

with disabilities to secure the best possible services they can find to get and keep jobs.

If only 1 percent—or 75,000—of the 7.5 million people with disabilities, like Phoebe, who are now on benefits were to become employed, Federal savings would total \$3.5 billion over the work life of the beneficiaries. That not only makes economic sense, it also contributes to preserving the Social Security Trust fund.

Mr. President, the disability community and members from both sides of the aisle here in the Senate have wholeheartedly endorsed this bill. The Work Incentives Improvement Act has 78 cosponsors. 78! Rarely do we see in this chamber such broad bipartisan support.

The Work Incentives Act will open the door to full participation by people with disabilities in our workplaces, our economy, and our American Dream, and I urge all my colleagues to support it.

Mr. BUNNING. Mr. President, I rise to speak in support of S. 331, the Work Incentives Improvement Act of 1999.

This is the most far-reaching Social Security disability bill to come before the Senate in a generation, and it's going to give thousands of men and women who are trapped in the disability program the tools they need to return to work.

While it's not a perfect bill, it's still a significant step forward.

Right now there are over 4½ million Americans on disability. Four and a half million, Mr. President. And of this group, less than one-half of 1 percent will return to work.

Many of these folks have permanent conditions and need assistance. But, many of these people want to return to work, and can return to work. For them, the disability program has become a black hole that swallows everyone who falls in. With proper training and rehabilitation, many of these people could work. But the disability system is not working for them.

Because of problems with the current program, they face too many hurdles, too many disincentives, in trying to return to the workforce. That is a tragedy.

Some of us have been fighting for a long time to improve the Social Security Disability Program. When I chaired the House Social Security subcommittee, we held numerous hearings on disability.

And we learned there are indeed many, many disabled who want to return to work, and can work. But they're afraid to try. They're afraid to try because returning to work often means losing their health care coverage.

Many other disabled workers could return to their jobs if they had the proper training. But because of backlogs and problems in the current voca-

tional rehabilitation system, they have not been able to get the assistance they need.

The bill before us today will change things for the better. It removes barriers that discourage the disabled from returning to work. It helps harness the power of the private sector and competition to help provide training for the disabled. And it extends basic health care coverage to help them make the difficult transition back to work.

It represents a fundamental, revolutionary change for the disabled community.

As an added benefit, this legislation will have money for Social Security—big money. For every 1% of the total number of disabled who return to work, we save \$3 billion for Social Security. The legislation before the Senate today has the potential to literally save billions and billions for Social Security.

Mr. President, last year, the House did pass my disability bill by a vote of 410-1. Unfortunately, the bill was tied up in the Senate by some shenanigans and it died. That was a tremendous disappointment to me, and to be honest, I didn't think we would be back to talking about a disability bill in the Senate for a long, long time.

But we are back here today, and I am proud that the disability provisions in the bill before us largely borrows from my old legislation. The bill's sponsors did make some further changes to their bill at my request that I think improves it, and I appreciate that.

But we still have a way to go. And there are several conditions that have to be met for me to support any conference report.

The bill has to be fully paid for with other spending reductions. Under the unanimous consent agreement, the conference report has to be fully offset, and contain no new taxes. I intend to stick by that agreement.

I also want to see changes that the sponsors negotiated with me on the ticket maintained in the final conference report. I appreciate their working with me, and I think our efforts have produced a better bill. We shouldn't move backward in the conference report.

This is a good bill, but it is not perfect. And we still have to hear from the House. But we are making progress. I'm eager to move forward.

I urge support for the bill.

AGRICULTURE, RURAL DEVELOPMENT AND RELATED AGENCIES

Mr. KOHL. Mr. President, I am aware that an amendment or amendments relating to dairy policy may be offered during full committee mark-up on the fiscal year 2000 appropriations bill for Agriculture, Rural Development and Related agencies. I serve as ranking member for the Agriculture, Rural De-

velopment and Related Agencies Subcommittee and I am proud of the work I have done with Senator COCHRAN, Chairman of the Subcommittee, in preparing the bill for fiscal year 2000 and having it approved unanimously by the entire Subcommittee. I am, therefore, very distressed to learn of possible amendments that are authorizing in nature, and that would result in setting dairy policy with disastrous consequences for my State and region.

