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No. 43

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 10, 2000, at 12:30 p.m.

## Senate

FRIDAY, APRIL 7, 2000

The Senate met at 9:02 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:

Father, help us to accept our humanity. Life is a struggle when we pretend to have it all together. We end this week in honest confession of the times that we forgot You, went for hours, even days, without asking for Your help, and endured life's pressures as if we could be our own source of strength. In the quiet of this moment, we invite You to fill our depleted resources with Your spirit. We want to let You love us, forgive us, renew us, and grant us fresh strength. To this end, we admit our needs and accept Your power. You are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, 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.

### RECOGNITION OF THE ACTING MAJORITY LEADER

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

### SCHEDULE

Mr. DOMENICI. Mr. President, today the Senate will continue to vote on the

remaining amendments to S. Con. Res. 101. Needless to say, votes are expected to occur throughout the morning with an expectation of voting this afternoon and perhaps into the evening, if we are not able to resolve some of the pending sense-of-the-Senate amendments and other amendments.

There are 2 minutes of explanation on amendments prior to each vote. To make this process as smooth as possible, I ask that Senators remain in the Chamber between votes. I thank my colleagues for their cooperation.

We will be talking with various Senators about amendments. So that everybody will know, there are 75 amendments filed by Republicans and 36 by Democrats. We are going to work with our Democratic minority whip and the ranking member of the Budget Committee to see if we can encourage a number of Senators to accept sense-of-the-Senate proposals and let us accept them on both sides. We will be working diligently at that. If we don't have success, then looking at this, I say that probably we would not finish before 6 o'clock tonight, or even later. We will work very hard. If Members will help us, we can do better than that.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Nevada.

Mr. REID. Mr. President, we have lined up five votes on each side. I say, however, to my friend, the manager of the bill, there is a tremendous amount of staff time that is still going to be required. Each side has not been able to review each other's amendments. I respectfully suggest to the majority that the minority doesn't think we have done anything untoward in offering

amendments. We have offered half as many as the majority. This doesn't mean they should have twice as many cleared as we have cleared. If both sides can work out the clearance, that is fine.

The point I am trying to make is that we are trying to work our way through this amendment process. If there is some effort, in effect, to try to punish us by staying here late to work through these amendments, we are willing to do that. I think the more logical way to go would be to work our way through the amendments.

I say to the distinguished Senator from New Mexico, we would be much better off if we gave the staff a matter of hours, perhaps days, to work their way through these amendments. These are very difficult subjects. As to the sense-of-the-Senate aspect, most of those have been resolved. There are some that are very substantive in nature, and we need to work our way through them.

I personally think it is going to be impossible to finish this bill today. If we have to vote on all these amendments, we are not talking about 6 o'clock tonight; we are talking about 6 o'clock Monday morning. It is up to the majority whether they want to put us through this. I think the more logical way to do it would be to have our very proficient staffs work on these amendments over the weekend and get it down to a reasonable number so we can complete this bill next week.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. We will carry the Senator's message to the majority

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



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leader. Right now, we have 10 votes that we are willing to proceed with, 5 on each side. The first one is the Santorum amendment on military benefits; followed by Conrad on lockbox; Abraham on Social Security lockbox; Johnson on veterans; Ashcroft on Social Security investment; Mikulski on digital divide; Senator Bob Smith on prescription drugs; Graham of Florida on education; Voinovich on reconciliation instruction and taxes; and Kennedy on Pell grants.

I yield the floor.

#### FISCAL YEAR 2001 BUDGET— Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. Con. Res. 101, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 101) setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 3058

(Purpose: To express the sense of the Senate supporting additional funding for fiscal year 2001 for medical care for our nation's veterans)

Mr. SANTORUM. Mr. President, I understand my amendment is next in the queue. I ask the amendment be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM] proposes an amendment numbered 3058.

The amendment is as follows:

On page 23, line 7, strike “47,568,000,000” and insert “48,068,000,000”.

On page 23, line 8, strike “47,141,000,000” and insert “47,641,000,000”.

On page 27, line 7, strike “-59,931,000,000” and insert “-60,431,000,000”.

On page 27, line 8, strike “-48,031,000,000” and insert “-48,531,000,000”.

At the appropriate place insert the following:

“(A) It is the sense of the Senate that the provisions in this resolution assume that if CBO determines there is an on-budget surplus for FY 2001, \$500 million of that surplus will be restored to the programs cut in this amendment.

“(B) It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of these offsets will come from defense or veterans, and to the extent possible should come from administrative functions.”

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, my amendment increases veterans' health care benefits by \$500 million, which is what the Independent Budget, which is supported by a variety of veterans organizations, has come forward and said they need to provide adequate health care for our Nation's veterans.

I commend the chairman of the Budget Committee for increasing veterans' health care benefits by \$1.4 billion, but that isn't enough to provide

for the needs of our veterans population.

This is an important issue to keep the promise that we made to our veterans to provide adequate health care. It is also important for our military. What we need to do is to show the people in the service right now, who want to stay in the service and make careers out of the service, that we are going to keep our promises to them when they leave the service. This is an important amendment to provide adequate health care benefits for our veterans as well as to show our people in the current military that we are going to keep our promises.

I ask unanimous consent that Senator ABRAHAM be added as a cosponsor of the amendment.

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

The Senator from South Dakota is recognized.

