

this system that has caused defensive medicine and cost society in terms of quality health care for decades, and killed people according to the IOM, should be fixed before we expand its breadth to anyone else?

So, Mr. President, I say that liability has never been a friend to patients and the unfortunate findings about annual deaths in the IOM report are the best evidence of that fact. This IOM report is very important in our deliberations, and none of us should lose sight of this fact.

I also believe that my constituents back in New Hampshire should not have to deal with a greatly complicated regulatory bureaucracy. You know, a patient that has a question about his coverage or some other aspect of his health plan wants a straight answer to a question.

I want to highlight this fact: The consumer wants a straight answer. Ultimately, he should be able to call his health plan and receive reliable information.

If the answer he gets is not the answer he wants, the patient should have a means of redress. Under the Senate passed bill, we have set a system that lets doctors take a look at what doctors are deciding for patients.

Under the Senate passed bill, concerns are addressed by a doctor specializing in the patient's type of problem. The doctor is independent, and makes that decision.

There are several levels of independent medical review where a patient can go outside the insurance plan and have another doctor who specializes in the same type of problem look again at the patient's needs and decide if the patient should or should not have the requested service or treatment.

This is an approach designed to get the patient care, and get the patient good care.

The House-passed bill also has an appeals process, but I am very concerned its design is more about creating more lawsuits, and putting more money in attorneys' pockets.

What will patients get out of this? They won't get the care they need. So we think we have come up with a better idea.

In conclusion, let me say that patients really want and need to be put back into the health care equation, and I think that has been acknowledged on both sides.

That is why many of the provisions in both bills are very similar. I think the provisions on plan information in both bills are similar and there is common ground from which we can work.

We both give Americans expanded new rights to go to an emergency room and get the care they need without worrying about having to fight with their insurer over who will pay for this care.

We both greatly expand access to specialists. Both bills allow direct access

to a pediatrician for children, and for women seeking primary and preventative ob/gyn care.

So, we are close on very many of the issues that are important to most Americans. These are major issues that I believe we can come to an agreement on.

Other issues will be difficult to resolve, but I am committed to sitting down with colleagues on the other side of the aisle to discuss these issues, and will promise to negotiate in good faith.

We may not agree yet, but I am hopeful. I think Democrats and Republicans share a goal of wanting to ensure individuals have access to safe and appropriate health coverage. So I am positive about this conference.

DEATH OF KAYLA ROLLAND

Mr. ABRAHAM. Mr. President, I rise, with sadness and a heavy heart today. On Tuesday, Kayla Rolland, a 6-year-old first grader was shot and killed by a classmate at Theo J. Buell Elementary School in Mount Morris Township, MI.

As Kayla's family mourns their lost, I am certain in my heart that Kayla's spirit is in a better place.

It is my hope that in this difficult time Kayla's family will find comfort in one another, in their community, in their faith and in the knowledge that across America their fellow citizens feel their grief.

Such a violent death is a great tragedy. But for someone so young, to have her hopes and dreams cut short by gunfire—stretches the limits of our power to understand and to accept.

As the father of two daughters, also in the first grade, I can't get out of my mind the pictures of Buell Elementary School, as so many frightened young children facing a terror few of us would want to know firsthand, rushed into the arms of their parents.

I thank God each day that my kids return home safe, away from the dangers of this world and from the senseless violence that haunts our communities.

But, as our Nation tries to address the questions and issues that surrounded this tragic event, I hope that, for the next few days, we focus on Kayla's family.

A family lost a child this week, and that we must not forget.

There is a time and a place to address the circumstances surrounding Kayla's death and the public policy issues involved, and I look forward to those discussions.

But, I hope that we will not allow the policy debates and the media rush to examine this tragic event cause us to forget the immediate needs of a family in mourning.

Above all, I hope that we will keep the Rolland family and Kayla in our thoughts and prayers.

In closing, Mr. President, on behalf of my wife Jane and myself, I would like to express our family's deepest sympathies to the Rolland family.

SAVE OUR SURPLUS

Mr. GRAMS. Mr. President, I rise to speak about a very important bill I introduced yesterday. My Save Our Surplus, or S.O.S. legislation would lock in every penny of the \$23 billion non-Social Security surplus which materialized in FY 2000 and return it to working Americans in the form of debt reduction, tax relief and structural Social Security and Medicare reform.

The reason for this legislation is simple: Last year the Congress adopted my amendment in the budget resolution to set up a reserve fund for any non-Social Security surplus for tax relief.

Unfortunately, this provision in the budget resolution was completely ignored in the appropriation process. As a result, we ended up spending every penny of the projected \$14 billion on-budget surplus.

The Congressional Budget Office estimated early this year that, Thanks to our strong economy, we would have an even higher \$23 billion on-budget surplus in the current fiscal year despite that spending spree.

Mr. President, this \$23 billion non-Social Security surplus does not fall from the sky. It is working Americans who generated the surplus—not Congress, not the President, but Americans' hard work.

In fact, hard working Americans have created a strong economy that has turned the ink in Washington's accounting book black for the first time in 40 years. The budget surplus above and beyond Social Security will top \$1.9 trillion over the next 10 years.

Clearly, the reason we have a surplus is the result of the hard work of working men and women of this country. Washington should not be the first in the line to spend this surplus.

Mr. President, the budget surplus above and beyond the Social Security surplus is tax overpayments and should be returned to taxpayers in the form of tax relief, debt reduction and Social Security reform.

If we don't return the tax overcharges to the taxpayers in these ways, Washington will spend it all, leaving nothing for tax relief, debt reduction or the vitally important task of preserving Social Security. Last year's appropriations spending has proven my fears are well founded.

President Clinton has already proposed spending nearly all of this surplus, and both Chambers of the Congress are preparing to add even more to the President's request in this year's supplemental spending bill.

This is not right. Last year's discretionary spending was already increased by over 5 percent, twice the rate of inflation. If Congress spends this additional \$23 billion surplus, discretionary