashed just short of the Duluth International Airport. The plane crash is not only a serious disappointment for Cirrus Design, but is also a tragedy for general aviation aircraft development, testing and evaluation—the most critical phase of bringing a new type and model of aircraft into the mainstream of aviation.

A major in the Air National Guard, Scott was an experienced test pilot who flew F–16s for the military, in addition to his job as Director of Flight Operations and Chief Test Pilot for Cirrus Design. Test pilots are heroes of aviation who pioneer the testing of new, pre-production aircraft to ensure that all systems comply with Federal Aviation Administration regulations. Scott made history last year when he piloted the SR20 during the first test of an innovative parachute recovery system; ironically, that safety device was not on board the aircraft he was flying at the time of the crash.

While we must await the evaluation and findings of the National Transportation Safety Board regarding the causes of the crash, we know that Scott did everything humanly possible to bring the plane down safely so that innocent lives on the ground would not be lost. I offer my heartfelt sympathy to Scott's wife, Laurie, his parents, Paul and Carol, and siblings, Catherine and Todd Anderson, as well as to the Cirrus Design team, for their loss. I hope, in their grief, they know that Scott made a profound difference to the State of Minnesota and to the national aviation community.

As a tribute to the memory and contribution Scott made to general aviation, which will benefit future generations, I submit an article written by Sam Cook that appeared in the Duluth News Tribune on March 24, 1999. Mr. Cook is a talented writer who knew Scott Anderson for many years and with whom he shared a love of Minnesota's great outdoors.

[From the Duluth News Tribune, Mar. 24, 1999]

ANDERSON BLESSED OTHERS WITH LIFE

(By Sam Cook)

I can't recall exactly how Scott Anderson came into my life. He just appeared, and once Scott Anderson appears in your life it's never quite the same.

He and his friend Steve Baker were planning a canoe trip from Duluth to Hudson Bay. This was 1987. They were college kids home for the summer, and they didn't know

exactly what they were getting into, but of course that didn't matter. They were going to go no matter what. As I recall, they borrowed a canoe that had been cracked up and patched back together.

I thought they might drown the day they left Duluth, Lake Superior was kicking up, but they were behind schedule so they made a break for it. They ended up portaging their canoe along Minnesota Highway 61 to jump-start that trip, and you could see that nothing else was going to hold them back.

The trip was a throwback to the old Eric Sevareid and Walter Port trip that Sevareid turned into his classic book, ''Canoeing with the Cree.'' Scott and Steve made Hudson Bay, all right, and it came as only a mild surprise when Scott returned and said he was going to write a book about the experience.

He had already built a submarine at college and paddled a broken boat to Hudson Bay.

Why couldn't he write a book?

He did, of course. And he learned to fly an F–16. And next thing you knew he was test flying airplanes for Cirrus Design.

Scott was one of the most engaging people you could ever hope to meet. He was big and blond and nearly bald, or else his hair was just so light you couldn't see it. I never was sure. But he had a countenance that told you he could handle anything that came his way, probably without blinking.

And that smile, When he unfurled that grin, a whole bunch of happiness spilled into the room and you felt better just for being in the man's presence.

He had some devilment in there, too, but only the harmless kind. There couldn't have been an ounce of meanness in that guy.

Once, out of the blue, he called and asked me if I wanted to be part of a race. He's been scheming again. There would be four of us, in two canoes, he said. The two-person teams would leave Duluth bound for different ends of the Boundary Waters Canoe Area Wilderness. We'd drive north, put in, paddle across the wilderness, exchange car keys somewhere in the middle, paddle out and drive back. First one back to Duluth wins.

I told him I couldn't make it, but it wouldn't surprise me if he pulled that off, too.

If you had a son, and he turned out to be Scott Anderson, you would have to consider yourself one lucky mom or dad. If Scott showed up at your door to date your daughter, you'd send them off happily, close the door, look at your spouse and smile. Not to worry. There was a guy you could count on.

When I heard Tuesday afternoon that a Cirrus plane had gone down, I got worried. When I learned later that night that Scott hadn't made it, I sat in my living room and bawled my guts out while my son played with his Legos.

It would not surprise me if hundreds of others did exactly the same thing I did. I'll bet Scott touched more lives in a meaningful way in his 33 years than most of us will get to in twice that. He was a brilliant, creative, remarkable guy.

I keep seeing him in my mind, and all I see is that big head and that wonderful grin and all that confidence behind it.

They say that as parents there are two things you want to give your kids—roots and wings, Scott Anderson had both, but he was partial to the wings.

I hope he's still flying somewhere.

WOMEN'S HISTORY MONTH

SPEECH OF

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank Representative BARBARA LEE of California for organizing this Special Order on behalf of the Congressional Black Caucus to honor Women's History Month and to celebrate the contributions of Women of Color.

As the newest member of the Congressional Black Caucus and as a former municipal Judge and Prosecutor for Cuyahoga County, I wanted to use this time to honor my former colleagues of the Cuyahoga County Judicial system who have served as a source of inspiration for me for many years. They are my friends, colleagues and more importantly my sistahs.

Each of these women are trailblazers in their own right who deserve to be recognized for their years of dedication to serving, protecting and upholding the laws of Ohio and our Nation.

The first person I want to honor is Judge Lillian Burke the first black woman judge in Ohio. Judge Burke is a graduate of Ohio State University and received her JD from Cleveland State University. She was admitted to the Ohio bar in 1951 and began practicing general law from 1952–1962.

Ms. Burke was an assistant Attorney General for Ohio as well as a member of various professional and civic organizations. She was appointed to the Cleveland Municipal Court where she eventually became Chief Judge.

Jean Murrell Capers: Judge Jean Capers graduated from Case Western Reserve University in 1932 and earned her JD from Cleveland Law School in 1944. She was admitted to the Ohio bar in 1945 and began practicing law that same year. Ms. Capers ran unsuccessfully three times for the Cleveland City Council before she won in 1949. She was elected four subsequent times to two year terms.

She also worked for the Phillis Wheatley Association and became involved in community endeavors, including lobbying for a federal anti-lynching bill.

In 1977, Ms. Capers was appointed Cleveland Municipal Judge and was re-elected but was forced to retire in 1986 because of an Ohio law that requires Judges to retire at age 70.

Judge C. Ellen Connally, the senior Judge of the Cuyahoga Municipal Court, is a graduate of Bowling Green State University and received her JD from Cleveland State University as well as a Masters of Art degree in American History from Cleveland State and she is currently enrolled in the Ph.D. program in American history at University of Akron.

Judge C. Ellen Connally was first elected to the bench in 1985, elected beginning in 1985 to Cleveland Municipal Court and is currently the senior judge of the court. She is a former President of the Northern Ohio Municipal Judges Association and has served for the past seven years as its Secretary/Treasurer.

Judge Connally, formerly served as chairperson on the Youth Violence Committee of the Task Force on Violent Crime and the Mayor's Advisory committee on Gang Violence.

She is a former member of the Board of Trustees of her alma mater Bowling Green University and in 1994–1995 she served as president of their Board of Trustees and served as the chairperson of the presidential search committee. She also served as past president of the Northern Ohio Municipal Judges Association.

Mr. Speaker, the next person I want to recognize is Judge Mabel Jasper. She received her BS degree form Kent State University in 1956 and her JD from Cleveland Marshall Law School in 1977.

Prior to election to the Cleveland Municipal Court, she served as general trial referee for the Cuyahoga County Court of Common Pleas—Domestic Relations Division. She was also an Assistant Attorney General for the state of Ohio, and was employed as a trial attorney for the Bureau of Workers Compensation for three years.

Judge Jasper is a member of many civic and professional organizations which include: Ohio State Bar Association; Delta Sigma Theta Sorority; and First woman member of the Rotary East club, a mostly all male organization.

The next person I want to honor is Judge Angela Stokes. Her name may sound familiar to many in this chamber because she is the daughter of my predecessor, Representative Louis Stokes.

Angela received her BS degree from the University of Maryland, College Park and her JD from Howard University School of Law in Washington, DC, and is admitted to the Supreme Court of Ohio, the United States District Courts and Northern and Southern Districts of Ohio and the United States Court of Appeals Sixth District.

Prior to being elected to the bench. Angela served as an Assistant Attorney General for the State of Ohio where she was assigned to the Federal Litigation Section in Columbus and later in Cleveland. She also worked for the British Petroleum of America corporate law department. In 1995 she was elected to the Cleveland Municipal Court.

Judge Stokes remains active in the Greater Cleveland Community. She has dedicated her time and energy to a variety of professional and civic organizations: Active Member of the Junior League; Member of a non-profit task force SAMM (Stopping Aids is my Mission); she is member of the 11th Congressional District Caucus; board member of the Cleveland-Marshall College of Law Louis Stokes Scholarship fund; and member of the Board of Trustees of Cuyahoga County Library Board.

Judge Keenon is a graduate of the Cleveland Marshall Law School and received her BS degree from Tennessee State University. Prior to being elected to the bench, Judge Keenon was a teacher and social worker in the Greater Cleveland Area.

Upon earning her JD, Una became staff attorney for the legal aid society and was appointed Attorney in Charge of the Juvenile Division of the Cuyahoga county Public Defender Office. She also served as managing attorney for the United Auto Workers legal services plan. Judge Keenon was appointed by then Governor Richard Celested fill a judicial vacancy. She subsequently was elected to another full term.

While on the bench, Judge Keenon established many programs within the East Cleveland Municipal Court: Curfew laws for children of the East Cleveland community and GED program for young offenders by sending them back to school.

She is a member of many civic and professional organizations: President of the Black Women Lawyers; 1st Vice President of the League of Women Voters; Co-Founder & 1st President of Black Women Political Action Committee; Alpha Kappa Alpha Sorority; and National Council of Negro Women.

Judge Lynn Toler received her BA degree from Harvard University and her JD from the University of Pennsylvania Law School.

Lynn was elected to the Cleveland Heights Municipal court in 1994 and prior to that Lynn Toler had a distinguished career as an attorney. I have highlighted some of the civic and professional memberships as an indication of her commitment to her community: Cleveland Chapter of Links; Board Member—Board of Trustees Juvenile Diabetes Foundation; Cuyahoga County Criminal Justice Services which oversaw funding for services related to the criminal justice system; and Board of Trustees for the Goodwill Starting Program.

Another one of my sisters I want to mention during this special order is Judge Shirley Strickland Staffold who received her BA degree from Central State University and law degree from Marshall College of Law.

Prior to her election, Judge Staffold was in the criminal division of the Legal Aid Society of Cleveland, Public Defender's office. In 1994 she was elected to Cuyahoga County Court of Common Pleas.

I want to mention some of the Civic and Professional Associations that Judge Staffold is affiliated with as an indication of her commitment to our community: Member of the National Bar Association; American Judges Association; Ohio County and Municipal Judges Association; National Association of Women Judges; and First African American women to be elected President of the American Judges Association.

Judge Janet Burney received her BS from Skidmore College and her JD from Cleveland State University, Cleveland Marshall College of Law.

Prior to joining the bench this year, Judge Burney has a long and distinguished legal career that has spanned over twenty years.

Civic and Professional Associations: Member of the state bar of Ohio; United States District Court for the Northern District of Ohio; United States Court of Appeals for the Sixth Circuit; United States Supreme Court; Board of Trustees; St. Luke's Foundation; Interchurch Council of Greater Cleveland; Dean of Christian Education at Open Door Missionary Baptist Church; and Alpha Kappa Alpha Sorority.

In conclusion Mr. Speaker, I again want to thank my colleague, Representative BARBARA LEE for organizing this Special Order.

ACKNOWLEDGING THE ACHIEVEMENTS OF ROBERT CONDON AND THE ROLLING READERS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. FILNER. Mr. Speaker and colleagues, I rise today to acknowledge the fine work of Rolling Readers USA and of its founder, Robert Condon, who died in January at the young age of 40.

In 1991, Mr. Condon, realizing the profound benefits of reading aloud to his sons, began reading to other children at a local homeless shelter and at a Head Start preschool. He was soon reading to children in Boys and Girls Clubs, after-school programs, and public housing sites. By recruiting 10 volunteers, Mr. Condon was able to rapidly expand this reading program to over 400 economically-disadvantaged children each week.

From this simple beginning, Rolling Readers USA was born! Eight short years later, 40,000 volunteers now read to and tutor 300,000 children each week and give $3,000,000 worth of new books to children each year—often the first books these children have owned. Each volunteer in the Rolling Readers program reads to the same group of children each week, establishing a continuity, not only in tutoring, but in inspiring minds, touching imaginations, developing language skills, and assuring a positive impact on children's lives.

The Rolling Readers vision is very clear. We have a major crisis in our country—for 30 years literacy rates in the United States have been falling, with the biggest decline occurring in those children already in the bottom half in reading test scores. The work of Rolling Readers volunteers is critical to our nation!

Rolling Readers has grown from one man's ideals and commitment to service to become California's largest and one of the Nation's premier volunteer-based children's literacy organizations. Upon the death of its founder, Rolling Readers is sponsoring a national read-in day on March 27, 1999 to commemorate his life and achievements.

I would like to add my voice to the many who are thanking Robert Condon for his vision, his leadership, and his outstanding contribution to the children of our nation.

DEATH TAX SUNSET ACT

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. SCARBOROUGH. Mr. Speaker, I'm pleased today to introduce the Death Tax Sunset Act which would put an end to the Federal government's most outrageous form of taxation. Very simply, my bill would put an end to estate and gift taxes after the year 2002. Hard working Americans deserve no less.

The thought that our government can take over half of a person's life savings when they die should sicken every American. How can we justify taking 55 percent of Americans' life savings when they die? The answer, quite simply, is that we cannot.

First instituted in the late 18th century, the estate tax was enacted to help our young nation build a Navy to protect our shores. Until 1916 when it became a permanent part of the tax code, it was repealed and brought back several times during times of emergency. It has been largely unchanged since the 1930's. The death tax is now a combination of three taxes: the estate tax, the gift tax, and the generation-skipping transfer tax. Its tax rate is the steepest in the tax code—beginning at 37 percent and rising to an incredible 55 percent.

The National Federation of Independent Businesses has called the estate tax "the single greatest government burden imposed upon small family businesses." The National Commission on Economic Growth noted in its report that it makes little sense and is unfair to impose extra taxes on those who choose to pass their assets on to their children and grandchildren rather than spend the money before they die. This cuts to the heart of the American dream of success from hard work and fiscal responsibility. Entrepreneurs should not be punished for their success—they should be rewarded.

Why should death taxes be repealed? Besides the fact that these taxes punish savings, thrift, and entrepreneurship, they have a devastating effect on family farmers and small businesses. According to a recent report by the Center for the Study of Taxation, 7 of our 10 businesses don't survive through a second generation and almost 9 in 10 fail to make it through a third. In fact, 9 out of 10 family business owners who took over after the principal's death in a recent survey said death taxes contributed to their business' demise.

If Congress succeeds in repealing these unfair, burdensome, and punitive taxes, the economic benefits will be enormous. In fact, the Heritage Foundation in 1997 forecast that during the ten year period after death tax repeal: an average of 145,000 new jobs would be created; our economy would yield an extra $1.1 billion per year; personal income would rise by an additional $8 billion per year; and the economic growth caused by repeal would more than offset any revenue lost to the treasury from the repeal. This is just one of a number of studies that detail the extraordinary benefits of repealing estate and gift taxes.

Mr. Speaker, I ask my colleagues to join with me in sunsetting the most egregious form of taxation. We should set a goal of the end of the year 2002 to completely repeal death taxes. We must make it a priority so that we move away from punishing hard work, thrift, savings, and entrepreneurship and start rewarding these most American of values.

EXPRESSING OPPOSITION TO DECLARATION OF PALESTINIAN STATE

SPEECH OF

HON. PAT DANNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1999

Ms. DANNER. Mr. Speaker, I think it is important that I clarify my position regarding the

resolution that recently passed in the House of Representatives expressing congressional opposition to a unilateral declaration of a Palestinian state (H. Con. Res. 24).

My vote for this resolution was not a comment on the merits of a Palestinian state. Rather, my vote is a reflection of my belief that a unilateral declaration of a Palestinian state at this time would hamper efforts to reach a just and lasting peace between the parties. A unilateral Palestinian declaration of an independent state outside of the framework agreed upon in Madrid, Oslo and Wye would not bode well with the current, precarious state of the peace process. This is the position advanced by our Administration. Indeed, the resolution simply restates official U.S. policy. Ultimately, this is why I voted for it.

However, I would note that I chose not to cosponsor the resolution because of my concerns with its one-sided approach. I am concerned that unilateral actions by any of the parties would have a great potential to undermine the efforts we have set forth for peace—whether committed by Palestinians or Israelis. The resolution's failure to mention any Israeli unilateral actions was, in my opinion, a grave error.

The Administration has worked hard to keep this process going—to keep the hope for peace alive for both Israelis and Palestinians. Congress should work diligently to support this effort and maintain balance.