Mr. JOHNSON. Mr. President, I applaud anybody who attempts to address issues of veterans' health care. However, I think it is regrettable that the Senator from Pennsylvania chose not to work in a bipartisan fashion with Senators CRAIG, WELLSTONE, myself, and other veterans organizations across the country with our amendment that we will be offering very shortly, which has a longer-term, 5-year fix for the veterans' health care funding shortfall.

Our amendment will far more significantly address the problems with veterans' health care in this Nation. The one offered by Senator SANTORUM is a fine step, in a small sense. I have no problems supporting it. I think the body needs to understand that we will come to a far more significant amendment shortly. The amendment this morning will deal with a 5-year approach to veterans' health care.

I yield to Senator WELLSTONE.

Mr. WELLSTONE. Mr. President, I think the Independent Budget is very important. We have been out here working on it. This amendment follows the amendment we introduced. One year is fine, but we need 5 years. Let's vote for this amendment as well.

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

The amendment (No. 3058) was agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote.

Mr. SANTORUM. 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 North Dakota is recognized.

#### AMENDMENT NO. 3016

(Purpose: To protect Social Security surpluses and reserve a portion of on-budget surpluses for Medicare and debt reduction)

Mr. CONRAD. Mr. President, 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 North Dakota [Mr. CONRAD] proposes an amendment numbered 3016.

Mr. CONRAD. 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:

At the end of title III, insert the following:

#### SEC. \_\_\_\_ . SAVE SOCIAL SECURITY AND MEDICARE LOCKBOX.

(a) DEFINITION.—In this section, the term “Social Security and Medicare lockbox” includes—

(1) the amount of the Social Security surplus (as defined in section 311(b)(1) of the Congressional Budget Act of 1974), with respect to any fiscal year; and

(2) the amount of the “Medicare surplus reserve” defined as a minimum of one-third of the on-budget surplus as estimated by the Congressional Budget Office for each of the 3 applicable time periods, which are—

(A) the budget year;

(B) the budget year plus the subsequent 4 years; and

(C) the budget year plus the subsequent 9 years.

(b) BUDGET RESOLUTION POINT OF ORDER.—It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the on-budget surplus below the levels of the Medicare surplus reserve, except for legislation that reforms the Medicare program and provides coverage for prescription drugs.

(c) SUBSEQUENT LEGISLATION POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that together with associated interest costs would decrease the on-budget surplus below the level of the Medicare surplus reserve, except for legislation that reforms the Medicare program and provides coverage for prescription drugs.

(d) SOCIAL SECURITY OFF-BUDGET POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider a concurrent resolution on the budget (or any amendment thereto or conference report thereon) or any bill, joint resolution, amendment, motion, or conference report that would violate section 13301 of the Budget Enforcement Act of 1990.

(e) STRENGTHENING SOCIAL SECURITY POINTS OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget (or any amendment thereto or conference report thereon) or any bill, joint resolution, amendment, motion, or conference report that would—

(1) decrease Social Security surpluses in any year covered by this resolution below the levels established in this resolution; or

(2) amend section 301(i) or 311(a)(3) of the Congressional Budget Act of 1974 to allow Social Security surpluses to be decreased below the levels established in this resolution.

(f) SUPERMAJORITY WAIVER.—

(1) WAIVER.—This section 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 pursuant to this section.

(g) SENATE PAY-AS-YOU-GO RULE EXTENDED THROUGH 2010.—Section 207(g) of H.

Con. Res. 68 (the Concurrent Resolution on the Budget for fiscal year 2000) is amended by striking "2002" and inserting "2010".

On page 4, line 4, increase the amount by \$2,026,000,000.

On page 4, line 5, increase the amount by \$0.

On page 4, line 6, increase the amount by \$5,067,000,000.

On page 4, line 7, increase the amount by \$7,230,000,000.

On page 4, line 8, increase the amount by \$6,620,000,000.

On page 4, line 13, increase the amount by \$2,026,000,000.

On page 4, line 14, increase the amount by \$0.

On page 4, line 15, increase the amount by \$5,067,000,000.

On page 4, line 16, increase the amount by \$7,230,000,000.

On page 4, line 17, increase the amount by \$6,620,000,000.

On page 5, line 15, increase the amount by \$2,026,000,000.

On page 5, line 16, increase the amount by \$0.

On page 5, line 17, increase the amount by \$5,067,000,000.

On page 5, line 18, increase the amount by \$7,230,000,000.

On page 5, line 19, increase the amount by \$6,620,000,000.

On page 5, line 23, decrease the amount by \$2,026,000,000.

On page 5, line 24, decrease the amount by \$0.

On page 5, line 25, decrease the amount by \$5,067,000,000.

On page 6, line 1, decrease the amount by \$7,230,000,000.

On page 6, line 2, decrease the amount by \$6,620,000,000.

On page 6, line 6, decrease the amount by \$2,026,000,000.

On page 6, line 7, decrease the amount by \$0.

On page 6, line 8, decrease the amount by \$5,067,000,000.

On page 6, line 9, decrease the amount by \$7,230,000,000.

On page 6, line 10, decrease the amount by \$6,620,000,000.

On page 29, line 3, decrease the amount by \$2,026,000,000.

On page 29, line 4, decrease the amount by \$20,943,000,000.