Due to my very strong commitment to keep the fiscal year 2000 appropriations bill clean of amendments of the nature suggested, I am prepared to take whatever steps possible to prevent inclusion of these amendments during consideration of the bill by the Senate Appropriations Committee. I strongly believe that the issues surrounding these amendments are of such an important nature that deliberation by the full Senate is imperative. If proponents of these amendments wish to bring them to the floor to offer and debate them, I welcome the opportunity for the discussion. However, I will do all I can to ensure that these matters are not decided by the smaller number of Senators that comprise the Appropriations Committee.

In the event an amendment or amendments relating to dairy policy, such as one establishing or extending interstate compacts, are offered for adoption by the full Appropriations Committee, I am prepared to offer, and will offer, a number of second degree amendments to eliminate the harmful policy that amendment proponents apparently seek to impose on farmers and consumers. Also, in an attempt to keep this sort of anti-consumer, anti-farmer amendment from ending up on the bill, I am prepared to offer, either as first or second degree amendments, a number of other amendments—some related to the bill and some not. If the committee chooses to enter into controversial debates that belong in authorizing committees, I too have several non-Appropriations issues that I would like considered.

I do not relish holding up the work of my Committee, and I will not if these sort of dairy amendments are not offered. But I feel it is only fair to my fellow Committee members and to the Senate to let them know how very seriously I take attempts to harm the dairy industry in the State of Wisconsin.

The amendments I may offer that are relevant to the Agriculture Appropriations bill, include, but are not limited to:

An amendment to provide additional funds for the President's Food Safety Initiative.

An amendment to provide additional funds for the WIC program.

An amendment to provide additional funds for the President's Human Nutrition Initiative.

An amendment to provide additional funds for the Wetlands Reserve Program.

An amendment to provide additional funds for the Conservation Farm Option Program.

An amendment to provide additional funds for the TEFAP program.

An amendment to provide additional funds relating to the Food Quality Protection Act.

An amendment to provide additional funds for the National Research Initiative.

An amendment to provide additional funds for the NET program.

An amendment to provide additional funds for the Food and Drug Administration.

An amendment to provide additional funds for the EQIP program.

An amendment to provide additional funds for the Fund for Rural America.

An amendment to express the sense of the Senate on the history of dairy policy.

An amendment to express the sense of the Senate on dairy compacts and their harmful effects on consumers.

An amendment to express the sense of the Senate on dairy compacts and their fundamental conflict with the principles of free trade.

An amendment to express the sense of the Senate on dairy compacts and their harmful effect on the Midwestern dairy industry.

An amendment to express a sense of the Senate on the economic policy problems with dairy compacts.

In addition to these, I have at least 40 other amendments funding changes to the bill that will require votes by the full Committee.

I also have many amendments not relevant to the bill and more in the nature of authorizing legislation. However, as I said before, if the Committee is going to consider dairy legislation of an authorizing nature—legislation with a very real impact on my State—I would insist on also considering other authorizing issues of importance to my constituents. These would include:

The Patient Abuse Prevention Act: This amendment is based on my bill that establishes a national registry of abusive long-term care workers, and requires nursing homes, home health agencies and hospices to check the registry and do criminal background checks on potential employees before hiring them.

Folic Acid Promotion and Birth Defects Prevention Act: This amendment is based on a bill I will be introducing with BOND and ABRAHAM next week. It would authorize \$20 million per year to provide education and training to health care providers and the public on the need for women to take folic acid to reduce birth defects.