A BILL TO AMEND THE RESEARCH AND EXPERIMENTATION TAX CREDIT TO PROVIDE A CREDIT AS AN INCENTIVE TO FOSTER COLLABORATIVE SCIENTIFIC RESEARCH PROJECTS THROUGH BROADLY SUPPORTED NON-PROFIT, TAX-EXEMPT SECTION 501(c)(3) RESEARCH CONSORTIA

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from Michigan, Mr. LEVIN, together with twenty-one of our colleagues, in introducing our bill, the "Public Benefit Collaborative Research Tax Credit." This bill would amend the research and experimentation tax credit in order to foster collaborative scientific research projects through broadly supported non-profit section 501(c)(3) research consortia. These collaborative not-for-profit scientific research consortia are devoted to research projects that benefit not just one company, but the economy and the country as a whole. Our amendment to the research credit would provide incentives for multi-company and multi-industry research partnerships, with the result that this important tax credit would be structured to foster the kind of collaborative research on which America's economic growth in the 21st century will depend.

Our proposal would require that the research tax credit be extended beyond its June 30, 1999 expiration date, and we strongly urge extension of the credit. The research intensive sectors of our economy find it very difficult to do planning for research due to the constant stop-and-start arising from the perennial expiration and re-enactment of the research credit. The research credit is one of our most important tax incentives for economic growth, because scientific and technological innovation are, in the final analysis, the sources of that growth.

This is why our public benefit collaborative research credit proposal is so important. More and more scientific and technological research of the greatest economic value now takes place not in the confines of individual companies, but collaboratively—and this is true for traditional manufacturing and utility sectors as well as computers and telecommunications. Yet the research credit as it currently stands actually contains disincentives for collaborative research. Companies are required to reduce their contributions to non-profit research consortia by an arbitrary 25% before those amounts can be used in the computation of the credit. Our proposal would eliminate the disincentives in current law for collaborative research, and make the research credit "fit" modern research-partnership approaches.

Under our bill, companies would be entitled to a flat (non-incremental) 20% credit for support payments made to non-profit, tax exempt section 501(c)(3) scientific research organizations. Section 501(c)(3) scientific research organizations are required under existing law—which would not change—to make their research results available to the public on a nondiscriminatory basis. In this way, our proposal assures that all the scientific research for which our new credit is allowed is public-benefit research. In addition, for support payments to be eligible for our credit, the tax-exempt scientific research organization receiving the support payments would be required to have at least 15 unrelated supporting members, no three of which provide more than half of its funding and no one of which provides more than 25% of its funding. This assures that only truly multi-company collaborative research consortia are supported by our proposal.

Examples of broadly supported section 501(c)(3) research consortia whose continued success is tied to our proposal are the Gas Research Institute, funded by member companies in the natural gas industry, the Electric Power Research Institute, funded by member companies in the electric utility industry, the National Center for Manufacturing Sciences, funded by a coalition of high-technology manufacturing companies, the American Water Works Association Research Foundation, funded by water utilities, and non-profit consortia funded by other utility sectors, Collaborative public-benefit scientific research conducted by these and other section 501(c)(3) research consortia (and our bill should encourage new consortia) represents some of the most efficient and economically significant research being performed in the United States today, e.g. in the areas of cutting-edge manufacturing techniques, energy efficiency, public health, and economically rational pollution control, among many other areas. Collaborative research consortia supported by our proposal are devoted to sophisticated scientific research that in many cases no single company could afford, or would be willing, to conduct on its own, because of the uncertainty of immediate success or because of the risk of copycat competitors.

For all these reasons collaborative scientific research represents our brightest economic future. Our bill amends the research tax credit provisions to foster this goal. We urge our colleagues to join us in cosponsoring this very important legislation, the "Public Benefit Collaborative Research Tax Credit Act of 1999."

AMENDING THE INDIVIDUALS WITH DISABILITIES ACT

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BARR of Georgia. Mr. Speaker, I would like to announce the introduction of legislation which would amend the Individuals With Disabilities Education Act (IDEA) to provide more flexibility for schools, and would require the expulsion and termination of education services, if a student with a disability carries a weapon to school or to a school function, and it is determined the behavior in question of the child was not due to his or her disability.

When a student brings a weapon into school, it places every individual's life in danger. Such a potentially dangerous action cannot be tolerated or accepted; regardless of whether the student has a disability. The protection of students and faculty must be a priority. We must establish a zero tolerance for weapons in schools, and not allow federal regulations to tie the hands of school disciplinarians. IDEA strongly restricts school administrators and educators in the area of discipline.

Recently, in Cobb County, Georgia, two seventh-graders were expelled by the local school board for bringing a handgun to school. Insofar as these boys have disabilities they may very well be sent to a private school at taxpayer expense, in accordance with IDEA. Under the provisions of IDEA, if a student brings a weapon to school and is expelled, then the school board is responsible for providing alternative education services. For Cobb County taxpayers, the cost of educating a student outside the regular classroom can range between $5,000 and $41,000 a year, depending on the level of special services required.

Ninety-five percent of students in special education who are suspended or expelled for displaying violent or aggressive behavior are not disciplined. Taxpayers should not be held responsible for these children with disabilities who carry weapons into schools or school functions. This also bill reduces the amazing amount of paperwork administrators must deal with under IDEA, and it would provide for more flexibility for schools in the disciplinary process.

While I support and voted in favor of the Individuals with Disabilities Education Improvement Act, H.R. 5, in 1997, I do not support condoning behavior by a student that places the students and faculty members at risk. If it is determined a disabled student's disability was not a contributing factor, that student

should be held accountable for his or her actions.

THE FOODBANKS RELIEF ACT OF 1999

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise to introduce the Food Banks Relief Act of 1999. The purpose of this bill is to help food banks meet sharp increases in the demand for their services. The bill responds to a steady stream of studies and reports—including my own surveys of emergency food providers in March 1998 and March 1999—pointing to alarming increases in requests for emergency food assistance, especially among the working poor, children, and the elderly. I am honored to be joined in introducing this legislation by my distinguished colleague and friend, Representative JOANN EMERSON of Missouri, who is a great champion of food banks.

The 1996 welfare reform bill partially anticipated increased demand for charitable food assistance, when it mandated that $100 million from the food stamp program be used for commodity purchases for food banks, pantries and soup kitchens. However, that has proven inadequate. Food banks across the country report significant increases in requests for food, especially from the working poor. And just as the needs have grown, private donations have declined, as farmers, grocers, and others in the food industry have become more efficient and reduced the waste and overproduction that once helped stock food banks' shelves. Second Harvest, the nation's largest network of emergency food providers, estimates that public and private resources combined are only meeting about half the needs.

The fact is that the private charitable sector is shouldering an increasing share of food assistance needs, and it is overwhelming their capacity. It is time that Congress and the Administration started responding more effectively by assisting food banks—and by tackling the problems that are sending hungry people to their doors. It is ridiculous to expect that we can cut $20 billion from the food stamp program, and provide only $100 million extra each year to the food banks that former food stamp recipients are turning to, without causing hunger to soar. That is exactly what has happened, and while broader improvements to the nutrition safety net are needed, hunger won't wait. This bill would deliver the immediate, targeted relief that is needed now by food banks that are too often forced to cut rations or turn people away for lack of food.

The strong economy has helped perpetuate the myth that working people and senior citizens are sheltered from hunger. In fact, they are the main reason that the lines at food banks are growing. Children too dominate the roster of those food banks help: two out of five of their customers are children. In all, an astounding 25 million Americans are turning to food banks each month to help make ends meet and keep hunger at bay.

There is no reason that the strongest economy in a generation cannot find the small sums needed to ensure no American goes hungry. We are not short of money: states alone have $3 billion piling up in the accounts they are supposed to be using to help make welfare reform work, and the federal government has a budget surplus for the first time in decades. We are not short of commodities: agriculture production has never been more bountiful. We are short only of political will, and the honor to lend a hand to the charities that are trying so hard to end the scourge of hunger in the richest nation in history.

I hope that my colleagues will join me and Representative EMERSON in supporting this bill.

The text of the bill follows:

H.R.—

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 ''Food Banks Relief Act of 1999''.

SEC. 2. AMENDMENT.

Section 214 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7515) is amended by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated $100,000,000 to purchase and make available additional commodities under this section.

''(2) Not more than 15 percent of the amount appropriated under paragraph (1) may be used for direct expenses (as defined in section 204(a)(2)) incurred by emergency feeding organizations to distribute such commodities to needy persons.''.

TRIBUTE TO TOM B. SMITH

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a good friend and great Arkansan who passed from this world earlier this year. Thomas Benton Smith, or Tom B. as his friends called him, was born in Wynne, Arkansas where he spent his life working to improve the town and Cross County.

Tom B. served as county attorney and deputy prosecuting attorney in Cross County and was municipal judge for Cherry Valley. He was also city attorney for Hickory Ridge and had served as a special Arkansas Supreme Court associate justice. A faithful Democrat, Tom B. also spent many, many hours working as the chairman of the Cross County Democratic Central Committee, as state Democratic Committee Treasurer and was a delegate to the Democratic National Convention as well as Democratic state conventions. He was also Chairman of the Cross County Election Commission.

Serving his community and working to make Wynne a better place to live was something that Tom B. strived to do. He was a member of the Wynne Chamber of Commerce and the past president of Wynne Fumble Club and a past board member of the Arkansas Community Foundation. He was also the founding president of the board of Little Sheep Day Care at Wynne Presbyterian Church.

Tom B. meant a lot to me, my family and the people of Arkansas and he will be greatly missed. His perpetual good humor, loyalty to his friends and family and the things he cared about made him not only much beloved but made his community a better place to live, work and raise a family. Tom B. has honored all of us with his friendship and service and I am proud to have called him my friend.

SALUTE TO THE MOUNDS VIEW MUSTANGS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. VENTO. Mr. Speaker, Minnesota's Fourth Congressional District is distinctly blessed this year with the triumph of two high school men's basketball teams in the Minnesota State Basketball Tournament.

I would especially like to congratulate and commend, the Mounds View Mustangs for their thrilling 69–64 victory over the reigning Minnetonka Mustangs in the Class AAAA Championship. Behind at the start of the final period, the Mustangs climbed into the lead with less than 8 minutes left and held on to win.

My congratulations to the Mounds View High School, Coach Kauls and all the Mustangs. Their team spirit, never say die attitude is an example for us all. At this time I would like to share with my Colleagues an article describing the Mustang victory.

[From the Star Tribune, Mar. 21, 1999]

MOUNDS VIEW HOLDS ON: HORVATH SCORES 31 AS MUSTANGS TOP LAST YEAR'S 4A CHAMPION, MINNETONKA

(By Brian Wicker)

Mounds View senior center Nick Horvath started out fabulous and got better as the game progressed, scoring a game-high 31 points to lead the Mustangs over defending champion Minnetonka 69–64 Saturday night for the Class 4A boys' basketball championship before 13,682 fans at Williams Arena.

The third-ranked Mustangs (24–3) trailed 50–49 entering the fourth quarter. After senior guard Cal Ecker hit a three-pointer with 7:43 remaining to give Mounds View a 52–50 lead, Horvath scored eight of the Mustangs' next 10 points. Mounds View led 65–62 with 45.3 second to play and held it when two three-point attempts by Minnetonka senior guard Brendan Finn missed. The Mustangs then made just enough free throws in the final minute to hold on.

''We always expect a lot of Nick [Horvath], and he produced again,'' Mounds View coach Ziggy Kauls said. ''But you don't win one of these things without more of a team.''

Mounds View's title was the school's second, to go with the 1972 Class AA championship. Kauls coached them both.

Said Horvath, who will attend Duke: ''This is just great. This will go with my four national championships I'm going to win there.''

Minnetonka point guard Adam Boone nearly lifted the Skippers in the final period (26 points), making three clutch baskets in a two-minute span to keep the No. 2 Skippers (23–4) close. The defending champions deflated somewhat, however, when star forward Shane Schilling fouled out with 1:07 to play.

Minnetonka's search for a second consecutive title began with looking for replacements for graduated four-year starters Ryan Keating and Jake Kuppe. Boone, a junior, filled Keating's void at point guard after his family moved from the Minneapolis Washburn area to Minnetonka.

The Skippers' answer for Kuppe was already present in senior Grant Anderson, a 6–7 center with superb defensive skills and a quick first step.

And, best of all, the Skippers still had the high-scoring, high-flying Schilling.

Mounds View's state tournament only lasted one game a year ago, after the Mustangs lost 55–54 to Minneapolis North in the quarterfinals. Since that time, Horvath had been part of the gold-medal-winning 18-under team at the World Youth Games in Moscow last summer and become even more dominant a player. His experienced supporting cast, including Ecker and senior forward Drew Brodin, didn't hesitate to take important shots when Horvath found himself surrounded with defenders.

With Division I talents such as Schilling and Horvath able to take over games, the teams did their best to get rid of the opposing star. The Skippers pounded the ball inside to Anderson on their first few possessions, trying to put Horvath in early foul trouble, and were eventually successful. Schilling, on the other hand, aggressively ran into foul problems on his own.

Minnetonka led 14–12 after the first quarter, the difference being a T.J. Thedinga layup that Mounds View contended came after the buzzer.

IN HONOR OF JOHN F. SEGREST, JR. UPON HIS 83RD BIRTHDAY

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. RILEY. Mr. Speaker, I rise today to recognize John F. Segrest, Jr. on the occasion of his 83rd birthday.

John Segrest was born and raised in Macon County, Alabama. He attended Tuskegee High School and was a member of the Tuskegee High School Football Team. After graduation in 1937, he went on to attend Auburn University and from there to work as a soil chemist for United Fruit Company in Costa Rica.

In 1941, he returned to Macon County to join the Air Force, feeling it important to fulfill his duty to his country. John Segrest flew his first mission in September of 1942 as a member of the 92nd Bomber Group and the 327th Squadron. Two weeks later, he was in an airplane that was hit by enemy fire. They were able to return to England, and despite the fact that he was injured, John Segrest put his men first. For this, he won the Air Medal and one Oak Leaf Cluster. On April 17, 1943, he was shot down over Germany and was taken as a Prisoner of War. He spent the next two years as a prisoner of war in Stalag 3. For this, he earned the Purple Heart and another Oak Leaf Cluster. He was discharged from the Air Force in 1946 and returned to Tuskegee, Alabama, and Auburn University where he completed his college degree.

John Segrest settled down in Macon County, married Frances Cobb and worked for the Macon County Extension Service from 1946 until 1957. In 1958, he became Postmaster of Tuskegee, a position he held until 1981, when he retired to take care of his mother. Since his retirement, Mr. Segrest has become even more actively involved in politics. Finally, this year, he has decided to retire as Chairman of the Macon County Republican Party.

I salute the life of John F. Segrest, Jr. and his service to his country, his state and his community.

TOBACCO SETTLEMENT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. WAXMAN. Mr. Speaker, today I and my colleagues are introducing legislation to ensure that the federal Medicaid dollars recovered in last year's tobacco settlement are spent to improve the public health and to fund effective tobacco control policy.

In the last few months, the states have been asking Congress to overturn thirty years of Medicaid law. The states want to keep the federal health care dollars recovered under the settlement and to use these federal dollars for whatever purposes they desire. In the process, members are being urged to rewrite Medicaid law.

This is wrong. Half of the funds that are being recovered are federal funds that were spent by the federal government as its share of the Medicaid expenses for tobacco-related illness. These funds should not be used to build bridges, pave roads, or fund tax cuts. They should be used for health services and tobacco control programs.

That is why today I and my colleagues are introducing legislation that will ensure that these federal health care dollars are spent in the best way possible: to improve public health and to protect the health of our children.

I know that this position is not popular among the governors, but it is right. As federally elected officials, we have a responsibility to ensure that these federal health care dollars are spent wisely.

It is indisputable that the state settlements with the tobacco companies were in large part based on Medicaid claims. Tobacco-related illness costs the Medicaid program nearly $13 billion a year, and over half of those costs are paid for by the federal government.

Money from the tobacco settlement should be spent to break the cycle of addiction, sickness, and death caused by smoking. That is why this legislation will require that 25% of the funds be spent by the states precisely for these purposes.

The bill also requires that 25% of the tobacco settlement be spent by the states on health. We have given the states options to tailor their expenditures to their priority health care needs. They can use the funds for outreach to enroll individuals—children, the elderly, and the disabled—who are eligible for health services or to help with their Medicare premiums. They can use them to improve Medicaid coverage or services or they can use them to extend public health or preventive health programs.

Under this bill, most of the federal dollars are given back to the states, in recognition of their leadership role in suing the tobacco companies. There are, however, a few tobacco control activities that are best carried out at the federal level. For this reason, the bill retains at the federal level $500 million to fund a nationwide anti-tobacco education campaign and $100 million to implement the Surgeon General's recommendations on minority tobacco use. The bill also contains federal provisions to ensure that our tobacco farmers have a stable economic environment so that they can begin an orderly transition to a more diversified economy.