Mr. CONRAD. Mr. President, this amendment is designed to safeguard both Social Security and Medicare. We have, on a bipartisan basis, achieved consensus now that we should not spend the Social Security surplus for other programs. That is an enormous advancement. That is a commitment to fiscal responsibility. We ought to take the next step now and protect Medicare as well. That is what this lockbox amendment does. It protects every penny of Social Security for Social Security in each and every year, and it commits one-third of the non-Social Security surplus to Medicare. So we are taking care of our two major programs that are most at risk, Social Security and Medicare.

I hope my colleagues will support this lockbox amendment so we can leave this Congress with a full commitment to Social Security and Medicare.

Mr. DOMENICI. Mr. President, it is almost comical that this is called a Medicare lockbox because it has nothing to do with Medicare. The Social Se-

curity lockbox at the Social Security trust fund actually puts those away. This amendment never references the Medicare trust fund. It says we are to run on-budget surpluses equal to a third of the Congressional Budget Office surpluses, using the most recent baseline projections. I don't think we ought to do that. We have priorities set up in the budget. It violates the Budget Act.

I make a point of order that it is not germane to provisions of the Budget Act. I therefore raise that point of order.

Mr. CONRAD. Pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable sections of the Budget Act for 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 question is on agreeing to the motion to waive the Budget Act in relation to the Conrad amendment No. 3016.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 44, nays 56, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—44

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	

NAYS—56

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee, L.	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kerrey	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McCain	

The PRESIDING OFFICER. On this vote the yeas are 44, the nays are 56. 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 fails.

Mr. DOMENICI. Mr. President, may we have order?

The PRESIDING OFFICER. There will be order in the Chamber.

Mr. DOMENICI. Mr. President, I believe Senator ABRAHAM has the next amendment.

AMENDMENT NO. 3063

(Purpose: To provide for the protection of Social Security trust funds surpluses)

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. SANTORUM, Mr. GRAMS, Mr. CRAIG, Mr. COVERDELL, and Mr. CRAPO, proposes an amendment numbered 3063.

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. . PROTECTION OF THE SOCIAL SECURITY SURPLUSES.**

(a) The Senate finds that—

(1) Congress balanced the budget excluding the surpluses generated by the Social Security trust funds in 1999, and should do so in 2000 and every future fiscal year;

(2) reducing the federal debt held by the public is a top national priority, strongly supported on a bipartisan basis, as evidenced by Federal Reserve Chairman Alan Greenspan's comments that debt reduction "is a very important element in sustaining economic growth";

(3) according to even the most profligate spending projection by the Congressional Budget Office, balancing the budget excluding the surpluses generated by the Social Security trust funds will totally eliminate the net debt held by the public by 2010;

(4) the Senate adopted a Sense of the Senate amendment to last year's budget resolution by a vote of 99-0 that called for a legislative mandate that the Social Security surpluses only be used for the payment of Social Security benefits, Social Security reform or to reduce the federal debt held by the public, and that a Senate super-majority Point of Order lie against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public;

(5) the House adopted on a vote of 416-12, H.R. 1259, a bill to provide a legislative lockbox to protect the Social Security surpluses;

(6) the Senate has failed to hold a vote on passage of any Social Security lock box legislation having failed five times to overcome filibusters against both Senate and the House of Representatives' legislative proposals; and

(7) the Senate Committee on the Budget unanimously adopted an amendment to this Concurrent Resolution that provided a permanent Senate super-majority Point of Order against any budget resolution that would produce an on-budget deficit.

(b) It is the Sense of the Senate that the functional totals in this concurrent resolution on the budget assume that during this session of Congress the Senate shall pass legislation which—

(1) reaffirms the provisions of section 13301 of the Omnibus Budget Reconciliation Act of 1990 that provides that the receipts and disbursements of the Social Security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985, and provides for a Point of Order within the Senate against any concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates that section;

(2) mandates that the Social Security surpluses are used only for the payment of Social Security benefits, Social Security reform or to reduce the federal debt held by the public, and not spent on non-social security programs or used to offset tax cuts;

(3) provides for a Senate super-majority Point of Order against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public;

(5) Ensures that all Social Security benefits are paid on time; and

(6) Accommodates Social Security reform legislation.

Mr. ABRAHAM. Mr. President, if I might, in the Budget Committee as we prepared the resolution to come to the floor, we were successful in making the lockbox mechanism a permanent part of the budget process and making it enforceable with a 60-vote point of order. I consider that to be a victory on this matter.

In the interest of setting a good precedent today, I therefore seek unanimous consent to withdraw the amendment at this time, and hope others who have similar kinds of amendments will help us to expedite the process.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. LAUTENBERG. Mr. President, while this amendment expresses the sense of the Senate that Congress ought to pass legislation to establish the security lockbox, we are concerned. I think it is fair to say all of us endorse that principle. We want the Social Security funds reserved for Social Security recipients. I am going to support this amendment.

The PRESIDING OFFICER. The amendment has been withdrawn.

Mr. LAUTENBERG. I am sorry, I was not paying attention. I am glad the Senator withdrew the amendment.

Mr. ABRAHAM. Since no objection was raised, apparently, to the amendment, and since there may be an ability to have an immediate voice vote, I am happy to accept the proposal of the Senator from New Jersey and voice vote the amendment rather than withdrawing it to save time.

Mr. LAUTENBERG. I stopped in the middle of my statement because I was astonished by the Senator's generous attitude, and so we will skip the amendment as long as he will withdraw the amendment.

Mr. DOMENICI. The Senator was asking the question, since the Senator from New Jersey does not object to it, could we accept it?