Sense of the Senate on the nursing home bill: This amendment is based on an amendment that passed two years

ago on the Budget Resolution. It is a Sense of the Senate that Congress should create a national registry system so long-term care facilities may conduct background checks on potential employees.

Organ distribution amendment: This amendment would nullify the HHS proposed rule that changes the way organs are distributed across the nation.

Class size fix: This would amend the Class Size Reduction program to ensure that smaller school districts have access to their class size funds without having to form a consortium with other districts.

National Family Caregiver Support program: This would provide support services, including respite services, to persons caring for a disabled or elderly relative.

Sodas in Schools: This is based on a bill introduced by LEAHY, JEFFORDS, KOHL, and FEINGOLD last month) This would prohibit the giveaways of free sodas during the school lunch program.

The Child Care Infrastructure Act: This amendment would establish a tax credit for employers who provided child care benefit to their employees.

Child Support Pass Through: This amendment would reform the child support collection system to provide more income support for low-income families.

Income Averaging for Farmers: This, and another amendment creating Farmer IRAs would establish more fairness for farmers.

Several foreign policy Sense of the Senates including: A sense of the Senate 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; a sense of the Senate resolution condemning Palestinian efforts to revive the original Palestine partition plan of November 29, 1947, and condemning the United Nations Commission on Human Rights for its April 27, 1999, resolution endorsing Palestinian self-determination on the basis of the original Palestine partition plan; a sense of the Senate regarding a peaceful process of self-determination in East Timor, and for other purposes.

Apostle Islands: An amendment to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area.

Zachary Baumel: An amendment to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

Women's Business center: A bill to amend the Small Business Act with respect to the women's business center program.

Arctic National Wildlife Refuge: A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

Military Reservists: An amendment to authorize the Small Business Ad-

ministration to provide financial and business development assistance to military reservists' small business, and for other purposes.

Menominee: An amendment to provide for the settlement of claims of the Menominee Indian Tribe of Wisconsin.

33RD ANNIVERSARY OF MIRANDA VERSUS ARIZONA

Mr. THURMOND. Mr. President, 33 years ago this week, the Supreme Court issued possibly its most famous and far-reaching criminal law decision of the twentieth century: *Miranda v. Arizona*. In response, the Congress enacted a law, codified at 18 U.S.C. section 3501, to govern the admissibility of voluntary confessions in Federal court. The Criminal Justice Oversight Subcommittee, which I chair, recently held a hearing to discuss the Clinton Justice Department's refusal to use this Federal statute to help Federal prosecutors in their work to fight crime.

Issued in 1966, the *Miranda* decision imposed a code-like set of interrogation rules on police officers. Essentially, the Court held that before a confession can be admitted against a defendant, regardless of whether the confession was voluntary, the police must read the defendant the now familiar *Miranda* warnings, and the defendant must affirmatively waive his rights. We will never know how many crimes have gone unsolved or unpunished because of *Miranda*.

The *Miranda* decision acknowledged that the warnings were not themselves constitutionally protected rights but only procedural safeguards designed to protect the Fifth Amendment right against self-incrimination. Subsequent Supreme Court opinions have repeatedly reaffirmed this conclusion. Further, the *Miranda* court expressly invited Congress and the States to develop legislative solutions to the problem of involuntary confessions.

In response to the Court's invitation, the Congress held extensive hearings on this issue as part of Federal criminal law reform. A bipartisan Congress with my participation and that of many others on both sides of the aisle in 1968 passed an omnibus crime bill that included a provision that eventually became law as section 3501. That statute, of which I was an original co-sponsor, provides that "In any criminal prosecution brought by the United States . . . a confession . . . shall be admissible in evidence if it is voluntarily given." The statute goes on to list five nonexclusive factors that a judge may consider in determining whether a confession is voluntary and, hence, admissible. One of those factors is whether the *Miranda* warnings were given. Thus, the statute continues to provide police with an incentive to deliver the *Miranda* warnings.