Today the original claims in the tobacco litigation have become story and legend, and it is easy for the facts to be forgotten. But the fact is that a substantial portion of the tobacco settlement is federal health care dollars. It is not the states' money to spend as they please. It is our duty and responsibility to ensure that these federal dollars are spent to improve our nation's health.

JOURNEY IN FAITH: WORKING FOR SPIRITUAL RENEWAL IN AMERICA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. GILMAN. Mr. Speaker, I had the privilege of speaking at the First Annual Summit Meeting of Journey in Faith, a non-profit organization dedicated to the moral and spiritual revitalization of America in the New Millennium. The mission of Journey in Faith is to equip the future leaders of America to be moral and spiritual strongholds for the next generation. It was an honor to open the first annual summit of this worthwhile organization. I submit the full text of my remarks at this point in the RECORD:

Thank you for your kind introduction. President Bradley, ladies and gentlemen, it is a pleasure to be with you this morning—to welcome you to Capitol Hill, and to our International Relations Committee room.

I was reading some of the background material that Gene Bradley sent to me, and I noted that among the dangers we confront as we close out the 20th Century is the continuing violence worldwide; terrorism in the Middle East, tribal-based massacres of people in Africa, the conflict in Kosovo, and the narco-guerrillas in Latin America.

I couldn't help but wonder whether it is just a coincidence that we are meeting in the room of the one Committee of the House of Representatives whose responsibilities includes concern for these events and their impact—not only on America—but throughout the world.

I'm especially pleased that Gene invited me to address you as you open your conference, because he and I go back a long

way—to when our hair was darker, and we had more of it.

We have shared an interest in bringing government and business together in the planning and conduct of our Nation's foreign policies.

Gene Bradley founded ''Journey in Faith'' as a non-profit organization in the conviction that leadership by men and women of strong religious faith is needed now more than ever, as we stand on the brink of a new millennium.

The 20th Century was perhaps the most paradoxical in recorded history.

It saw the greatest advances ever in human progress, as recorded in material terms; expansion of personal liberty and freedom, advances in medicine, improvements in the physical quality of life, to mention just a few.

The 20th Century also recorded the greatest slaughter of human beings ever. Beyond the two World Wars, we have seen government sponsored genocide efforts—deliberately and brutally eliminating millions of innocent men, women and children, as never before.

The 20th Century also marked the emergence of our Nation to stand as a colossus on the world stage. Yet, as we look to the 21st Century, our Nation also stands at a crossroads.

On the one hand, we are the world's leading superpower. We are perceived as a symbol of strength and of integrity. We are the ''city on a hill,''—to be an inspiration to other nations.

Founded as a nation rooted in the Scriptures, enriched by our Judeo-Christian traditions of law, morality and the intrinsic worth of every human being—we are poised for a new era of leadership.

On the other hand, our Nation is beset by an assault on moral values—on our homes, families and neighborhoods—as never before. It is both overt and subtle and takes many forms.

We need a resurgence of the moral values that have made our Nation strong—the values that built our Nation; that enabled us to succeed in a revolution, to go through the fires of a Civil War, to survive two World Wars, and to emerge stronger than ever.

We need a resurgence of moral values so that America can beat back the assaults that threaten us, and I believe that no challenge facing us is more serious than drugs, which are flooding into our country from abroad at an unprecedented rate.

Drugs are destroying our children, destroying families, destroying schools and communities. Drugs cost our economy billions in lost wages and salaries, in health care costs, in welfare costs and the burdens on our judiciary and corrections systems, not to mention the tragic loss of life.

Each year, there are more than 16,000 drug-related deaths and 500,000 drug-related injuries. There are 12 million drug-related property crimes. Drugs play a role in most of the violent crime that afflicts our cities and towns.

New York Mayor Rudy Giuliani recently informed our Committee that 70 percent of all prisoners are incarcerated for drug-related crimes.

The cost of caring for each new born crack baby is estimated to be $100,000. It is also estimated that one-third of all new AIDS cases in the United States are drug-related.

Those statistics reflect a trend that began during the 1960s and 70s, when opposition to the Vietnam War helped to glamorize drugs, sex and even violence.

Drugs were further glamorized through such media events as that famous Woodstock festival—and in movies such as ''Easy Rider.''

Even today, elites of Hollywood and the entertainment world—and in some political circles—still consider drugs as a form of recreation. There are even widespread efforts to legalize drugs.

Yet, without question, drugs are a prescription for despair. For the addict, and for the addict's family and loved ones—there often must be a turning to a higher power if the deadly clutches of drugs are to be escaped.

Where ever drugs gain a foothold, crime, destruction and chaos follow. Yet, where we see these scourges, we also see the possibility of hope.

Even as drug use is rising among some segments of our population, there has also been a resurgence in religious affiliation.

In the midst of danger, there is opportunity, and Journey in Faith reflects recognition of that opportunity. Our nation is in a struggle to defeat the scourge of drugs.

It is a struggle that can, and must, be won, and I would like to welcome all of you as partners in a revitalization of American culture by making it drug free and by making international narcotics trafficking a top foreign policy priority.

You are launching ''Journey in Faith'' at an historic moment when we are poised to enter the new millennium. It promises to be a dramatic turning point in human history. The question is whether it will be a millennium marked by darkness or light.

If America succumbs to the scourge of narcotics, then the forces of darkness will have won, and the light that makes America the world's shining city on the hill will have been extinguished.

Working together, we can defeat those forces of darkness by applying a sense of moral values in our foreign policy as we reach out to try to make this a safer and more peaceful world for all men and women.

HONORING SENATOR SAM ROBERTS

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BARR of Georgia. Mr. Speaker, I rise today to honor a truly courageous citizen of Georgia's Seventh Congressional District, state Senator Sam Roberts.

Unlike the U.S. House of Representatives, in Georgia we have a true, part-time citizens' legislature. The Georgia General Assembly meets once a year for 40 days, conducts the peoples' business, and adjourns. Needless to say, the need to accomplish a year's work in a few months makes for late nights and long days. The pressure is only increased by the many commitments members have to families, businesses, and employers.

However, during the most recent legislative session, no Member faced a tougher battle than Senator Sam Roberts of Douglasville. A few weeks before the session began, Sam was diagnosed with a malignant tumor in one lung. He immediately began chemotherapy and radiation treatment, which has resulted in remission of the tumor. All indications are that Sam has won his battle with cancer.

Even more amazingly, throughout his treatment, Sam did not miss a single legislative day. He sat at his desk drinking orange juice and water as his doctor ordered, and kept moving full speed ahead. In the process, he set a standard for public servants everywhere, and serves as a shining example for everyone who has ever confronted a life-threatening disease. I commend Sam for his courage, and I also salute his wife Sue, and his children Sherrie, Beau, Amber, who have been right there with Senator Sam throughout his journey.

THE GOOD SAMARITAN TAX ACT

HON. TONY HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise today with my colleague from New York, Mr. HOUGHTON, to introduce legislation to amend the Internal Revenue Code to make it easier for businesses and farmers to donate food to food banks.

It can be expensive to provide food for the poor. The food must be collected, packaged, perhaps refrigerated or frozen, and transported, before it can be distributed to food banks, soup kitchens, homeless shelters and other organizations that serve the hungry. Because of this, it could make more economic sense for the businesses to discard unsold but edible food than to donate it. Indeed, billions of pounds of food are thrown away each year.

To encourage greater charitable contributions, we believe that businesses and farmers who donate food ought to receive the same types of tax incentives as do businesses who donate other types of inventory. This is not always the case.

The Good Samaritan Tax Act would do two things. First, it would equalize tax treatment of donations of food and other inventory. Secondly, all businesses, not just corporations, would be eligible for this favorable tax treatment if they donate food.

This bill has been endorsed by both industry and charitable organizations that deal with food including Second Harvest, National Council of Chain Restaurants, National Farmers Union and Food Chain.

The text of the bill follows:

H.R. —

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 ''Good Samaritan Tax Act''.

SEC. 2. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR CONTRIBUTIONS OF FOOD INVENTORY.—

''(A) CONTRIBUTIONS BY NON-CORPORATE TAXPAYERS.—In the case of a charitable contribution of food, paragraph (3) shall be applied without regard to whether or not the contribution is made by a corporation.

''(B) DETERMINATION OF FAIR MARKET VALUE.—For purposes of this section, in the case of a charitable contribution of food which is a qualified contribution (within the meaning of paragraph (3), as modified by subparagraph (A) of this paragraph) and which, solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, cannot or will not be sold, the fair market value of such contribution shall be determined—

''(i) without regard to such internal standards, such lack of market, or such circumstances, and

''(ii) if applicable, by taking into account the price at which the same or similar food items are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1999.

REPETITIVE FLOOD LOSS REDUCTION ACT OF 1999

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BENTSEN. Mr. Speaker, I rise today to introduce the Repetitive Flood Loss Reduction Act of 1999. Mr. Speaker, every year in the United States many of our constituents suffer the devastating loss of their home from rampaging flood waters. I am introducing the Repetitive Flood Loss Reduction Act to correct a serious flaw in the National Flood Insurance Program (NFIP) by improving pre-disaster mitigation and facilitating voluntary buyouts of repetitively flooded properties. Specifically, my legislation will:

Provide $90 million to the Director of the Federal Emergency management Agency (FEMA) to purchase homes insured by the NFIP that have flooded at least three times and have received cumulative flood insurance payments of at least 125 percent of the value of the structure.

Provide $10 million in grants to states to seek non-structural alternatives to protect flood-prone communities.

Create new incentives for home owners to comply with post-FIRM building standards. If a buyout offer is refused by the NFIP policy holder, their yearly premium will automatically increase by 150 percent and their deductible will rise by $5,000. For every future flood incident when the structure is substantially damaged the premium and deductible will rise again by the aforementioned amount.

Grant more discretion to local flood officials to determine how best to use this program. State or local flood plain administrators will provide the Director with a list of priority structures that should be targeted for participation in the buyout program.

I am hopeful that these steps will lead to a more effective pre-disaster mitigation and buyout program that will both reduce costs to taxpayers and better protect residents of flood-prone areas. I have drafted this legislation in consultation with the Federal Emergency Management Agency and the Harris County, Texas, Flood Control District, one of the Nation's most experienced and innovative flood control districts. However, I want to emphasize that I consider this legislation to be a starting point to begin the debate, and I look forward to input from my colleagues, my constituents, and other interested parties.

Some ideas in this bill will be considered controversial and may need to be changed. By introducing this bill, I am not endorsing each provision, but rather, the idea that some action needs to be taken to reform the National Flood Insurance Program. In fact, it is my hope that the public will review the contents of the bill and make their specific support and objections known, so we can develop consensus legislation.

The need for this legislation was underscored by a report sponsored by the National Wildlife Federation, that the National Flood Insurance Program has made flood insurance payments exceeding the values of the properties involved to thousands of repetitively flooded properties around the Nation. This report, entitled Higher Ground, found that from 1978 to 1995, 5,629 repetitively flooded homes had received $416 million in payments, far in excess of their market value of $307 million. My state of Texas led the Nation in volume of such payments, with more than $144 million, or $44 million more than the market value, paid to 1,305 repetitively flooded homes. The Houston/Harris County area, which I represent, had 132 of the 200 properties that generated the largest flood insurance payments beyond their actual value.

This included one property in South Houston that received a total of $929,680 in flood insurance payments from 17 flooding incidents, and another property near the San Jacinto river that received $806,591 for 16 flooding incidents, about 7 times the actual value of the home.

Other areas around the country have also had the same incidents occur. Altogether, according to the National Wildlife Federation report, although repetitive flood loss properties represent only 2 percent of all properties insured by the National Flood Insurance Program, they claim 40 percent of all NFIP payments during the period studied.

Since its creation in 1968, the NFIP has filled an essential need in offering low-cost flood insurance to homeowners who live inside 100-year flood plains. The program has helped to limit the exposure of taxpayers to disaster costs associated with flooding. However, the recent report clearly points out the need to improve the NFIP to address the problem of repetitive loss property.

Furthermore continued losses to the NFIP has increased the call by some of my colleagues to increase premiums and reduce the Federal subsidy for all Federal homeowners in the flood plain, not those who suffer from repetitive flooding loss, in order to reduce Federal budget outlays.

Without long-term comprehensive reform of the NFIP, I am concerned that in the future, Congress may follow through with proposals to double or triple flood insurance premiums for all flood-prone homeowners, as was proposed in 1995 and 1996. Many of us, myself included, fought vigorously to oppose these increases, but our victory will be short-lived if we do not make changes in the program.

These repetitive loss properties represent an enormous cost for taxpayers. They are also a tremendous burden to residents whose lives are disrupted every time there is a flood. In many cases, these residents want to move but cannot afford to do so. By repeatedly compensating them for flood damage, current Federal law makes it easier for them to continue living where they are, rather than moving to higher ground.

TRIBUTE TO OSCAR FENDLER

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a man from the 1st Congressional District of Arkansas who will celebrate his 90th birthday in Blytheville, Arkansas this weekend. Mr. Fendler is one of Arkansas' foremost lawyers and has practiced law since 1933 in Blytheville except for four years from 1941–45 when he was on active duty with the U.S. Navy.

Born in Blytheville and raised in Manila, Mr. Fendler has received many honors during his 65 years of law practice. He is the former president of the Arkansas Bar Association and a fellow in the American College of Trust and Estate Council; a fellow of the American Bar Foundation; chairman of the Section of General Practice of the American Bar Association; a member of the House of Delegates of the American Bar Association, the ABA's governing body; and a member of the American Judicature Society, among other honors.

Mr. Fendler also had an interest in journalism. He is the former chief editorial writer for the Arkansas Traveler, the student newspaper at the University of Arkansas and while attending Harvard Law, he free-lanced as a reporter for the St. Louis Post Dispatch.

Oscar Fendler has been a leader and advocate for Mississippi County and Northeast Arkansas for his entire life. He is a living history of that area. Mr. Fendler has been a strong voice in Arkansas law and I wish him the best on his 90th birthday and congratulate him on his 65 years of service in our state.

SALUTE TO THE HIGHLAND PARK MEN'S BASKETBALL TEAM

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. VENTO. Mr. Speaker, I would like to offer my sincere congratulations to one of the outstanding high school basketball teams in Minnesota's Fourth Congressional district who have met the challenges of athletic competition, St. Paul's Highland Park Men's Basketball Team has claimed the high school championship title in Class AAA Division.

Much praise and honor is to be extended to these young men and their coaches for their hard work and success. This team has surmounted obstacles that many thought would

prevent them from reaching this achievement. Highland Park is the first public school in St. Paul to win a state boys basketball championship in fifty years.

This type of healthy competition epitomized by the Minnesota High School League that helps young people throughout our state and nation develop the self confidence and teamwork skills as they focus their energies within an exciting sports program. Once again, I offer my congratulations and I wish them luck for their future basketball seasons.

Mr. Speaker I would like to submit an article by the Pioneer Press on the victorious Highland Park Men's Basketball Team.

[From the St. Paul Pioneer Press, Mar. 21, 1999]

ST. PAUL GETS RARE TITLE BY PUBLIC SCHOOL

(By Mike Fermoyle)

Highland Park compensated for a disadvantage in size with speed, a tightly run offense and a relentless defense Saturday night.

The result was a 56–46 victory over Cold Spring Rocori in the Class AAA final at Williams Arena and with that came the first state boys basketball championship by a St. Paul public school in half a century.

Humboldt beat Mankato in 1949, the last St. Paul public school to win a title. Cretin-Derham Hall, the only private school in the St. Paul City Conference, won two Class AA titles under the old two-class format, in 1991 and 1993.

Highland Park (27–2) suffered its only losses in consecutive games, first to De La Salle in the final at the Fargo (N.D.) Shanley tournament, and then to Central in its St. Paul City opener.

''When that happened,'' Scots coach Charles Portis said Saturday, ''I thought we were headed in the wrong direction.''

Instead, his team won its last 20 games.

Terrance Stokes, a 5-foot-9 point guard, ran the offense (he had five assists), made major contributions on defense and scored 14 points for Highland.

Mark Wingo would up with 17 points, had nine rebounds, and the 6–5 senior forward concluded the festivities by taking a pass from Thomas Miley and dunking it in the final second.

Sophomore Maurice Hargrow added nine points for the Scots, and he, like Stokes, was a thorn in the side of the Rocori offense all night, making five steals.

''We knew they were big,'' Stokes said of the Spartans, ''but that just meant we had to play great defense.''

Which the Scots did.

Jason Kron of Rocori led all scorers with 21 points. But no other Spartan reached double figures.

''We just didn't get the ball inside to our big guys the way we normally do,'' Rocori coach Bob Brink said. ''It was their defense. They just put so much pressure on the perimeter that they took us out of our offense.''

The Scots made their first two shots, getting a layup from Wingo to open the scoring and a three pointer from Stokes on their second possession.