Mr. LAUTENBERG. Given the opportunity to clean the slate and move along, I withdraw my statement.

Mr. DOMENICI. Thank you very much.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for 1 minute.

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

Mr. BYRD. Mr. President, tomorrow, April 8, is the anniversary of the ratification by the State of Connecticut of the 17th amendment. But for that amendment, I would not be here and for that amendment, a good many of us would not be here.

That amendment provides for the popular election of Senators. I just wanted to call that to our colleagues' attention. Tomorrow is quite an important day for most of us. Does anyone think the West Virginia Legislature would have selected me for the Senate? I did not have two nickels I could rub together. Nobody knew me. My dad was a coal miner. I expect a lot of us can say somewhat the same things. Just keep that in mind tomorrow, how thankful we should be for the 17th amendment. I yield the floor.

Mr. DOMENICI. Mr. President, can I have 30 seconds?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, the Senator probably agrees the popular election created a better Senate.

Mr. BYRD. Well, yes.

Mr. DOMENICI. So I ask that this better Senate help us get rid of some of these amendments that are irrelevant.

Mr. BYRD. I must say I expect some of those who were proponents of the 17th amendment would probably be disappointed in the Senate if they could see it today.

Mr. DOMENICI. I thank the Senator.

Mr. BYRD. A lot of the Senators who were here when I came would likewise be chagrined, embarrassed, and disappointed.

The PRESIDING OFFICER. The Senator from South Dakota.

#### AMENDMENT NO. 2934

(Purpose: To increase funding for veterans health care)

Mr. JOHNSON. Mr. President, I call up amendment No. 2934.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Mr. ROBB, Mr. JEFFORDS, Ms. MIKULSKI, Mr. KENNEDY, Mr. BRYAN, Mr. KERRY, Mr. CONRAD, and Mr. HARKIN, proposes an amendment numbered 2934.

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

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

The amendment is as follows:

On page 4, line 4, increase the amount by \$500,000,000.

On page 4, line 5, increase the amount by \$500,000,000.

On page 4, line 6, increase the amount by \$500,000,000.

On page 4, line 7, increase the amount by \$500,000,000.

On page 4, line 8, increase the amount by \$500,000,000.

On page 4, line 13, increase the amount by \$500,000,000.

On page 4, line 14, increase the amount by \$500,000,000.

On page 4, line 15, increase the amount by \$500,000,000.

On page 4, line 16, increase the amount by \$500,000,000.

On page 4, line 17, increase the amount by \$500,000,000.

On page 4, line 22, increase the amount by \$500,000,000.

On page 4, line 23, increase the amount by \$500,000,000.

On page 4, line 24, increase the amount by \$500,000,000.

On page 4, line 25, increase the amount by \$500,000,000.

On page 5, line 1, increase the amount by \$500,000,000.

On page 5, line 7, increase the amount by \$500,000,000.

On page 5, line 8, increase the amount by \$500,000,000.

On page 5, line 9, increase the amount by \$500,000,000.

On page 5, line 10, increase the amount by \$500,000,000.

On page 5, line 11, increase the amount by \$500,000,000.

On page 23, line 7, increase the amount by \$500,000,000.

On page 23, line 8, increase the amount by \$500,000,000.

On page 23, line 11, increase the amount by \$500,000,000.

On page 23, line 12, increase the amount by \$500,000,000.

On page 23, line 15, increase the amount by \$500,000,000.

On page 23, line 16, increase the amount by \$500,000,000.

On page 23, line 19, increase the amount by \$500,000,000.

On page 23, line 20, increase the amount by \$500,000,000.

On page 23, line 23, increase the amount by \$500,000,000.

On page 23, line 24, increase the amount by \$500,000,000.

On page 29, line 3, decrease the amount by \$500,000,000.

On page 29, line 4, decrease the amount by \$2,500,000,000.

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. JEFFORDS. Mr. President, I wish to add my voice to those who have already spoken eloquently about the need to increase funding for America's veterans. While I appreciate Senator DOMENICI's efforts to provide the increase requested by the administration, many of my colleagues agree with me that this is not sufficient to meet the needs of America's veterans. Years of underfunding coupled with spiraling health care costs have left the system struggling to provide the quality care that veterans expect and deserve. This trend must be stopped and reversed. We owe it to future generations to keep federal spending under control. But we must first recognize the prior claim of veterans who have already given of themselves and who expect to receive the medical care and benefits they are promised.

Mr. President, veterans in my State of Vermont are very lucky. They have been served for many years by a very dedicated and high quality VA system, headquartered in White River Junction with clinics in Burlington and

Bennington. But this system is being stretched to the limit. Numbers of veterans wanting to use the services of the VA are increasing. While the cost of providing quality medical care has risen less at our VA hospital than it has in the private sector, more funding is still required just to provide the same services this year as last. Budget shortfalls of about 10 percent per year for several years have forced administrators to demand sacrifices of their personnel that would not be tolerated in many other systems and make cuts in services that are regrettable. Thanks to our dedicated staff, Vermont veterans are still receiving quality health care, but these trends can't continue. It is high time the system was given the funding it needs to do the job right.

In an improvement over last year, the President's budget for fiscal year 2001 requested an increase of \$1.3 billion for veterans health care. But that is still about \$600 million below the amount that is needed to maintain existing programs and fulfill the funding requirements of the Veterans Millennium Health Care and Benefits Act, passed by Congress last year. This amount, \$21.2 billion, has been identified by the Independent Budget coalition as the minimum acceptable funding level for veterans health care programs.

While veterans, just like all Americans, would love to see their benefits increase, this request does not do that. Funding the Veterans Health Administration at \$21.2 billion would merely take a bite out of the increasing cost of medical care, particularly pharmaceutical costs, for an aging veterans population. Demand for VA health care continues to rise and enrollment is going up at many facilities, with no corresponding increase in funding to cover those veterans. The Millennium bill authorized better nursing home care, home health and long-term care services, greatly needed by veterans. It also provided veterans with long-desired emergency room coverage, and recognizes the imperative of covering the increasing number of hepatitis C cases among veterans. But if additional funds are not provided to cover these costs, these promises will be hollow.

I am very pleased to join Senators JOHNSON and WELLSTONE in offering this amendment to add \$500 million to the budget for the Veterans Health Administration. I urge all my colleagues to support this worthy effort. This is the very least we can do!

Mr. JOHNSON. Mr. President, I thank Senators WELLSTONE, DOMENICI, and CRAIG for working out an agreement on a veterans amendment which increases outlays for veterans' health care by \$500 million over the Budget Committee's level in each year of the budget resolution and raises the funding to the level requested in the veterans' Independent Budget, a \$1.9 billion, increase over fiscal year 2000.

This level of funding is advocated by 40 veterans groups and medical soci-

eties. I urge all Senators to support this critically important amendment which ensures adequate funding for veterans over a 5-year period.

The PRESIDING OFFICER. The Senator from Idaho.

AMENDMENT NO. 3074 TO AMENDMENT NO. 2934

Mr. CRAIG. Mr. President, I have a second-degree amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG], for himself, Mr. MURKOWSKI, Mr. HUTCHINSON, Mr. DEWINE, and Mr. ABRAHAM, proposes an amendment numbered 3074 to amendment No. 2934.

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

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

The amendment is as follows:

On page 4, line 4, increase the amount by \$1.

On page 4, line 5, increase the amount by \$1.

On page 4, line 6, increase the amount by \$1.

On page 4, line 7, increase the amount by \$1.

On page 4, line 8, increase the amount by \$1.

On page 4, line 13, increase the amount by \$1.

On page 4, line 14, increase the amount by \$1.

On page 4, line 15, increase the amount by \$1.

On page 4, line 16, increase the amount by \$1.

On page 4, line 17, increase the amount by \$1.

On page 4, line 22, increase the amount by \$1.

On page 4, line 23, increase the amount by \$1.

On page 4, line 24, increase the amount by \$1.

On page 4, line 25, increase the amount by \$1.

On page 5, line 1, increase the amount by \$1.

On page 5, line 7, increase the amount by \$1.

On page 5, line 8, increase the amount by \$1.

On page 5, line 9, increase the amount by \$1.

On page 5, line 10, increase the amount by \$1.

On page 5, line 11, increase the amount by \$1.

On page 23, line 7, increase the amount by \$500,000,000.

On page 23, line 8, increase the amount by \$430,000,000.

On page 23, line 11, increase the amount by \$500,000,000.

On page 23, line 12, increase the amount by \$485,000,000.

On page 23, line 15, increase the amount by \$500,000,000.

On page 23, line 16, increase the amount by \$497,000,000.

On page 23, line 19, increase the amount by \$500,000,000.

On page 23, line 20, increase the amount by \$498,000,000.

On page 23, line 23, increase the amount by \$500,000,000.

On page 23, line 24, increase the amount by \$498,000,000.

On page 29, line 3, decrease the amount by \$0.

On page 29, line 4, decrease the amount by \$0.

At the end add the following: Notwithstanding any other provision of this resolution the appropriate levels for function 920 are as follows—

For fiscal year 2001:

(A) New budget authority, —\$60,431,000,000.

(B) Outlays, —\$48,461,000,000.

For fiscal year 2002:

(A) New budget authority, —\$60,229,000,000.

(B) Outlays, —\$71,796,000,000.

For fiscal year 2003:

(A) New budget authority, —\$500,000,000.

(B) Outlays, —\$5,287,000,000.

For fiscal year 2004:

(A) New budget authority, —\$500,000,000.

(B) Outlays, —\$7,268,000,000.

For fiscal year 2005:

(A) New budget authority, —\$500,000,000.

(B) Outlays, —\$6,570,000,000.

#### SEC. . SENSE OF SENATE REGARDING MEDICAL CARE FOR VETERANS.

It is the sense of the Senate that—

(1) the provisions of this resolution assume that if the Congressional Budget Office determines there is an on-budget surplus for fiscal year 2001, \$500,000,000 of that surplus will be restored to the programs cut by this amendment; and

(2) the assumptions underlying this resolution assume that none of the offsets made by this amendment will come from defense or veterans and should, to the extent possible, come from administrative functions.

Mr. CRAIG. Mr. President, my amendment to the Johnson amendment is the exact amendment that Senator JOHNSON put on the budget resolution last year. It increases veterans spending the same amount that the Johnson amendment does, by \$500 million a year, but instead of blocking our ability to give tax cuts, as his would do, mine is spread across a 5-year discretionary pattern.