But it was 2½ minutes before they scored again.

Meanwhile, the Spartans were finding the range. Kron, a 6–6 forward, made a 15-foot jump shot to put his team on the board, and 6–8 center Mike VanNevel followed up with a 12-footer.

I spent all day worrying about their height,'' Portis said, ''It's not just that they're tall, it's that they're big and versatile. They can all play away from the basket, and that makes them really tough to guard.''

Kron's sophomore brother, Steve Kron, added a three-pointer with 4:50 remaining in the opening period to give the Spartans their first at 7–5.

It was 11–7 for Rocori when Josef Mathews reignited the Scots with a three-pointer. That came with 2:28 left.

Stokes swiped the inbounds pass and scored on a layup, and suddenly Highland had its nose in front again at 12–11,

The Highland scoring spree paused briefly, as 6–6 Jeff Donnay made one of two free throws for the Spartans.

But Miley's 15-footer from the left side of the key marked the beginning of a 7–0 run for the Scots that took just 45 seconds.

Hargrow scored the last five points in the run. Mathews made an steal and then sent Hargrow in for a layup, and Hargrow knocked down a three-point shot with 55 seconds left in the quarter, increasing the Highland lead to 19–12.

The Scots slowed things in the second quarter, trying to force Rocori to spread out its zone defense. However, it was Highland's man-to-man defense that dominated the period.

After the Spartans cut the deficit to 23–18 on two free throws by Ryan Mathre with 6:06 remaining in the half, the Scots held then to two points the rest of the period.

Highland wasn't lighting it up, but Stokes converted a steal into a layup with 4:55 left, and he added a three-pointer nearly three minutes later. Miley's basket with exactly one minute to go made it 20–20, and that's how the half ended.

Rocori chopped six points off the Scots' advantage while Highland went scoreless through the first 3:55 of the third period. Mathews made a three to end the Rocori run.

Hargrow set up Wingo for a spectacular alley-oop dunk that he turned into a three-point play with 2:48 left, but Wingo's next basket was the only other one for the Scots in the quarter, and they were clinging to a 38–35 lead.

Joshua Watson scored the first points of the final quarter for Highland. Stokes supplied a layup, then missed the subsequent free throw, but Miley got the rebound and put it back in to make it 44–35. It was one of seven rebounds for the 6–8 Miley.

''The stat sheet says we outrebounded them (28–24),'' Brink said. ''But it seemed like they got all the crucial rebounds.''

Three-pointers by Jason Kron and Steve Kron cut the margin to 44–41, before Hargrow and Wingo collaborated on another Wingo layup and with just over three minutes remaining.

Two free throws by Wingo made it 48–41 with 1:32 left.

PROVIDING FOR CONSIDERATION OF H.R. 975, REDUCING VOLUME OF STEEL IMPORTS AND ESTABLISHING STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM

SPEECH OF

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. RILEY. Mr. Speaker, I rise today in strong support of H.R. 975, the Steel Recovery Act. For almost two years now, the United States has seen a flood of illegal steel imports enter our markets from Asia, Russia and Brazil. In the meantime, more than 10,000 Americans have lost their jobs, including over 500 in Alabama.

These foreign nations are dumping their steel on our markets in direct violation of U.S. trade laws. Hard-working Americans are loosing their jobs because foreign companies are breaking our laws. Numerous American steel companies have been forced into bankruptcy as a result of foreign countries sabotaging our markets and dumping their steel at below production costs. In my home state of Alabama, one company is in dire financial trouble, putting 1,906 jobs in jeopardy.

Current trade laws are too cumbersome and too slow in providing short term relief from illegal dumping. This legislation will help us return to the pre-crisis import levels of 1994–1997. Currently, Japan's steel imports into the United States are up 96% from its pre-crisis level. Moreover, Korea's imports are up 155% and Indonesia's are up 705%. If the current Administration will not act, Congress must!

I support H.R. 975 because it contains key provisions that will help stop this crisis. By levying tariff surcharges, setting quotas and establishing programs to ensure that U.S. anti-dumping trade laws are not being violated, we can once again return to pre-crisis levels and ensure a level playing field for our domestic steel industry.

I will not allow international interests to strong-arm our steel industry and hurt our economy. Neither should you! I urge you to join me today in supporting H.R. 975.

OPENING REMARKS OF GENE E. BRADLEY, PRESIDENT AND CEO OF JOURNEY IN FAITH AT THE FIRST ANNUAL SUMMIT IN WASHINGTON, MARCH 15, 1999

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. GILMAN. Mr. Speaker, I submit for the CONGRESSIONAL RECORD the following remarks of Gene Bradley, President and CEO of Journey in Faith, delivered at the organization's First Annual Summit in Washington:

How fortunate we are to be here today—on Capitol Hill as guests of Congressman Ben Gilman and Tim Petri, Honorary Co-Chairs and Co-Hosts of Journey in Faith. How fortunate we are to be meeting in this magnificent International Relations Committee Room as we reason together: ''How can we, as partners, best contribute to the spiritual renewal of America in the New Millennium?''

I have been privileged to know Ben Gilman and Tim Petri over several enriching, fun, productive decades. I met both Ben and Tim while I was serving with IMDI, the International Management and Development Institute. Both were Congressional Members of IMDI, and Ben became an Honorary Member of our Board of Directors. Because Ben is our Honorary Host for today, I now want to say a few words about this dedicated American.

Throughout much of the cold war, Ben Gilman was on the cutting edge of U.S. policy

which contributed so mightily to the defeat of the Soviet nuclear threat and aggressive world communism. He won worldwide acclaim as a human rights champion. He is noted for his relentless crusade against narcotics abuse and trafficking, co-founding the House Select Committee on Narcotics.

I have been with Ben as he briefed my institute's corporate, government, and diplomatic associates again and again—here in Washington and in most major capitols across Europe.

But the vision I hold most sharply in focus is when we went together on a mission to Jamaica at the height of the drug-trafficking crisis. Congressman Gilman—the key Member of Congress responsible for controlling narcotics—did not rely on just conferring with U.S. and Jamaican government officials. No. He needed, he requested, and he got a first-hand on-site view of what was going on. He knew that all was not going well. So in a helicopter, Ben Gilman flew 100 feet over acres and acres of marijuana crops. Yes, the drugs were there, and so was Ben.

As we began planning this First Washington Summit Meeting for Journey in Faith, I found great inspiration in these three passages from the Holy Scriptures (Matthew and Mark):

(1) Ye are the light of the world. A city that is set on a hill cannot be hid.

(2) * * * freely ye have received, freely give.

(3) Go ye into all the world, and preach the gospel to every creature.

First Point: America is a light that cannot be hid. As Ben Gilman has stated so accurately and eloquently, America is perceived worldwide as a symbol of strength and integrity, a city set on a hill—a free society rooted in Judeo-Christian traditions of law, morality, and the intrinsic worth of every human being. We find confirmation of our spiritual heritage as we tour the Congress, the White House, Washington's spectacular monuments . . . as we examine our founding documents beginning with America's Declaration of Independence which solidly affirms—''. . . we hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights . . .''

From Jefferson: ''The God who gave us life, gave us liberty at the same time.'' The official motto of the United States, ''In God we trust,'' was legislated by Congress in July 1956. We are reminded of that motto, ''In God we trust,'' by the inscription on the coins we carry in our pockets.

Second Point: Here in America, freely we have received; and most notably in this century, freely have we given in the cause of freedom to the world. Without America, could the Allies have defeated Nazi Germany in World War II? Without America, could our courageous Allies in NATO have compelled the collapse of the Berlin Wall and the Soviet Empire? We close out the 20th century with profound gratitude to God and to the heroic men and women whom Tom Brokaw has profiled in his book as ''The Greatest Generation.''

Third Point: Now America's mandate for the century just ahead is to go out into the world and share with others the priceless heritage and blessings we have been privileged to enjoy. Journey in Faith is one element—just one initiative—in this vast panorama of opportunity. We are a new religious institute with focus on leadership and on the fulfillment of this mission:

The mission of Journey in Faith is to conduct leadership pilgrimages to the Bible Lands—where today's leaders and tomorrow's future leaders can walk in the footsteps of Jesus Christ, learn the leadership lessons He taught, deepen their faith, and experience spiritual renewal.

In my remarks I shall focus on three points: (1) Birth of the idea—Journey in Faith. (2) Where we are today in our second year—a status report, as we prepare to enter the next century. (3) Our vision for the decades ahead.

1. BIRTH OF THE IDEA

With us today is my partner in journalism, Wes Pippert—dedicated Christian, accomplished book author, senior correspondent for UPI here in Washington and the Middle East. Wes and I were deeply engaged in interviewing Christian leaders for the book we are co-authoring on Modern Miracles. Wes had served for three years in the Bible Lands. My Bible Lands mission was for just two weeks—but a two-week pilgrimage that deepened my faith and redirected my life. Wes and I asked ourselves: ''What if the Christian leaders we are interviewing for our book—men and women of strong spiritual courage, could experience the priceless privilege each of us has known?''

Wes and I began exploring the idea with those we are profiling in our book beginning with General Ronald H. Griffith. We had interviewed the general for his remarkable experience during Desert Storm; his story appears in our article published in New Man Magazine entitled, ''Miracle in the Desert.'' Ron's response to the idea was immediate and enthusiastic; Journey in Faith had his full support. And this support, more than any other single factor, helped to launch our mission. Ron became co-chairman for the Pilot Pilgrimage in January of last year. He is co-chairman for this two-day Summit today and tomorrow. And he is chairman of the new non-profit religious-educational institute we have founded.

Next, we met with our friend, Scott Scherer, President of Trinity World Tours, who has become Mission Director for Journey in Faith. Scott contributed a service none of us could have anticipated: He was able to obtain free airline passage and free hotel arrangements for the 36 leaders who would become members of our Pilot Team.

2. WHERE WE ARE TODAY

Journey in Faith finds itself where we are today because of the foundations laid through our unforgettable 7-day pilgrimage one year ago. In that Pilot Pilgrimage we followed the journey pioneered by Jesus Christ 2,000 years ago—across the Sea of Galilee where we sailed through a storm, where Christ had walked across the raging waters—the Mount of Beatitudes, the field where Jesus fed the 5,000, the desert and the pinnacle where He rebuked and vanquished the devil—the sites of His miracles where He healed the sick, cleansed the leapers, comforted those who mourn, raised the dead—the site of the Last Supper—the last 24 hours—the trial, the crucifixion, the Garden Tomb and the miracle of Christ's resurrection. All of us were deeply moved. What did that seven-day pilgrimage mean to us? To quote just three of our pilot-team members:

(1) West Point Chaplain (Major) John Cook: ''I've been a Christian for 32 years and a minister for almost 13 years, yet my Journey-in-Faith to Israel has been a life-changing experience * * *'' (2) Clyde King, Brooklyn Dodgers Hall of Fame: ''I was transformed.'' (3) Rome Hartman, Producer, CBS/60 Minutes: ''Walking in His footsteps and seeing the land He saw was plenty powerful, but to also hear His Word taught at every stop along the way is life-changing.''

We had a marvelous team—including 4 from the ministry—4 military (three- and four-star generals)—education, the professions—CBS-60 Minutes, CNN, National Public Radio—giants from the sports world—corporate, the Congress, former director of the CIA.

Why do we focus on leaders?

Because leaders are decision-makers whose decisions impact the lives of others—indeed, the whole of society. Who is a leader? Each of us is a leader to the degree we accept the responsibilities thrust upon us. Our conviction is that leadership is inherent within each of us—and then expands into the home, and then out into our profession, and out into our world.

3. OUR VISION FOR THE DECADES AHEAD

As we stand at the threshold of the 21st Century, our vision for Journey in Faith is that we can expand outward from our pilot leadership team to embrace America's leadership in these 10 sectors of society: 1. Ministry, 2. Military, 3. Sports, 4. Education, 5. Health, 6. Business, 7. Law, 8. Congress, 9, Journalism, and 10, Entertainment.

''The process'' can be gentle, dynamic, indeed irresistible—like dropping a pebble into a pond and witnessing the waves as they go out in concentric rings until they reach all shores.

Our actions are on course. Here is a ''status report in brief'': 1. We are chartered as a 501(c)(3) non-profit educational-religious institute. 2. Our starting line-up of Members and Associates is confirmed and in place. 3. Our Second Pilgrimage is already planned and scheduled by our Mission Director, Scott Scherer—for January 15–23, Year 2000. 4. We are solvent and debt-free. Our charter members have invested well over a quarter of a million dollars of their own cash and personal resources.

This is a strong, an encouraging beginning. But as we all recognize, nothing worthwhile really comes ''for free''—not in our homes, not in our churches, not in our nation. Without laying solid economic foundations for the future, Journey in Faith could be remembered simply as an inspiring pilot effort. Our founding members believe that if the Lord has brought us this far,—and indeed He has, with joy and grace and fellowship,—then surely He can take us all the way.

What does it take to go all the way? We believe that immediate priorities include these three:

First, we must stay sharply focussed on our mission—leadership pilgrimages to the Bible Lands. We've got to resist temptations to get caught up in today's political controversies, either in Washington or overseas. Our focus—100 percent—is on the lessions lived and taught by Jesus Christ 2,000 years ago.

Second, we must continue to give highest priority to further building our leadership team. On this front, we are experiencing strong momentum, expanding from a pilot team of 36 members a year ago to well over 100 today, and with a goal of no less than 300 within a year. We invite each participant in this summit to join our team as an Associate if you are not already enrolled. There is no time, legal, financial, or other commitment beyond which each Associate feels he or she would like to contribute.

Third, we must plan and conduct our Second Pilgrimage on schedule and with excellence—January 15–23, the Year 2,000. And importantly, we must include young men and women of spiritual faith who will become

members of our Future Leaders Program. In parallel, we must define plans for a continuing, expanding series of pilgrimages well into the early years and decades of the 21st century.

Within two years, we can envision Journey in Faith pilgrimages beginning to generate their own income and cover their own expenses, including sponsoring future leaders, without outside financial support. As of today, we can plan two pilgrimages for this next year, the first year of the new century—and then four each year—responding to the needs and opportunities as they surely will present themselves. When we first met Scott Scherer, we learned that he had just conducted some 80 Holy Land tours the previous year, all self-financing. What is a reasonable forecast for Journey in Faith?

Our vision includes forming partnerships with a ''family group'' of cooperating organizations—such as those five who have joined with us in convening the summit: The International Management and Development Institute, the American Society for Law and Justice, Regents University, the Fellowship of Christian Athletes, and the Center for Religion and Diplomacy. All five are superb organizations whose leaders play a strong role in society.

We can anticipate co-sponsorship with Seminary and Divinity Schools—conducting Bible Lands Pilgrimages for their young men and women studying for the ministry who would have no other way to study, on site, the Scriptures as taught by Jesus Christ.

We can envision the rewards of involving young chaplains from the military academies: West Point, Annapolis, the Air Force Academy. How do we measure the value to our soldiers, and airmen stationed worldwide, prepared to defend America's vital interests against hostile attack?

While we cannot predict the potential for Journey in Faith with precision, we feel that the potential is substantial. With Paul, we can say, ''For now, we see through a glass, darkly . . .'' And we can also remember Paul's declaration, ''I can do all things through Christ which strengtheneth me.''

We close this assessment by reminding ourselves of the words of Jesus Christ which we quoted in our introduction. These passages stand as an inspiration and a mandate not just for His era but for ours as well: ''Ye are the light of the world. A city that is set on a hill cannot be hid—freely ye have received, freely give—Go ye into all the world, and preach the gospel to every creature.''

THE MEDICAID CHILD ELIGIBILITY IMPROVEMENT ACT OF 1999

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BENTSEN. Mr. Speaker, I rise today to introduce legislation, the Medicaid Child Eligibility Improvement Act of 1999, to help more children obtain the health care they need through Medicaid. According to the U.S. Census Bureau, there are currently 4.4 million children in our nation who are eligible for Medicaid but are not receiving the care they need because they are not enrolled in the program.

In Texas, according to the Texas Department of Health and Human Services Commission, there are currently 800,000 Medicaid-eligible children who are not enrolled in their critical health insurance program. Without this coverage, children do not receive the preventive health services they need and deserve. Clearly, we need to do more outreach to these children and their families and encourage them to sign up for Medicaid.

This legislation would allow public schools, child care resource and referral centers, Childrens' Health Insurance Program (CHIP) workers, homeless eligibility agencies, and child support agencies to make the preliminary decision that a child is eligible to enroll in Medicaid so that they can receive coverage while waiting for full Medicaid eligibility determination. Schools and these other agencies are on the front lines of caring for children and can help to educate their families and enroll them in Medicaid.