American citizens, along with veterans, deserve to be treated equally. We ought to recognize our veterans and do as Senator JOHNSON has proposed. At the same time, we ought to recognize American families who are now taxed at the highest level in our Nation's history and give them an opportunity for some tax relief. My amendment grants us that option. I urge consideration of the second-degree amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I hope all Senators will vote for this amendment. A recorded vote is important because there are a lot of gaps in the veterans health care system. For my own part, I would far rather take it out of tax cuts which are disproportionately aimed at higher income people. I hope there is a 100-percent vote for this. The veterans need our support.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3074.

Mr. WELLSTONE. We asked for the yeas and nays.

The PRESIDING OFFICER. Not on the second-degree amendment.

Mr. DOMENICI. There has been no rollcall vote requested on this amendment.

Mr. WELLSTONE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. GORTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—100

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

The amendment (No. 3074) was agreed to.

AMENDMENT NO. 2934

The PRESIDING OFFICER. The question is on the underlying amendment, as amended. The yeas and nays have been ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the yeas and nays be vitiated.

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

The question is on agreeing to amendment No. 2934, as amended.

The amendment (No. 2934), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 2946

(Purpose: To express the sense of the Senate concerning the investment of the social security trust funds)

Mr. ASHCROFT. Mr. President, I call up sense-of-the-Senate amendment No. 2946. It is a sense of the Senate rejecting the President's plan for direct Government investment of Social Security as an option.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself, Mr. INHOFE, Mr. BROWNBACK, Mr. GREGG, Mr. ALLARD and Mr. SANTORUM, proposes an amendment numbered 2946.

Mr. ASHCROFT. 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:

At the appropriate place, insert:

SEC. \_\_\_\_ SENSE OF THE SENATE CONCERNING INVESTMENT OF SOCIAL SECURITY TRUST FUNDS.

(a) FINDINGS.—The Senate finds that—

(1) Government investment of the social security trust funds in the stock market is a gamble Congress should be unwilling to make on behalf of the millions who receive and depend on social security to meet their retirement needs;

(2) in 1999, the Senate voted 99-0 to oppose Government investment of the social security trust funds in private financial markets;

(3) in addition to the unanimous opposition of the United States Senate, Federal Reserve Chairman Alan Greenspan and Securities and Exchange Commissioner Arthur Levitt also oppose the idea; and

(4) despite this opposition, and despite the dangers inherent in having the Government invest social security trust funds in private financial markets, President Clinton has once again suggested, on page 37 of the Administration's proposed fiscal year 2001 Federal budget, that the Government invest part of the social security trust funds in corporate equities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that the Federal Government should not directly invest contributions made to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401), or any interest derived from those contributions, in private financial markets.

Mr. GRAMS. Mr. President, I rise to strongly support Senator ASHCROFT's amendment to the budget resolution. I commend his leadership on this vitally important issue. This amendment reassures the American people that Congress will not spend a penny of their Social Security and Medicare money. It will put the Senate on record that we honor our commitment.

This is a crucial step to truly protect the Social Security and Medicare surpluses and save them exclusively for American's retirement and health care needs, not for tax relief, not for government spending.

Beginning in 2008, 78 million baby-boomers will become eligible for retirement, and without immediate action taken by the Congress the system will begin to collapse. From that point on, we will have more retirees than ever before, and fewer workers paying into the system.

Washington has made the situation even worse because it keeps raiding the Social Security and Medicare trust funds. In 1998, American workers paid \$489 billion into the Social Security system, but most of that money, \$382 billion, was immediately paid out that same year to 44 million beneficiaries. That left a \$106 billion surplus. The total accumulated surplus in the trust fund is more than \$750 billion.

Unfortunately, this surplus exists only on paper. The government has

consumed all that \$750 billion for non-Social Security related programs. All it has are Treasury IOUs.

Even the Clinton administration admits that the trust fund does not actually exist. Here is what the President's last budget stated:

These trust funds balances are available to finance future benefit payments and other trust fund expenditures—but only in a book-keeping sense. These funds are not set up to be pension funds, like the funds of private pension plans. 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.

That's not acceptable. We must say no to anyone who wants to spend even a penny of the Social Security surplus because we promised the American people we would save it. There is no excuse in an era of budget surplus to continue raiding the Social Security trust funds. Washington has done enough damage to America's retirement system.

The just-released annual report of the Social Security Trust Fund's Board of Trustees shows short-term improvement but continued long-term deterioration. The government will have to come up with \$11.3 trillion from general revenues between 2015 and 2036 to make up the annual shortfall in the Social Security System. The inflation-adjusted cumulative deficit between 2015 and 2075 is now projected to be \$21.6 trillion, up nearly 7 percent compared with last year's projection. If the economy takes a turn for the worse, or if the demographic assumptions are too optimistic, the trust fund could go bankrupt much sooner.

This makes our work to save and reform Social Security and Medicare even more urgent.

The Ashcroft amendment will bring us one step closer to protecting Social Security and Medicare. Unlike the previous Social Security lockbox, which locks up only the Social Security surplus, this amendment would extend that protection to the Medicare surplus as well. The Medicare part A surplus will be about \$20 billion a year. This surplus should be preserved only for the medical expenses of senior Americans, not the general government spending.

If enacted, the Ashcroft amendment would, in effect, prevent anyone, whether it is the Congress or the administration, for raiding the Social Security and Medicare surplus. I believe this is absolutely the right thing to do.

Mr. President, the American people demand that we truly protect the Social Security and Medicare surplus, and they want to stop the federal government's practice of so-called "borrowing" from the Social Security and Medicare trust funds. They are very worried that retirement funds will not be there for them, and they are concerned that the government will not be



able to return the more than \$750 billion "borrowed" and spent by the government.

Over the next 10 years, American workers will put more than \$2.3 trillion into the Social Security system. We must do everything we can to prevent the government from spending this Social Security and Medicare surplus under any circumstances. We need an enforcement mechanism to keep our promise to the American people.

The Ashcroft amendment provides the protection for Americans' retirement and health care money. I urge my colleagues to support this amendment.

Mr. ASHCROFT. Mr. President, this is an amendment which would express the sense of the Senate that the Government should not invest the Social Security trust fund in the stock market. I believe there is a consensus on both sides that this is the case.

Last year, we voted 99-0 to say we did not want the Government playing stockbroker for a day with the retirement security of the American people.

I personally believe we could do this on a voice vote as a matter of saving the time and energy of this body. I suggest we do so.

I yield back the remainder of my time.

Mr. LAUTENBERG. Mr. President, we agree with the Senator's idea of a voice vote. Then we can move on.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2946.

The amendment (No. 2946) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. NICKLES. 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 Maryland.

#### AMENDMENT NO. 2956

(Purpose: To express the sense of the Senate concerning an increase in funding for digital opportunity)

Ms. MIKULSKI. Mr. President, I call up amendment No. 2956, a sense-of-the-Senate resolution on the necessary budget funding to cross the digital divide.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself, Mrs. BOXER, Mr. BINGAMAN, Mr. SARBANES, Mr. KERRY and Mr. KENNEDY, proposes an amendment numbered 2956.

Ms. MIKULSKI. 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:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ SENSE OF THE SENATE CONCERNING DIGITAL OPPORTUNITY.

(a) FINDINGS.—The Senate makes the following findings:

(1) A digital divide exist in America. Low-income, urban and rural families are less

likely to have access to the Internet and computers. African American and Hispanic families are only ½ as likely to have Internet access as white families. Access by Native Americans to the Internet and to computers is statistically negligible.

(2) Regardless of income level, Americans living in rural areas lag behind in Internet access. Individuals with lower incomes who live in rural areas are half as likely to have Internet access as individuals who live in urban areas.

(3) The digital divide for the poorest Americans has grown by 29 percent since 1997.

(4) Access to computers and the Internet and the ability to use this technology effectively is becoming increasingly important for full participation in America's economic, political and social life.

(5) Unequal access to technology and high-tech skills by income, educational level, race and geography could deepen and reinforce the divisions that exist within American society.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals underlying this resolution on the budget assume that—

(1) to ensure that all children are computer literate by the time they finish the eighth grade, regardless of race, ethnicity, gender, income, geography or disability, to broaden access to information technologies, to provide workers, teachers and students with information technology training, and to promote innovative online content and software applications that will improve commerce, education and quality of life, initiatives that increase digital opportunity should be provided for as follows:

(A) \$200,000,000 in tax incentives should be provided to encourage private sector donation of high quality computers, sponsorship of community technology centers, training, technical services and computer repair;

(B) \$450,000,000 should be provided for teacher training;

(C) \$150,000,000 for new teacher training;

(D) \$400,000,000 should be provided for school technology and school libraries;

(E) \$20,000,000 should be provided to place computers and trained personnel in Boys & Girls Clubs;

(F) \$25,000,000 should be provided to create an E-Corps within Americorps;

(G) \$100,000,000 should be provided to create 1,000 Community Technology Centers in low-income urban and rural communities;

(H) \$50,000,000 should be provided for public/private partnerships to expand home access to computers and the Internet for low-income families;

(I) \$45,000,000 should be provided to promote innovative applications of information and communications technology for underserved communities;

(J) \$10,000,000 should be provided to prepare Native Americans for careers in Information Technology and other technical fields; and

(2) all Americans should have access to broadband telecommunications capability as soon as possible and as such, initiatives that increase broadband deployment should be funded, including \$25,000,000 to accelerate private sector deployment of broadband and networks in underserved urban and rural communities.

Ms. MIKULSKI. Mr. President, the amendment is very simple. It states it is the sense of the Senate that the Federal budget will provide the framework and the funding necessary to ensure that all Americans cross the digital divide.

The goal of the legislation is to ensure that every child is computer lit-

erate by the eighth grade, regardless of race, ethnicity, income, gender, geography, or disability. It is the single most empowering tool we could pass this year.

This amendment would increase funds for teacher training and school technology, create 1,000 community-based tech centers, strengthen tax incentives for public-private partnerships, create an e-Corps within AmeriCorps, and be able to make wise and prudent use of Federal funds.

It will be absolutely crucial to get our children ready to be able to leapfrog into the future and participate in the new economy.

Mr. President, I really do hope the Senate will adopt this. If we could come to an agreement on a voice vote to accept it, I would be delighted and not insist on a rollcall vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Might I ask the Senator, I believe this is a sense-of-the-Senate amendment; is that correct?

Ms. MIKULSKI. That is absolutely correct.

Mr. DOMENICI. We have no objection. We could accept it.

Mr. REID. I ask unanimous consent Senator BAUCUS of Montana be added as a cosponsor of the amendment.

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

Ms. MIKULSKI. I thank the Senator. The PRESIDING OFFICER. The question is on agreeing to amendment No. 2956.

The amendment (No. 2956) was agreed to.