Under the Balanced Budget Act enacted in 1997, States received a new option under Medicaid to grant ''presumptive eligibility'' to certain children on a temporary basis as their Medicaid eligibility is determined. My legislation would expand this presumptive eligibility option to make it more flexible and attractive to the States. The presumptive eligibility period is normally sixty days and gives States sufficient time to complete the Medicaid eligibility determination process. If a state ultimately determines that the child is not eligible for Medicaid, none of these entities would be penalized or lose funding due to a negative determination. Under this legislation, we would be enrolling children on an expedited basis and could reach some of those 4.4 million children who are eligible but not enrolled.

While some would argue that there will be a cost associated with increasing participation in the Medicaid program, it is important to remember that when Congress enacted Medicaid, it assumed that these children would be covered. I would argue that adding these children is not only morally right, but also cost-effective in comparison to letting these children receive health care on an ad hoc basis. Many of these children will simply go to hospital emergency rooms for treatment and will not be able to pay for these services. In the end, we will pay the cost. With Medicaid coverage, our public institutions will be reimbursed and these children will receive better care through primary care providers instead of high-cost, emergency-care based services.

This legislation is also fiscally responsible in that it would require a state to deduct from their state allotment any funding used for this program. I believe that the small cost associated with this outreach effort will not adversely impact States' ability to provide health care for low-income children and in fact could reduce the States' disproportionate share expenditures.

We know that these children are not being properly served now and we must find innovative ways to ensure that all eligible children are enrolled in Medicaid. My legislation would simply accelerate the application process while maintaining sufficient safeguards to prevent fraud and abuse. My legislation would give states greater flexibility to determine which entities can make these determinations, and States are authorized to apply certain limitations in order to prevent fraud and abuse. My legislation would also permit the Secretary of the Health and Human Services to review States' decisions and ensure that the appropriate entities are allowed to enroll these children. None of these entities could immediately offer these services until their state and the federal government has deemed them to be eligible to undertake preliminary determinations.

I believe this is an important public policy matter which we need to address. My legislation would enroll more children in Medicaid while ensuring that appropriate entities are reviewing these applications. I believe it is more cost-effective to enroll these children and ensure that they are receiving the primary care services they need, rather than sending these children to emergency rooms where children will be sicker and taxpayers will end up paying more. I also believe that we need to improve our current Medicaid presumptive eligibility law by including these new entities which were not included in the Balanced Budget Act. I strongly urge my colleagues to support this critical legislation and would appreciate your support for this effort.

SHANNON MELENDI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to share with my colleagues the tragic circumstances of a constituent, Shannon Melendi, a nineteen-year-old sophomore at Emory University.

Five years ago on March 26th, Shannon disappeared from a park where she worked. No one has seen Shannon since that day.

The prime suspect, a part-time umpire, was previously convicted of kidnaping and sexually abusing a child, but served only two years of his sentence. This was his third sexual offense.

Perhaps if this man had served his full prison sentence, Shannon would not have disappeared. Or, perhaps if he had received a harsher sentence, due to the fact that it was his third sexual offense committed against a child, Shannon would still be here today.

When sexual crimes are committed, we need to ensure that these criminals serve their full sentences so that we can be safe from sexual predators.

Shannon's father summed it up best when he said, ''What happened to us cannot be changed, but because of what happened to us, changes can be made.''

CELEBRATING THE 50TH WEDDING ANNIVERSARY OF DAN AND BEV GANZ

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. McCarthy of New York. Mr. Speaker, March 27, 1999 marks the 50th anniversary of the wedding of Daniel M. Ganz and Beverlee

Kaufman, familiarly known as Dan and Bev Ganz. The two are currently residing in Boca Raton, Florida, but for more than 35 years they were residents of Rockville Centre, New York. In a fashion fitting such an occasion they will be celebrating this anniversary with their two children, family, and close friends.

For many years Beverlee and Danny Ganz lived in Rockville Centre, Long Island, where they raised their family and were active in community affairs. Dan was particularly active with the Recreation Department as a volunteer working with untold numbers to improve their tennis skills.

The couple sent their children to the Rockville Centre public school system. From here their son and daughter, David and Sandy, went to find success both academically and in their respective careers. David went off to Georgetown University, in Washington, D.C., and their daughter Sandy, after receiving South Side High's Laurel Award, went on to Northeastern University in Boston.

After earning a masters degree in physical therapy Sandy became an associate director of physical therapy at the Hospital for Special Therapy in Manhattan. She would later go on to become the director for the Amsterdam Nursing Home division and author a number of physical therapy treatments.

David became a lawyer, practicing in New York City and New Jersey and served a two year term as president of the American Numismatic Association. He is currently serving as the Mayor of Fair Lawn, New Jersey and has just published his 14th book-length work.

It's rare today that any couple can spend a half century in wedded bliss, but this is a couple that has done just that. Though Dan turns 80 this October and Bev will be 75 in just a few weeks, they are enjoying their golden years together, playing tennis, golf, and exploring the Internet.

After the love between he and his wife, there are two constants in Dan's life. He has a heart that keeps on giving and he continues to perform magic, which he has done professionally for nearly 70 years. With Bev at his side he frequently performs for youngsters with terminal diseases, such as AIDS.

Dan and Bev are wonderful role models for their three beautiful grandchildren, Scott, Elyse, and Pam. As this couple gathers with their daughter-in-law Kathy, a host of relatives and close family friends I would like to wish them well and congratulate them on this wonderful achievement.

WOMEN'S HISTORY MONTH

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Mr. WAXMAN. Mr. Speaker, I want to thank Congresswoman LEE for organizing a Special Order during Women's History Month to recognize the achievements of women of color. I am pleased to take this opportunity to honor a few of the women of color who made important contributions to the entertainment industry earlier this century: Marian Anderson, Ella Fitzgerald, Bessie Smith, and Hattie McDaniel. These incredibly talented women overcame great obstacles to earn international acclaim and forge a path for the women who followed.

The legendary contralto Marian Anderson never took no for an answer. From her early days as a choir member, to her historical concert at the Lincoln Memorial, Ms. Anderson struggled against racism and ignorance to become one of the world's premiere opera stars. In the years after her legendary performance, she was awarded the Congressional Medal of Honor by President Carter and went on to serve as a delegate to the United Nations.

Ella Fitzgerald was the first woman presented with the Los Angeles Urban League's Whitney M. Young, Jr. Award, which honors those who build bridges among races and generations. Ella Fitzgerald was a major force in the music world and contributed to the evolution of jazz and the business of entertainment during her long, distinguished career. Named the "First Lady of Song," she was a pioneer in her field and went on to win ten Grammys.

Although she did not live to see her fortieth birthday, Bessie Smith had a tremendous influence on entertainment. From her modest beginnings as a vaudeville performer, Ms. Smith grew to be the nation's highest paid African American performer of the early 1920's. Her vibrance and creativity altered the music business and gave blues a more prominent role in American music and culture.

Hattie McDaniel was a woman of many firsts: the first African American woman to sing on network radio in the United States, the first African American to win an Academy Award and the first African American to star in a title role on a television sitcom. Also from humble beginnings, Ms. McDaniel moved from the quiet nights of her home in Kansas to the bright lights of Hollywood. Beating out Eleanor Roosevelt's maid, Elizabeth McDuffie, for the role of Mammy in "Gone With the Wind," Ms. McDaniel took a small role and created a character so memorable that she conquered the hearts of audiences world-wide.

These women are just a small sample of the many women of color who have contributed to the arts and helped shape our nation's culture. There is no question that they needed more than their tremendous talent to triumph during a time of institutionalized discrimination. They were models of courage, ingenuity, persistence, and character.

CELEBRATING WOMEN'S HISTORY MONTH STILL STRIVING FOR ECONOMIC EQUITY

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. MORELLA. Mr. Speaker, I rise in celebration of Women's History Month and in tribute to the many women who, through the ages, dared to challenge injustice and discrimination in the workplace. It is the tireless work of those leaders who came before us that allow women to enjoy the benefits of the 90s. However, as we all know, those long distance runners for equality and social justice have not completed their course. During Women's History Month, we pause to reflect what we have accomplished in the past, and the work we must do for the future.

Women have made great strides in education and in the workforce. The majority of undergraduate and master's degrees are awarded to women, and 40 percent of all doctorates are earned by women. More than 7.7 million businesses in the U.S. are owned and operated by women. These businesses employ 15.5 million people, about 35 percent more than the Fortune 500 companies worldwide. And women are running for elected offices in record numbers. When I first came to the House in 1987, there were 26 women in the House and two in the Senate. In 1999, there are 58 women serving in the House, and nine in the Senate.

While many doors to employment and educational opportunity have opened for women, they still get paid less than men for the same work. Women who work full-time earn less than men who are employed full-time. The average woman college graduate earns little more than the average male high school graduate. Full-time, year-round working women earn only 74 cents for each dollar a man earns.

Although women are and continue to be the majority of new entrants into the workplace, they continue to be clustered in low-skilled, low-paying jobs. Part-time and temporary workers, the majority of whom are women, are among the most vulnerable of all workers. They receive lower pay, fewer or no benefits, and little if any job security.

Women account for more than 45% of the workforce, yet they are underrepresented and face barriers in the fields of science, engineering and technology. Just this week, the Massachusetts Institute of Technology (MIT), the most prestigious science and engineering university in the country, issued a report revealing that female professors at the school suffer from pervasive discrimination.

That is why I introduced the Commission on the Advancement of Women in Science, Engineering and Technology Development Act. I call it my WISE Tech bill, and it passed the 105th Congress and has been signed into law.

This Act sets up a commission to find out what is keeping women out of technology at this critical time, and what we can do about it. The bill will help us ascertain what are effective and productive policies that can address the underrepresentation of women in the sciences and could help alleviate the increasing shortage of information technology workers and engineers. This legislation is a first step in countering the roadblocks for women in our rapidly-evolving high-tech society, and will help women break through the "Glass Ceiling" and the "Silicon Ceiling" in the fields of science, engineering, and technology.

Last month, we introduced the third Violence Against Women Act, building on the commitment and success of our 1994 legislation. We are only beginning to understand the impact of domestic violence on American businesses. Domestic violence follows many women to work . . . 13,000 attacks each year . . . threatening their lives and the lives of coworkers and resulting in lost productivity for their companies.

The economic problems of the elderly affect women in disproportionate numbers because women tend to have lower pensions benefits than men. Pension policies have not accommodated women in their traditional role as family caregivers. Women move in and out of the workforce more frequently when family needs arise making it more difficult for them to accrue pension credit.

Consequently, Social Security is especially important for women. Women are heavily reliant on Social Security, and since its inception, Social Security has often been the only income source keeping women from living out their days in poverty.

Social Security has worked for women; it is a system where every worker pays in, and every retired worker receives a pension that she can count on. Social Security has worked for women because workers who earn less receive a larger proportion of their earnings in benefits than those who earn more.

Women must play an important role in shaping Social Security for the future. Social Security reform must be assessed in terms of impact on women, the majority of Social Security recipients. A Social Security system that works well for women, will benefit all Americans.

Mr. Speaker, celebrating Women's History Month highlights the accomplishments of women and the need to open new doors in the future. But this special month would be meaningless if women's needs are forgotten during the rest of the year. We must continue to increase the workplace opportunities for women, which will benefit Americans in every corner of every state, as we face the economic challenges of the 21st century.

CONGRATULATING THE MARIPOSA HIGH SCHOOL GIRLS TRACK AND FIELD TEAM

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate the Mariposa High School girls track and field team, the Lady Grizzlies. Upon the completion of the 1998 season, the Lady Grizzlies secured their fourteenth consecutive Southern League championship. This sets an all-time record for girls track and field in the State of California.

During their streak, no opponent has posed a true threat to the Mariposa team. In 1985, the Lady Grizzlies won their meet with a score of 100, outdistancing their closest competitor by 24 points. In the 13 seasons since, they have more than doubled the score of the second-place team on 10 occasions. To add to the accomplishments of the Lady Grizzlies from 1985 to 1998, their relay teams have won 24 of the available 28 league championships, and their athletes have won 120 out of 186 possible individual league titles. Among the team members from 1990 to 1997, 8 members of the Lady Grizzly team have gone on to compete in track and field on the college level.

Since 1985, the year this winning streak began, the number of teams in the Southern League has fluctuated between 6 and 10 squads. Also in that time, Mariposa has seen 5 different head coaches, 3 principles, and 4 district superintendents. The stability the Lady Grizzlies have maintained throughout these 14 years is a testament to the dedication of the athletes, as well as to the encouragement they have received in the community.

Mr. Speaker, the Lady Grizzlies of Mariposa High School have performed exceptionally throughout the last decade and a half. They have illustrated the virtues of dedication, tenacity, and team work. I encourage them to continue on this path, and wish them the best of luck in the future. I ask my colleagues to join me in congratulating the Mariposa Lady Grizzlies track and field team.

CAMP-PRICE DRY CLEANING ENVIRONMENTAL TAX CREDIT ACT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PRICE of North Carolina. Mr. Speaker, today, Rep. DAVE CAMP and I are introducing the Camp-Price Dry Cleaning Environmental Tax Credit Act, legislation which would provide an incentive for dry cleaners to transition to environmentally friendly dry cleaning technologies. Under this legislation, dry cleaners would be able to take a 20-percent tax credit on the purchase of technologies that substantially reduce risks to public health and the environment.

The Federal Government can and should help accelerate the transition to technologies that meet our criteria for greater energy efficiency, or greater protection of public health and the environment. If we really want the private sector to move toward greener and healthier technologies, and if we don't want to simply rely on new regulation to do it, the simplest, most effective method is through targeted tax incentives. President Clinton has proposed this type of approach for equipment that helps reduce energy consumption, and I think it is also appropriate for equipment that helps protect human health and the environment.

We are just beginning to see the possibilities of what technology can accomplish for environmental protection. Environmental technology promises to mend the rift that has too often arisen between environmental protection and economic development. It will make reducing pollution easier and cheaper, and it will itself become an engine for growth in our economy.

I am pleased to join with my colleague on this initiative and look forward to working with him to achieve its passage.

WOMEN'S HISTORY MONTH

SPEECH OF

HON. CONSTANCE MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Mrs. MORELLA. Mr. Speaker, during this Women's History Month, I'd like to tell you about Johnnie Carr, Daisy Bates, and Diane Nash, three women of color who helped shape America.

How many of you know these women and how their work contributed to the greatest social revolution of our time?

The role of black women in the civil rights movement has largely been overlooked by historians. Yet, black women throughout the South organized protests, strategized, rounded up volunteers for marches and sit-ins, raised money, registered voters—and put their lives on the line.

This network, which crisscrossed cities, towns, and rural areas across the South, provided the underpinning for Dr. King's organization.

The famous Montgomery bus boycott of 1955–56 that put Dr. King in the nation's spotlight for the first time was started by and sustained by women, who put their reputations, their lives, and their jobs on the line. Women organized carpools through their churches and found funds to help support those who had been fired because of their participation in the boycott.

Johnnie Carr of Montgomery helped bail out Rosa Parks who had triggered the boycott when she refused to give up her seat on a bus to a white man. Mrs. Carr helped organize that famous boycott and went on to organize the Montgomery Improvement Association and the struggle to desegregate life in Montgomery.

During the course of the boycott that lasted for 382 days, Johnnie Carr arranged for church and private carpools to carry people to their jobs and helped clothe and feed those who had been fired or blacklisted because of their support of the boycott.

Mrs. Carr told the Chicago Tribune in 1994,

> We focused on segregation in every phase of life. We were willing to risk bodily harm and even death. . . . The bus company personnel did so many things to intimidate us, but we stood firm in refusing to ride the segregated buses. People walked together in the pouring rain, holding hands and singing.

The boycott was a success, and ultimately, the U.S. Supreme Court declared segregation on Alabama's buses to be unconstitutional.

Daisy Bates story is set in Little Rock, Ark., where she was a leader in the fight to desegregate the city's all-white Central High School. She and her husband ran the Arkansas State Press Newspaper and were active in the local chapter of the NAACP. Daisy Bates was the "coordinator" of the nine children who were selected to attend Central High School, starting on September 4, 1957.

Many of you, if you are old enough, will remember watching events unfold in black and white on your TV sets. On September 3, the Governor of Arkansas, Orval Faubus, ordered the National Guard to surround the school to prevent the nine students from entering the school. His actions were, of course, in direct violation of the 1954 Supreme Court ruling that outlawed "separate but equal schools."

"The parents [of the black children] were justifiably afraid for their children's safety," Bates told the Chicago Tribune. "But we felt that we had to risk everything . . .

A mob lying in wait for the arrival of the children tried to lynch 15-year-old Elizabeth

Eckford. On September 23, they tried again to enter the school, succeeded but had to leave because of the threatening mob outside. Bates demanded that President Eisenhower intervene and violence spread throughout the city.

The President dispatched 10,000 members of the National Guard and the 101st Airborne division and Central High was integrated.

Although Daisy Bates "won," it was not without a great price. She and other local NAACP leaders were arrested and she and her husband lost their newspaper business when they refused to cave-in to the demands of advertisers that she dissuade blacks from applying for admission to Central High School.

Diane Nash grew up on Chicago's South Side and in 1959 went off to Nashville to attend Fisk University, one of our nation's leading historically black colleges. "There were no restaurants in downtown Nashville where black people could sit and eat in an unsegregated manner, and only one movie theater, where we were relegated to the balcony," Nash told a Chicago Tribune reporter in 1994.

She began attending workshops on nonviolence and soon found herself involved in lunchcounter sit-ins that eventually spread across the South. Beginning on New Year's Day 1960 in Greensboro, N.C., and Nashville, the civil rights activists targeted the lunch counters of Woolworth's Walgreen's and Kresge's and other local restaurants. By that summer, Nashville became the first city in the South to desegregate its lunch counters. Another victory for nonviolence—and good organization.

Nash went on to help form the Student Nonviolent Coordinating Committee (SNCC) and in 1961 helped to organize the first Freedom Ride from Birmingham, Ala., to Jackson, Miss., in which blacks and whites rode the bus together in violation of state laws.

"Riders were beaten repeatedly at the various stops, and buses were set ablaze," Nash later recounted. "The riders were considered so dangerous that many gave sealed letters to be mailed in the event of their deaths."

Nash went to jail for her efforts to integrate interstate bus travel and went on to serve on a Presidential committee that made recommendations for what was to become the Civil Rights Act of 1964.

History teaches us many things, but the most important lesson we can learn from Johnny Carr, Daisy Bates and Diane Nash and their struggle for civil rights is that through courage, commitment, and a willingness to work together, each and every one of us can overcome our most difficult and sometimes seemingly insurmountable challenges.

Let me close with an excerpt from Dr. Martin Luther King, Jr.'s last sermon, the one he gave in Memphis on April 3, 1968, the night before he was murdered:

> Let us rise up tonight with a greater readiness. Let us stand with a greater determination. And let us move on in these powerful days, these days of challenge to make America what it ought to be. We have an opportunity to make America a better nation. . . .

In this House of Representatives I am pleased to serve with 13 women of color who are also helping to shape our great America. Working together, we can envision and realize that America.

REMARKS ON ILLEGAL IMMIGRATION

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. FOLEY. Mr. Speaker, last week a man was forced to mourn the loss of his wife, not once, but twice in one week.

After believing that he had buried his wife Michaelle—who was one of the victims of the ill-fated boat of Haitian refugees that sunk off the coast of Florida March 5—Mr. Edner Doirin was informed that the morgue originally gave him the wrong body. So he had to endure a second burial to lay his wife to rest.

This is tragic in itself. But what makes it intolerable is that Mr. Doirin's wife should never have had to be buried at all.

She should be alive and well. Instead, she is one of the many victims of an illegal smuggling operation that treats human beings like cargo.

The March 5 disaster that left as many as 40 people dead is one of the most historically deadly smuggling incidents ever off of our South Florida shores.

And it came on the heels of a similar tragedy in mid-December, when as many as 13 people drowned in another illegal smuggling attempt.

Mr. Speaker, the United States is clearly on the brink—again—of an illegal immigration crisis. In the short period between January 1 and March 10, there have been a total of 45 illegal landings, 31 interdictions and 34 identified smuggling activities, resulting in over 400 illegal alien entrants by sea.

These are part of an effort by smugglers to take advantage of desperate, innocent people living in rapidly deteriorating conditions in Haiti, Cuba, and other impoverished or politically repressive countries.

We have heard the Clinton Administration say that it is "doing everything it can" to address this situation and that—even after this recent tragedy—there is no need to change its policies or to target additional resources.

I strongly, strongly disagree.

I do not believe that this Administration has truly committed itself and the resources that Congress has given it to adequately addressing the problem of illegal immigration and alien smuggling.

President Clinton has reportedly ignored his own immigration officials. He also has ignored the 1996 law that we passed in Congress that both provided funding and required that 1,000 new Border Patrol agents be hired each year from 1997 to 2001.

They call this decision to intentionally ignore the law a decision to—quote—"take a breather."

Recently, INS Commissioner Doris Meissner testified before a Senate subcommittee that the Administration decided to "take a breather"—and say no—when she and Attorney General Reno both requested funding for the 1,000 new agents.

And while the Administration is "taking a breather," people are drowning off the coast of Florida.

What angers me even more is to see my own state of Florida becoming the weak link and the focal point of current illegal smuggling efforts.

While the number of immigration control agents has more than doubled during the past five years—to over 8,000—Florida hasn't seen an increase of agents in 10 years.

In Florida, 52 Border Patrol agents are trying to stop an estimated 12,000 illegals who come into Florida by sea each year. Because of their few numbers, the Border Patrol and Coast Guard together are only able to catch a mere 10% of them.

Not only are there huge gaps in our Border Patrol, but the mechanisms designed to nab the illegal aliens that slip in are also failing.

The INS has now decided to change their enforcement tactics and has suspended most surprise workplace inspections that would identify illegal workers and the employers who hire them.

These once-successful tactics are not only being eliminated in Florida, but across the country. And the switch sends a clear message to illegal aliens and smugglers that they're OK unless they get caught committing a crime.

I think it's unbelievable that our enforcement standards are going down just when illegal immigration is on the rise.

Florida Governor Jeb Bush wrote to Attorney General Reno following our most recent tragedy requesting additional efforts. I would like to call upon the Clinton administration to honor his requests:

He is asking—and I am asking—for:

More effective intelligence operations to detect immigrant smuggling—The recent tragedy was detected by commercial ship, not U.S. intelligence.

Greater interdiction efforts along the U.S. coast. More deaths could be prevented if boats of illegal immigrants were stopped at sea.

Increased federal resources to make the prevention of immigrant smuggling a top priority, with an increased focus on South Florida.

Expanded holding capacity for the Krome detention facility located in Miami-Dade county so that officials will be able to detain larger numbers of illegal aliens after raids.

The creation of a federal task force to focus on smuggling.

An aggressive public information campaign directed at smugglers.

Mr. Speaker, people are dying—dying just short of Florida's shores, of America's shores. The responsibility for preventing these tragedies lies solely with the Administration, who has been given the way by Congress to act—but apparently not the will.

I strongly urge President Clinton to mount an aggressive, relentless effort to put a stop to the insidious problem of illegal immigrant smuggling once and for all . . . before more lives are lost.

INTRODUCTION OF A BILL TO ELIMINATE TAXES ON TIPS UP TO $10,000

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. HUNTER. Mr. Speaker, today I rise to introduce a bill that will benefit millions of Americans directly, substantially and quickly, including most notably single mothers and students. Furthermore, this legislation will lift some of the heavy burden of government off of thousands of small businesses.

My bill is very simple. It calls a tip what it is: a gift. All tips earned, not to exceed $10,000 annually, would be tax-free. This puts hundreds of dollars a month back where it belongs, with the individual who earned it.

Those who work in the service sector, who rely principally on tips for their income, work in a system transacted largely in cash. Accounting for small amounts of cash for income tax purposes is not only unworkable, it is unenforceable even if a paperwork scheme could somehow be conceived.

Small amounts of cash, received through hundreds and hundreds of transactions, and almost never while standing behind a cash register, should not be taxable. Washington bureaucrats lack an understanding as to just how impractical the present system is to all those who labor so hard for their tips.

The system simply breaks down.

Tips cannot possibly be reported accurately, and law-abiding citizens who work for tips do not wish to be labeled cheaters by people who don't understand the realities of their work.

It is time to change that.

My bill caps the tax-free earnings of those who make waiting on tables a career in high-end restaurants and resorts, at $10,000. But for the 95 percent of those in the service sector who work for tips, it's time to change the tax law covering income from tips.

Under current law, service employees who typically earn tips are assumed to have made at least 8 percent of their gross sales in tips. This tax is applied regardless of the actual level of the tip. Further, if the service personnel earns more than 8 percent in tips they are expected to report them accordingly. The end result for these employees, many of whose base salaries do not exceed minimum wage, is that they may have to pay taxes on income they didn't receive.

In addition, accounting for tips and gross sales is a burden on every restaurant, bar or other small business whose employees are regularly tipped. They are constantly under threat of an audit, where the IRS will hold their business responsible if the agency determines tip skimming to have occurred.

By putting in place a reasonable annual cap and strictly defining a tip, this tax relief bill is clearly focused on low- to middle-income households. According to the industries involved, most of the employees that will be helped are either students or single mothers. In addition, most of the employees are at the beginning of their careers.

Those in the service sector who rely on tips for their income are a special breed of people. Those who work for tips see a direct relationship between effort and reward like few others. Night after night, day after day, weekend after weekend, the millions of bell hops, valet parking attendants, coat checkers, taxi drivers, hairdressers, bartenders, waiters and waitresses are on the job, working hard and providing vital services to people of every walk of life.

Let us give a break to those who labor so hard for their living. Let's show them, for a change, that the Federal Government is not so out of touch, and has some understanding of life for so many, especially during their younger years in entry level jobs. I hope other Members will join with me in this common sense proposal that will help millions of hard-working Americans.

COMMENDING CITIZENS FROM CONNECTICUT FOR AIDING VICTIMS OF HURRICANE MITCH

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. GEJDENSON. Mr. Speaker, I am pleased to call my colleagues' attention to the work of a number of people from Connecticut who are helping to make life easier for our neighbors in Central America.

Last October, Central America suffered the greatest natural disaster of this century when Hurricane Mitch roared through the region. In Honduras, Nicaragua, Guatemala and El Salvador, Hurricane Mitch caused more than 9,000 deaths, left millions homeless, and resulted in $8.5 billion in damage to homes, hospitals, schools, roads, farms, and businesses. As these countries were consolidating the gains of democracy, this brutal natural disaster came along and wiped out years of progress.

I have attached an article that appeared this week in the *Hartford Courant* which illustrates that the people of Connecticut are going out of their way to alleviate suffering and restore a small ray of hope to the people of Honduras. The Honduras Relief Committee of Connecticut—led by Dario Euraque, Cynthia Hall and a number of other students at Trinity College—has raised $30,000 for relief efforts and sent 50 tons of food, clothing and medical supplies to Honduras.

Mr. Speaker, it is unfortunate that Congress has failed to provide desperately needed assistance to the hurricane-ravaged nations of Central America. I commend the people of Connecticut are helping to fill this void by providing assistance directly to the people of Central America. This kind of assistance is vital to alleviate suffering. Moreover, it also deepens the bonds of friendship between the people of the U.S. and the people of Central America. This will pay dividends for years to come.

AMBASSADOR OUTLINES NEEDS OF HONDURAS

(By Cynde Rodriguez)

The Honduran ambassador to the United Nations asked for continued global and financial support Saturday as the country begins to rebuild after being devastated by Hurricane Mitch last fall.

The ambassador, Hugo Noe Pino, told a small crowd at Trinity College that, several months after the natural disaster, Honduras is looking for financial help to rebuild roads, bridges, homes and schools. While Honduras received millions of dollars in emergency food and supplies right after the hurricane, Pino said there is still a lot of work to be done.

Hurricane Mitch killed more than 9,000 people and caused about $7 billion to $10 billion in damage.

New maps of Honduras are now being drawn to reflect rivers that have taken new courses and villages that were forced to relocate.

Pino said there is a big concern that Honduras will be forgotten in the coming months, that developed countries in the position to help may turn their attention and dollars elsewhere.

''In the emergency part, one month after the hurricane, international help was very important and opportune to prevent hunger. The most important need now is to rebuild,'' Pino said. ''After six months, people forget about what happened and there's a problem in another part of the world and the attention goes there.''

In an effort to prevent that from happening, the Clinton administration recently asked Congress for an emergency package of $956 million to rebuild Central America. The money would be in addition to the $300 million already provided for immediate disaster relief.

Locally, the Honduras Relief Committee of Connecticut continues to raise money and supplies, said Dario Euraque, director of international studies at Trinity and the committee's treasurer. Since November, the committee has raised $30,000 and has sent 50 tons of food, clothing and medical supplies to Honduras.

Trinity senior Cynthia Hill will be one of three students to go on a relief mission in June. Hill and the others will use a $2,000 donation from Trinity to buy food and medical and housing supplies for Hondurans while they are there.

An anthropology major who graduates in June, Hill said she was compelled to help with the relief effort because ''the devastation was so all-consuming.''

''Every aspect of the country was hit,'' said Hill. ''I see it as they have a right to be rebuilt. . . . It was a natural disaster. It just happened to be Honduras, but it could've been any of us.''

COMMENDING SIX AFRICAN AMERICAN LEADERS FOR THEIR VITAL ROLES

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. DEGETTE. Mr. Speaker, I would like to recognize the efforts of six African American leaders in Denver who fulfill vital roles in their communities. It is to commend these outstanding citizens that I rise to honor Rev. Paul Martin, Gloria Holliday, Rev. James Peters, Jr., Menola Neal Upshaw, Rev. Jesse Langston Boyd, Jr., and Arie Parks Taylor.

Reverend Paul Martin is the Chair of the Denver Urban League and also Senior Pastor at Denver's Macedonia Baptist Church. In conjunction with his church, he has laid the

groundwork for a senior citizen's manor and remains active in creating and finding more housing for seniors. He has not only protected the interests of the elderly, but in conjunction with the Urban League, he has ignited the dreams of youth as well. Another example of this commitment is his work to open the Redeemer Alternative School for pre-kindergarten through 8th grade age children in Los Angeles, CA.

Currently, Reverend Martin is on the frontlines of a movement to redevelop neglected Denver neighborhoods. Through his work with the Stapleton Development Corp., he has helped take strides in the redevelopment of the old Stapleton airport site in central Denver. The Reverend is also working conscientiously to revitalize Northeast Denver. It comes as no surprise to me or any other member of our community that Reverend Martin was recently presented with the Humanitarian Race Relations Award by the city and county of Denver.

Gloria Holliday has amassed a long history of hard work on behalf of the African American community. In the 1960's, she served as secretary to legendary civil rights activist, Medgar Evers. Working with Evers on voter registration and integration, she organized the first economic boycott of racist business merchants in Jackson, MS, and fought valiantly to desegregate hotels in Atlanta, GA. Her desegregation efforts continued in Denver when she confronted and helped integrate retailers like King Soopers, Safeway and Denver Dry Goods Co.

Gloria has been a long time Democratic Party activist. She now serves on the Board of the Regional Transportation District (RTD) where she has been instrumental in creating an ad wheel that won the highest American Public Transit Association award. She also won the Black Women for Political Action's Award for Politics based on her work for RTD and her own personal endeavors. Not surprisingly, Gloria is also known for her outstanding work with youth. For young and old, she is a pillar in the community.

Reverend James D. Peters, Jr. also has a long history of civic leadership. This commitment has earned him several notable honors, including the National Association for the Advancement of Colored People (NAACP) Special Service Award and the Outstanding Service Award, presented to him by Dr. Martin Luther King, Jr. Reverend Peters worked for Dr. King in Connecticut where he raised money for civil rights causes. These funds were used to organize bus trips from Connecticut to the South for demonstrations and for bailing protestors out of prison among other things.

In Denver, Reverend Peters helps to fulfill both the spiritual and humanitarian needs of Denverites through his work as Pastor of the New Hope Baptist Church and as a member of the Denver Housing Authority Board of Commissioners. As a member of that board, he assists 22,000 public housing residents in enhancing the living conditions of their homes. His devotion and service to the community have earned him several accolades. Since his arrival in Denver, the Anti-Defamation League recognized him with its Civil Rights Award and the Denver City Council cited him for his leadership in Denver.

Menola Neal Upshaw has devoted herself to the city of Denver as the President of the Denver branch of the NAACP and as a teacher and administrator. Mrs. Upshaw taught elementary school students in Oklahoma City, East St. Louis, Illinois and Denver. She served as a Denver Public Schools administrator for 26 years. The Denver Public Schools recognized her outstanding work as a teacher and administrator with a cherished award, the Teacher of the Year Award. Menola also won the NAACP Legend of the Year Award and Woman of the Year Award.

She has been a member of the NAACP since she was 9 years old and the president of the Denver branch since 1994. She has won additional awards for her parenting skills and work with her church. She won the Parent of the Year Award from Ottawa University and the Most Valiant Woman award given by the Zion Baptist Church, where she served as Sunday School Superintendent for 25 years.

Reverend Jesse Langston Boyd, Jr., enriches Denver working as the pastor of Shorter Community African Methodist Episcopal Church and also through his own community efforts. His contributions to his parishioners have included the rebuilding and relocation of his church, containing education facilities and a multi-family housing complex. He is a past president of the Denver Ministerial Alliance and Methodist Ministers Fellowship in Denver and has served as a member of the Executive Board of Denver's Council of Churches.

He has also held important secular positions. He is currently Chairman of the Board of Directors of Denver-Metro Push and is the organizer of PUSH-Los Angeles. In addition, former Governor Roy Romer appointed him the first African American on the State of Colorado Wildlife Commission and to the Colorado Commission for Prenatal Care.

I would also like to recognize Arie Parks Taylor who has devoted a lifetime to improving Denver. Arie Taylor is often compared to Bella Abzug, a former Congresswoman from New York, who is remembered for her custom of wearing hats and her advocacy for the disadvantaged. Arie wears hats as well, but it is her compassion for people that helped Colorado so much.

Arie served Colorado as a State Representative for District 7 for 12 years. While in office she passed legislation amending fair housing and civil rights laws. She also sponsored legislation to help people with hemophilia and sickle cell anemia find care. She caught the eye of the Nation when she served three times as a delegate at the National Democratic Convention, where she protested the seating of all-white southern delegations. Not only did she work in these positions, but she retired in 1995 as Denver's first African American Clerk and Recorder.

Please join me in commending Rev. Paul Martin, Gloria Holliday, Rev. James Peters, Jr., Menola Neal Upshaw, Rev. Jesse Langston Boyd, Jr., and Arie Parks Taylor for their courage and fortitude. It is the strong leadership they present in their everyday lives that make them so beloved in our community.

INTRODUCTION OF THE PATIENT FREEDOM FROM RESTRAINT ACT OF 1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. STARK. Mr. Speaker, I am pleased to join with Rep. Degette and our colleagues in introducing the Patient Freedom from Restraint Act of 1999. According to recent estimates, between 50 and 150 people die each year in psychiatric hospitals and other residential treatment centers while restrained or in seclusion. This legislation would extend much needed and long over due protections for people who rely on others for their care and safety. Specifically, our legislation will protect individuals living in residential facilities for adults and children who are developmentally delayed or suffer from a mental health disability.

According to a 1996 GAO report on institutions for the mentally retarded, one of the most common problems of care was excessive or inappropriate use of restraints. Other reports indicate the deaths due to restraint result from inappropriate and reckless use of restraint techniques and neglect of the patient's well being. Even if there is no physical harm due to restraint, the violent act can have long-term implications for the patient's psychological health and recovery.

Restraint and seclusion have no medical or therapeutic function. In fact, these techniques may do more to harm the individual than help. The only time that such measures are warranted occur when the person's behavior creates an immediate threat to the health and safety of self and others.

Currently, there is no federal statute or uniform regulation that protects patients from the misuse of restraints and seclusion. Many years ago, the same problem existed in nursing homes. Patients were indiscriminately restrained and suffered terrible as a result. The Omnibus Budget Reconciliation Act of 1987 greatly changed how the nation's elderly are treated. In essence, we revised the Social Security Act to make clear that restraint and seclusion could be used only in extreme cases. The result of that legislation has been an incredible improvement in the treatment that seniors receive. The staff of nursing homes found that simple changes in the environment and procedures made restraints unnecessary.

Our legislation would not prohibit the use of restraint or seclusion, it merely identifies the conditions when they may be used. The more important aspect of the legislation is that it would protect the health and safety of the patient. Our legislation would require that treatment facilities document the use of restraint and seclusion in the patient's treatment or medical record. In addition, to reporting the incident, the staff of the facility must document treatment a treatment plan to reduce the future risk of episodes requiring restraint or seclusion.

The legislation would require that residential facilities train their staff in the appropriate use of restraint techniques and its alternatives. We believe that this is an essential feature of the bill. Many of the deaths and severe injuries

that patients experience result from misuse of standard restraint procedures.

Finally, the legislation would require that cases of severe injury and death be reported to the State's Protection and Advocacy Board, and the Secretary of Health and Human Services. Documentation of these cases is an essential mechanism for protecting the rights and liberties of the patients.

MORE JOBS IN THE TELECOMMUNICATIONS INDUSTRY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BONIOR. Mr. Speaker, I rise today to applaud the Department of Justice and SBC Communications for reaching an agreement which resolves the Department's antitrust concerns about SBC's pending merger with Ameritech. This agreement brings consumers one step closer to more options, lower prices and more substantial jobs in the telecommunications industry. The intent of the 1996 Telecommunications Act was to bring more competition to the telecommunications industry and this merger would be a good step towards a more competitive marketplace.

I commend SBC and Ameritech for their commitment to American workers. This proposed merger has the support of the AFL–CIO, the Communications Workers of America and the International Brotherhood of Electrical Workers. SBC and Ameritech have committed to these labor unions that this merger will increase, not decrease, the number of good jobs in the telecommunications industry. SBC has already proven itself. Despite some critics' concerns, since SBC merged with Pacific Telesis, residential and business prices for basic local service in California have remained stable. In the meantime, SBC has also introduced new products and services and has created more than 2000 new jobs.

Mr. Speaker, I urge the FCC to move quickly in approving this merger and to enforce the Congressional intent of the 1996 Telecommunications Act to lower prices, provide more choices for consumers and create new jobs in the industry.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BECERRA. Mr. Speaker, on February 25, 1999, I was unavoidably detained during a rollcall vote: number 27, on Approving the Journal. Had I been present for the vote, I would have voted ''aye.''

TRIBUTE TO BARTON E. WOODWARD

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to pay tribute to the late Barton E. Woodward, a Colorado water expert, who recently passed away at the age of 57.

Woodward was born near Snyder, Colorado, in 1941. He was a 1959 graduate of Snyder High School and received his degree in broadcast engineering in 1963 from Bob Jones University. Also in 1963, he and Roxanne Miller celebrated their marriage, and then moved to the family farm near Snyder.

In addition to being a farmer, Woodward pursued other interests including computer consulting and water engineering. For the past 15 years, he was very active in Colorado water issues, including serving on the board of directors of the Riverside Irrigation District and most recently as the district superintendent. As superintendent, he was instrumental in the construction of Vancil Reservoir.

He has also served as president of the Groundwater Appropriators of the South Platte since 1984 and currently was on the board of directors of the South Platte Lower River Group. He was a long-time member of Colorado Water Congress and former president, and also served as president of the Pioneer Water and Irrigation District.

Woodward also served the community as an activist in the Republican Party, serving as Morgan County Republican Party Chairman and on the Republican Central Committee.

Mr. Speaker, I am proud to pay tribute to this man whose friends, including me, knew him to be a man of compassion, integrity and honesty. When he gave his word, you could count on it. His passion for agriculture and knowledge of resources will be sorely missed by the agricultural and water communities of eastern Colorado.

OUR THANKS TO SUSAN L. TAYLOR

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PAYNE. Mr. Speaker, I would like to ask my colleagues here in the U.S. House of Representatives to join me in expressing appreciation to a remarkable woman of our times who will be lending her support to a school in my Congressional District this weekend, Ms. Susan L. Taylor.

Editor in Chief of Essence Magazine and Senior Vice President of Essence Communications, Ms. Taylor still manages to give generously of her time so that others might enjoy a fuller and richer life. On Saturday, March 27, she will be featured as the keynote speaker at an event entitled ''An Afternoon of Inspiration'' in support of New Hope Academy in Newark, New Jersey, so that the school may continue to offer young people the chance to achieve their dreams. She is a believer in the African proverb that ''It takes a whole village to raise a child.''

I was fortunate to serve on a panel at Essex County College several years ago with Ms. Taylor where the discussion centered around the challenges facing single parents. Her presentation was so impressive and dynamic that years later, people are still coming up to me and commenting about how well they recall that discussion.

Ms. Taylor has inspired many others with her outstanding professional success. Under her leadership, Essence Magazine enjoys a monthly circulation of 1 million and a readership of 7.6 million.

Mr. Speaker, I know my colleagues share my appreciation for Ms. Taylor's generosity in sharing her time and talents with others. We thank her for her appearance in support of New Hope Academy and wish her continued success.

TRIBUTE TO NELLIE MACKAY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Ms. Nellie Mackay, an outstanding individual who has dedicated her life to public service. She will be honored this Saturday, March 27, by parents, family, friends, and professionals for her outstanding contributions to the community at the Sixth Annual Senior Citizen Luncheon hosted by the Patterson Volunteer Committee, Inc. at the Mott Haven Community Center.

Born in Elkton, Tennessee, Ms. Mackay moved to New York and has been a resident of Patterson Houses for 32 years. A 1986 graduate from Vermont College and graduate of Medical Aide Training School in 1997, she has certainly shown the importance of life long learning.

She is a Bronx State Committee member and a member of Community Planning board #1. Through her years of service, she has served on the National Advisory Council of Save a Marriage, the City of New York Child Abuse and Maltreatment committee, and New York University Food Service and Management program among many others.

Mr. Speaker, Nellie also visits Middletown New York Prison once a year to do a Black History workshop with inmates. She was the representative for Senior Citizens for Social Security from 1973 until 1975 and in 1979 she ran a workshop for children from the Mott Haven Day Care Center about their heritage, which appeared in Big Red newspaper. She has been involved in a wide variety of community activities, including volunteer work with the elderly and marriage counseling.

The business, professional, and civic organizations to which she belonged, like the honors and awards she was given are almost beyond counting.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Nellie Mackay for her outstanding achievements and her enduring commitment to the community.

FIRST-TIME HOMEBUYER AFFORDABILITY ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. LAFALCE. Mr. Speaker, today I am introducing the First-time Homebuyer Affordability Act. I am joined in this effort by 20 original cosponsors. I am also pleased to announce that Senator KERRY (D–MA) will be introducing this legislation in the Senate.

This bill is a pro-homeownership initiative, based on the principle of empowering families and individuals to use funds in their own retirement accounts to buy a home.

The First-time Homebuyer Affordability Act unlocks the $2 trillion currently held nationwide in Individual Retirement Accounts (IRA's) for homeownership use. It does so by allowing individuals to borrow up to $10,000 from their own IRA (or from their parent's IRA) to use as a downpayment on a first-time home purchase. Since funds are borrowed, rather than withdrawn, the homebuyer does not incur Federal taxes or a premature withdrawal penalty.

This bill is a targeted effort to narrow the arbitrary disparity between treatment of 401(k) retirement plans and IRA retirement plans. Under current law, individuals may borrow from their 401(k) retirement account without paying taxes for a broad range of purposes, including buying a home. Yet, individuals cannot borrow or otherwise use funds in their IRA for personal use, even to buy a home, without incurring Federal taxes. This is a significant and inequitable impediment to homeownership.

Two years ago, Congress took a modest step toward lowering financial barriers to the use of IRA funds for home purchase—through enactment of a waiver of the 10 percent premature withdrawal penalty for withdrawal of up to $10,000 from an IRA account for a first-time home purchase. However, such a withdrawal still subjects the homebuyer to Federal taxes on the amount withdrawn. For a $10,000 withdrawal by a typical taxpayer in the 28 percent tax bracket, this creates a Federal tax liability of $2,800—leaving only $7,200 for a downpayment on a home purchase.

Under the First-time Homebuyer Affordability Act, funds may be borrowed tax- and penalty-free from an IRA account for a period of up to 15 years, either on a fully amortized or interest only basis. The loan must be repaid if the house is sold or if it ceases to be a principal residence. When the loan is repaid, the funds are restored in the IRA account, fully available for re-investment on a continuing tax-deferred basis.

Alternatively, the bill permits use of IRA funds for a first-time home purchase as a home equity participation investment. Under this approach, IRA funds are used for downpayment; when the house is sold, the investment, plus a share of the profit from home sale (typically 50 percent) is repaid to the IRA account.

The purpose of IRAs is to encourage long-term savings and investment, to provide a financial cushion in retirement. Yet, even though buying a home is one of the best investments an individual can make, it is not an eligible IRA investment. Allowing an individual to borrow from their IRA to buy a home effectively makes this an eligible investment.

Allowing IRA borrowing for home purchase would also eliminate a disincentive against IRA contributions. Many young families and individuals are hesitant to tie up funds in an IRA account that they may need later to buy a home. And, IRA borrowing for home purchase does not deplete the IRA account, since the funds are replenished when the loan is paid back.

Finally, this legislation is responsibly drafted, to prevent self-dealing and generally track provisions of 401(k) loans. Nonpayment or forgiveness of the loan is treated as a premature withdrawal. In such event, the unpaid amount would be subject to Federal taxes and a 10-percent premature withdrawal penalty.

Other protections include a prohibition against taking an interest deduction on the borrowed funds, and a limitation that loan rates cannot vary by more than 200 basis points (2 percent) from comparable Treasury maturities.

As Congress considers proposals to create new individualized retirement accounts, it is important to structure such accounts in a way that provides access for home purchase. But, it is equally important to remove the significant tax barriers to home purchase for the $2 trillion in existing IRA retirement assets. The "First-time Homebuyer Affordability Act" accomplishes that important goal.

FEDERAL PRISONER HEALTH CARE COPAYMENT ACT

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. SALMON. Mr. Speaker, I rise to introduce the Federal Prisoner Health Care Copayment Act, which would require Federal prisoners to pay a nominal fee when they initiate certain visits for medical attention. Seventy-five percent of the fee would be deposited in the Federal Crime Victims' Fund and the remainder would go to the Federal Bureau of Prisons (BOP) and the Marshals Service for administrative expenses incurred in carrying out this Act. Each time a prisoner pays to heal himself, he will be paying to heal a victim. The U.S. Department of Justice supports the Federal inmate user fee concept, and has worked on crafting the language contained in this bill.

Most law-abiding Americans pay a copayment when they seek medical attention. Why should Federal prisoners be exempted from this responsibility?

This reform on the Federal level is overdue. Health care costs for Federal prisoners has risen considerably over the past several years. Only a handful of states exceed the Federal system in the cost of care per inmate. Establishing a copayment requirement would exert an immediate downward pressure on prison health care costs.

States have recognized he value of copayment programs, and they have proliferated in recent times. Now, well over half of the states (at last count 34) have copayment programs on a statewide basis, including Alabama, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin. Additional states are considering implementing copayment programs. Moreover, at least half of the states—some of which have not enacted this health care reform on a statewide basis—have jail systems that impose a copayment on inmates seeking certain types of health care.

Copayment programs have an outstanding record of success on the State level. In June 1996, the National Commission on Correctional Health Care held a conference that examined statewide fee-for-service programs. Dr. Ron Waldron of the Bureau of Prisons concluded that "inmate user fees programs appear to reduce utilization, and do generate modest revenues."

Evidence of the effectiveness of copayment programs continues to surface. Tennessee, which began requiring $3 copayments in January 1996, reported in late 1997 that the number of infirmary visits per inmate had been cut almost in half. In August, prison officials in Ohio evaluated the nascent State copayment law, finding that the number of prisoners seeing a doctor had dropped 55 percent and that between March and August the copayment fee generated $89,500. And in my home state of Arizona, there has been a reduction of about 30 percent in the number of requests for health care services.

Copayment programs reduce the overutilization of health care services without denying the indigent of necessary care. In discouraging the overuse of health care, prisoners in true need of attention should receive better care. Taxpayers benefit through the reduction in the expense of operating a prison health care system. And the burden of corrections officers to escort prisoners feigning illness to health care facilities is reduced.

The Federal Prisoner Health Care Copayment Act provides that the Director of the Bureau of Prisons shall assess a nominal fee for each health care visit that he or she—consistent with the Act—determines should be covered. The legislation also allows state and local facilities to collect health care copayment fees when housing federal prisoners.

The Federal Prisoner Health Care Copayment Act prohibits the refusal of treatment for financial reasons or appropriate preventative care.

Finally, the Act requires that the Director report to Congress the amount collected under the legislation and an analysis of the effects of the implementation of this legislation on the nature and extent of health care visits by prisoners.

Congress should speedily enact this important prisoner health care reform bill. I look forward to working with my colleagues and the Department of Justice to pass this proposal.

PROVIDING FOR CONSIDERATION OF H.R. 975, REDUCING VOLUME OF STEEL IMPORTS AND ESTABLISHING STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM

SPEECH OF

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. BAIRD. Mr. Speaker, I rise today to express my support for this legislation, that seeks to address the serious steel dumping problem which has resulted in the loss of over 10,000 steelworker jobs nationwide; but also to inform my colleagues about a concern that I have about some potential impacts of such legislation.

Mr. Speaker, I do believe that the rapid escalation of steel imports into the United States over the past eighteen months has reached crisis levels. Reports indicate that steel imports increased by 72 percent from November of 1997 to November of 1998, and that increase has led to staggering layoffs and reductions in work hours for those working in our nation's steel industries. Those layoffs and work stoppages have seriously concerned me and should alarm all of us.

During that period, imports from Japan were up 260 percent, imports from Russia advanced 262 percent, and those from Korea increased by over 220 percent. Imports from Brazil, Ukraine, China, Indonesia, and South Africa have steadily grown. In some cases, foreign manufacturers have been shown to have sold steel for well under the cost of production.

It is clear that the United States must take strong action to ensure the enforcement of our trade policies. Mr. Speaker, I support policies that enhance U.S. trade partnerships, but I also believe that we must demand fair and responsible trade behavior from those partners. Our nation must not stand idle while our laws are flagrantly violated. Therefore, I strongly support the intent of H.R. 975 and the measures that the legislation would implement to control steel import levels at pre-crisis levels.

However, my concern lies in the potential impact that this legislation may have on a manufacturer in my district—a manufacturer that would face legitimate hardship under the current version of the bill.

The district which I represent, Washington's third district, includes several steel and aluminum production facilities. One of these facilities is The Broken Hill Proprietary Coated Steel Corporation (BHP CSC), located in the city of Kalama. In December of 1997, BHP began production of cold rolled full hard steel and galvanized sheet steel that is frequently used in the metal building and construction industries. The facility annually utilizes approximately 350,000 tons of hot band steel in the manufacture of over 300,000 tons of bare and painted sheet steel products.

Unfortunately, I have been informed that availability of the hot band steel needed for this plant is limited from domestic producers. The technologies utilized in the manufacturing process at the Kalama facility apparently require that very specific requirements be met for the quality, physical properties and size of the hot band steel used as a raw material, and most domestic producers of hot band steel are reportedly unable to meet the demands of the Kalama plant.

Therefore, BHP CSC has relied on imported hot band steel for the majority of their needs since beginning operations in 1997, and the primary source of those imports has been the BHP parent company, located in Australia. That Kalama plant has been the exclusive recipient of imports to the U.S. from the company's Australian parent. This plant has not been used as a conduit for large quantities of steel imports to be used by other manufacturers.

My concern deals with the consequences of imposing a strict quota on steel imports. In its current form, the legislation only cuts back steel imports to levels existing in July of 1997. This restriction is not only reasonable, it is necessary, and to be clear, I think we need this legislation. However, it may also severely limit the availability of the high-grade hot band steel required by the Kalama BHP facility.

As a consequence, Mr. Speaker, the productive capacity of the plant will be significantly diminished, and the limits may, in fact, result in the loss of jobs in the steel industry. Now, I can't imagine that supporters of this legislation would find job losses to be an acceptable result of a United States response to illegal trade activities.

And Mr. Speaker, I want to take a moment to call your attention to why this facility is so important to the economic survival of this corner of rural America. This economically disadvantaged area in Southwest Washington was, until recently, primarily dependent on natural-resource based industries for its economic survival. As a result of increasing limitations on timber cutting and shrinking salmon runs, the workforce needs in Cowlitz County have been scaled back again and again. Only six years ago, this area faced double-digit unemployment rates, and still has one of the highest rates in the nation.

So, Mr. Speaker, when we pass legislation that may affect the job security of over 250 hard-working people in Cowlitz County, I get gravely concerned. That's why I immediately began working on this issue when I was sworn into office at the beginning of this year.

And it is also the reason that I drafted an amendment to this legislation to provide limited waiver authority for companies with legitimate barriers to obtaining steel products for their manufacturing processes from domestic sources, to import limited amounts of steel in order to continue operations. My amendment would have permitted the Secretary of Commerce to establish a certification process to determine whether or not a manufacturer has sincere impediments to obtaining adequate quantities of steel raw materials; and, in such cases, to waive the import restrictions in only those cases.

Unfortunately, the rule providing for consideration of this legislation prevented me from introducing such an amendment, and precluded members from having the opportunity to vote on a measure that I believe would make a minimal, but desperately necessary adjustment to the overall bill. In fact, that rule prevented the introduction of any amendments.

Although I find this disappointing, I have received assurances from my colleagues that efforts will be made to address this situation as this legislation moves through the process, and I will continue to support those efforts.

As a Member of Congress, I have a responsibility to ensure that what we do here in Washington, DC, benefits my constituents in Washington State, and also to help safeguard our national interests. I believe that the enactment of this legislation, as perfected by my amendment, would serve both of these purposes. Although still imperfect, I will act today to enforce the trade policies of the United States, while continuing my efforts to protect the economic security of all steelworkers nationwide as the legislative process moves forward.

I ask my colleagues to support these efforts as we work with the other body in considering this measure. We all have an interest in keeping jobs in the United States, so let's work together to take the strongest, most appropriate measures possible to bolster this industry.

Of equal importance, I call on the President to address this situation before this flood of steel imports overwhelms what remains of the United States steel industry—an industry that has retooled to become one of the most efficient in the Nation. In the future, as a result of this measure, I hope that we can take swifter, and more effective actions when sudden surges in foreign exports to our nation unfairly threaten our industries.

Mr. Speaker, I want to again thank my colleagues Mr. VISCLOSKY and Mr. TRAFICANT, and many others, for their tremendous, persistent work in bringing public attention to this issue and for helping bring this measure to the full House for our consideration.

PERSONAL EXPLANATION

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. ROUKEMA. Mr. Speaker, I rise today to insert in the RECORD that I inadvertently voted no on Roll Call 69 on March 24, 1999. I intended to vote yes on this amendment offered by Representative Tiahrt to H.R. 1141, the Emergency Supplemental Appropriations bill.

This amendment would have offset the remaining portion of the Supplemental that was not offset by the bill. It is vitally important that all additional spending is offset. Because if it is not offset, it is paid for out of the Social Security Trust Fund surplus.

Of primary concern is Social Security. As we all know Social Security is the most popular and important program in the nation's history. It touches almost every family in America. When it comes to Social Security, this program must not be sacrificed to tax cuts or extra spending. I look forward to the day when we engage in the debate on reform with the knowledge that every cent in the Social Security Trust Fund is safe.

IN HONOR OF DR. HORACIO AGUIRRE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, today it is a distinct honor to recognize Dr. Horacio Aguirre, an outstanding journalist, good family man and contributing member to our South Florida community, for his many years of dedication and vision in the area of journalism. As an acknowledgement of his endeavors, the Miami International Press Club will present Dr. Aguirre with its 1999 Good News Award on April 15th.

The Cuban patriot Jose Marti once said: ''Talent is a gift that brings with it an obligation to serve the world, and not ourselves, for it is not of our making''. Dr. Aguirre has taken those prophetic words to heart, for his entire life has been dedicated to protecting and advancing the entire spectrum of journalism with his feverish talent and love for the field.

From his early years as the editorial writer at El Panama America newspaper in Panama, to his experience as a founding editor with one of the longest running dailies, Diario Las Americas; Dr. Aguirre has always been a champion for all journalistic causes.

His achievements have been such that other nations such as Panama, Ecuador, the Dominican Republic and Spain have all bestowed awards upon him. Dr. Aguirre has also been very active with the Inter-American Press Association, where he has held the posts of Secretary, Chairman, First Vice-President and President.

Mr. Speaker, in an era where journalistic rights have come under increasing attacks from dictatorial governments, Dr. Horacio Aguirre is worthy of recognition because he is and continues to be a defender of journalists' rights to report.

He has contributed immensely to the hemispheric discussion on this most important of issues. Dr. Horacio Aguirre offers to all of the Americas what the brilliant Ruben Dario gave to his native country, Nicaragua: ''I offer unto you the steel upon which I forged my efforts, the coffer of harmony that guards my treasure, the crown of diamonds the idol that I adore.''

CONGRATULATIONS TO HIGH POINT CENTRAL HIGH SCHOOL'S GIRLS BASKETBALL TEAM

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. COBLE. Mr. Speaker, while all eyes will be on St. Petersburg this weekend to observe the NCAA Final Four basketball championships, those of us in the Sixth District of North Carolina are already celebrating a roundball title. We are proud to say that High Point Central High School has won the North Carolina 2–A girls basketball championship.

The High Point Central Bison defeated St. Pauls 78–63 to capture the 2–A crown in Chapel Hill on March 13. High Point Central finished the year with a record of 28–2 and captured its third state title in seven years—an impressive feat.

What makes the win even more remarkable was that the Bison went into the title contest knowing one of their senior starters was injured. Lee Culp broke her foot on the Thursday before the Saturday championship, but that didn't stop her from scoring a team-leading 20 points in 29 minutes of action. For her gutty performance, Culp was named MVP of the game.

Her coach, Kenny Carter, told the Greensboro News & Record, that Lee was part of a very special group of seniors. ''I can't describe it,'' Coach Carter told the newspaper. ''I had the seniors write a paper about what it's like to be there. And they each used the word 'indescribable.' I know this, they gave me a rebirth of energy. They've been with me for four years, and I wouldn't trade them for any team or any players I've ever had.''

Joining Culp in the total team effort were Katie Copeland, Kanecia Obie, Leslie Olson, Elizabeth Redpath, Laura Kirby, Velinda Vucannon, Shonda Brown, Leslie Cook, Erica Green, Shemeka Leach, Krystion Obie, and Nasheena Quick.

Coach Carter will be the first to tell you that the Bison win was thanks to the players, coaches and staff working together to achieve a common goal. In addition to Coach Carter, congratulations are due to his assistants Jetanna McClain, April Rose, Scottie Carter, Eugene Love, Kim Liptrap, and Chris Martin. Also helping in many ways were the team managers Chasity Brown, Jessica Allen, and Serenity Klump.

So, while everyone watches the Final Four this weekend, fans of the High Point Central Bison are already celebrating the ''Final Three''—the third state championship in seven years. On behalf of the citizens of the Sixth District of North Carolina, we congratulate High Point Central for winning the state's 2–A girls basketball championship.

A TRIBUTE TO SHASHUNNA WILLIAMS, AUGUSTINE WASHINGTON, AND BESSIE DEANS

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. McCRERY. Mr. Speaker, I rise today to offer a tribute to three constituents, Shashunna Williams, Augustine Washington, and Bessie Deans, who were tragically killed in an automobile accident on their way back from a home health care training seminar. These three caring women are remembered by their family, friends, colleagues, and by their patients.

Shashunna was 22 years old, the youngest staff member in the agency, and engaged to be married this summer. She was an observant health aide, attentive to her patients' needs, and determined to overcome any obstacles she encountered. She brought to her job a vibrant energy and genuine concern for others that was often displayed with a humorous twist.

Bessie was 39 years old, and a certified nurse's aide since 1987. She was married and a devoted mother of two sons, whose sporting activities she regularly attended. Bessie was well known in the community and her caring spirit manifested itself in kindness above and beyond the call of duty. Bessie's dependability, loyalty to her patients, and her unfailing energy earned her the gratitude of all those to whom she came in contact.

Augustine was 42, a mother of four, a grandmother, and a certified nurse's aide for over ten years. She excelled in caring for the elderly, who always praised her for her kindness and generosity. Augustine visited home health patients during the day and had a second full time job at a nursing home in the evening. Augustine was a team player, most dependable, and a fine example of a hard working, caring employee.

Mr. Speaker, these three women exemplified the very best in their chosen field. We, in the Fourth District of Louisiana, share their families', colleagues', and patients' grief over their loss. I know they all will miss them terribly.

INTRODUCTION OF LEGISLATION TO IMPOSE STRICTER MANDATORY PRISON TERMS FOR CRIMINALS USING FIREARMS

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mrs. KELLY. Mr. Speaker, I rise today for the purpose of introducing legislation to impose tougher mandatory jail sentences on criminals who use guns.

It is well understood by my colleagues that gun control is an issue over which reasonable people will often disagree. The bill I am introducing today, however, is reflective of an idea about which we can all agree—criminals who use firearms deserve tough sentences. This legislation seeks to increase the mandatory minimum penalties for individuals who possess, brandish, or discharge a firearm during the commission of a federal crime which is violent or involves drug-trafficking.

For possession of a firearm during such a crime, this bill would increase the minimum mandatory sentence from 5 years to 10. For brandishing a firearm, the minimum sentence would be raised from 7 years to 15. If the firearms is discharged during the crime, this bill would set the mandatory minimum sentence at 20 years, a substantial increase from the current 10 year minimum.

Tough sentences work. Just ask the people of Richmond, Virginia. The city's Chief of Police, Jerry Oliver, testified before Congress just this week about Project Exile, a program by which individuals who use a firearm during the commission of a crime are prosecuted in federal court rather than state court, making them subject to stiffer penalties. These tougher sentences, accompanied by a public campaign to tout them, have been a central cause for the city's significantly diminished homicide rate. We need to draw from Richmond's example.

I urge my colleagues to join me in the effort to enact a law which makes it perfectly clear

that profound punitive consequences await those criminals who use deadly firearms.

HOLOCAUST SURVIVOR TAX RELIEF ACT

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. WELLER. Mr. Speaker, today, after years of arduous effort, survivors of the Holocaust who had their assets withheld from them by Swiss banks and others have finally received justice in the form of a settlement between the banks and the survivors' attorneys achieved last year. Under the settlement, survivors around the globe will receive $1.25 billion. This settlement will finally return the assets to survivors more than 50 years after they were entrusted to these banks.

In addition to the survivors who are party to this historic settlement, there are survivors who are needy and have received one-time payments from the Swiss government through the Swiss Humanitarian Fund. Payments from this fund to needy Holocaust survivors in the United States have totaled $31.4 million. Banks and corporations in France, Austria, Italy and Germany are establishing similar funds to compensate claimants for bank accounts, insurance policies, slave labor and other assets. Whether the payments are from the banks, the Swiss government or other sources, they should be excluded from taxation because the survivors are receiving back what was rightfully theirs to begin with.

Survivors who sued banks, insurance companies and manufacturers who profited from slave labor during he Holocaust did so because there was no other avenue for them to seek justice. Deprived of their assets, or those of their families, these brave souls fought unsuccessfully for fifty years until now to regain what belonged to them.

I rise today, joined by my colleague, Representative ROBERT MATSUI, to introduce H.R. 1292, the Holocaust Survivor Tax Relief Act of 1999. Senators FITZGERALD, MOYNIHAN and ABRAHAM are also introducing companion legislation in the Senate. Our legislation will exclude these payments from federal income tax.

There is little time to debate over these payments when the average Holocaust survivor is 80 years old. We must do everything we can to ease the lives in their final years, and therefore it would be wrong and immoral to tax them on the long overdue receipt of the assets. What these survivors are receiving from the various funds is money that is rightly theirs in the first place.

These survivors of the Holocaust deserve justice. Having escaped death at the hands of the Nazis, they were subjected to victimization by European banks and insurers. Those who endured the tortures of slave labor have never been compensated for their servitude to the Nazis. Now that they have begun to receive some measure of justice let us not add insult to their injury by taxing these long overdue payments to which they are entitled.

VETERANS HEALTH CARE IMPROVEMENTS LEGISLATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. PICKERING. Mr. Speaker, Abraham Lincoln once said "To care for him who shall have borne the battle, and for his widow and orphan . . ." Today, we must follow his counsel.

When veterans joined the military, they were promised "free" health care for life. There are some who would like to see the commitments this Nation made to our veterans just fade away—not to honor the promise that this Nation made to them. I do not believe we can allow that to happen.

For that reason, Congressman JERRY MORAN and I are introducing the Veterans Health Care Improvement Act of 1999. This legislation will enable us to deliver on the promises our country made to its veterans who answered the call to duty.

The men and women of America's Armed Forces have been faithful in their service. They have not asked much—just what they were promised. Our Nation pledged to provide these veterans quality health care.

We have fallen short on that promise. The Veterans Health Care Improvement Act of 1999 will make health care for our veterans better and more accessible. First, the bill establishes a voluntary Medicare subvention demonstration project that allows Medicare to reimburse the Department of Veterans Affairs (VA) for Medicare health care services furnished to certain veterans at VA medical facilities. This will give veterans more flexibility in choosing their health care providers.

The bill directs the administering Secretaries to select up to ten demonstration sites in geographically dispersed locations for program participation. Of these ten sites, one must be in an area near a base closed by the base realignment and closure law and one must be a predominantly rural area. None of the demonstration project funds may be used to build new buildings or expand existing ones. This 3-year program begins on January 1, 2000. The bill also authorizes the Secretary of the VA to establish and operate four managed health care plans at demonstration sites.

Tricare, the health care program for all branches of the military must be reformed. Many veterans are refused by physicians because Tricare is notorious for delinquent reimbursements and because the reimbursement rates often fall below those allowed by Medicare. This bill takes a big step toward leveling the playing field for our veterans.

The bill directs the Secretary to ensure that health care coverage available through the Tricare program is substantially similar to the health care coverage available to Federal employees; makes benefits portable; minimizes the certification requirements for access to the extent possible; and requires that claims be processed and payed in a simplified and expedited manner. These changes will begin to eliminate the bureaucratic red tape and improve access and payments for beneficiaries.

The bill also allows the Secretary of Defense to increase the reimbursement rate for Tricare if it is necessary to ensure quality health care for veterans.

The bill includes a sense of Congress urging the Secretary of Veterans Affairs to "review their policies and procedures to identify areas in which the administration does not currently process claims for veterans in a manner consistent with the objectives set forth in the national performance review, and to initiate the necessary actions to process such claims in such manner and report to Congress on measures taken to improve the processing time of claims."

In summary, this bill will do much to improve the quality of health care for our Nation's veterans. The heart-wrenching film "Saving Private Ryan" portrayed the enormous dedication and sacrifice our veterans endured on behalf of this Nation. As the number of elderly veterans continues to increase, it is imperative that we take the necessary steps to protect them—and to honor our commitment to them. I urge my colleagues to join me in supporting our veterans by improving their health care system.