Ms. MIKULSKI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3031

(Purpose: To express the sense of the Senate regarding the type of medicare prescription drug benefit that Congress should pass)

Mr. SMITH of New Hampshire. Mr. President, I call up amendment No. 3031.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH], for himself, Mr. ALLARD, and Mr. DOMENICI, proposes an amendment numbered 3031.

Mr. SMITH of New Hampshire. 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:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ SENSE OF THE SENATE ON MEDICARE PRESCRIPTION DRUGS.

It is the sense of the Senate that the levels in this budget resolution assume that among

its reform options, Congress should explore a medicare prescription drug proposal that—

- (1) is voluntary;
- (2) increases access for all medicare beneficiaries;
- (3) is designed to provide meaningful protection and bargaining power for medicare beneficiaries in obtaining prescription drugs;
- (4) is affordable for all medicare beneficiaries and for the medicare program;
- (5) is administered using private sector entities and competitive purchasing techniques;
- (6) is consistent with broader medicare reform;
- (7) preserves and protects the financial integrity of the medicare trust funds;
- (8) does not increase medicare beneficiary premiums; and
- (9) provides a prescription drug benefit as soon as possible.

Mr. SMITH of New Hampshire. Mr. President, this amendment is quite simple. It saves \$40 billion that is now in the budget which we don't have to spend because the Smith-Allard amendment costs nothing. It is revenue neutral. It provides no increase in premiums for seniors. It takes effect as early as 2001, rather than 2009 under the President's plan. It covers 50 percent of prescription drugs, up to \$5,000. For every dollar spent, 50 cents is covered, up to \$5,000, and the prescription drug goes toward the deductible. So if we want to save money on the budget and allow seniors to have prescription drug coverage at no cost to the Government—revenue neutral, no increase in premiums to seniors—it is a good deal. I encourage my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I will not suggest that people vote against the amendment of the Senator from New Hampshire, but it is interesting to me that in his original amendment, he said that Congress "should" pass a Medicare prescription drug benefit. He changed it to the budget resolution "assumes that among its reform options, Congress should explore a Medicare prescription drug." That is a very different content statement regarding the seriousness about prescription drugs. I do not, however, oppose his amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3031.

The amendment (No. 3031) was agreed to.

Mr. DOMENICI. 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.

#### AMENDMENT NO. 2966

(Purpose: To establish a reserve fund for additional ESEA funding)

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I call up amendment No. 2966.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mr. LIEBERMAN, Mr. BAYH, Ms. LANDRIEU, Mrs. LINCOLN, Mr. BREAU, Mr. ROBB, and Mr. EDWARDS, proposes an amendment numbered 2966.

Mr. GRAHAM. 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:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ RESERVE FUND FOR ADDITIONAL ESEA FUNDING IN THE SENATE.

(a) IN GENERAL.—In the Senate, upon reporting of a bill, the offering of an amendment thereto, or the submission of a conference report thereon that allows local educational agencies to use appropriated funds to carry out activities under a reauthorized Elementary and Secondary Education Act that complies with subsection (b), the Chairman of the Committee on the Budget of the Senate may increase the functional totals and outlay aggregates and allocations—

(1) for fiscal year 2001 by not more than \$3,000,000,000; and

(2) for the period of fiscal years 2001 through 2005 by not more than \$15,000,000,000.

(b) CONDITION.—Legislation complies with this subsection if it provides—

(1) increased accountability;

(2) encouragement of State educational agencies (SEAs) and local educational agencies (LEAs) to establish high student performance standards;

(3) a concentration of resources around central education goals, including compensatory education for disadvantaged children and youth, teacher quality and professional development, innovative education strategies, programs for limited English proficiency students, student safety, and educational technology; and

(4) an allocation of funds that targets the most impoverished areas and schools most likely to be in distress.

Mr. GRAHAM. Mr. President, I ask unanimous consent that Senators FEINSTEIN and KOHL be added as cosponsors of this amendment.

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

Mr. GRAHAM. Mr. President, this amendment would reserve \$15 billion over the next 5 years to be able to meet the projected additional funding for the Elementary and Secondary Education Act. We propose this additional funding as part of a comprehensive Elementary and Secondary Education Act reform which focuses on principles such as accountability based on student performance, greater flexibility in terms of the States and local school districts' ability to utilize this money, and a strong focus on the at-risk child, the child who today is falling further and further behind and is going to be less able to be an equal contributor to the new economy era in which they will be living, unless the Federal Government increases the strength of its partnership with the States and local school districts. I urge adoption of this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, we add \$23 billion to education in this budget. I don't think we need a reserve

fund. This amendment violates the Budget Act because it is not germane to the budget. Therefore, I make a point of order in that regard.

Mr. GRAHAM. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for consideration of the pending amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to waive the Budget Act in relation to the Graham amendment No. 2966. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 67 Leg.]

#### YEAS—46

Akaka	Feingold	Lincoln
Baucus	Feinstein	Lugar
Bayh	Graham	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	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	
Edwards	Lieberman	

#### NAYS—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, L.	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchinson	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Mack	Voinovich
Enzi	McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 46, 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.

#### AMENDMENT NO. 2907

(Purpose: To strike the reconciliation instruction for tax cuts, thereby allowing surpluses to go toward debt reduction)

Mr. VOINOVICH. 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 Ohio [Mr. VOINOVICH] proposes an amendment numbered 2907.

Mr. VOINOVICH. 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 28, strike beginning with line 22 and all that follows through page 29, line 5.

Mr. VOINOVICH. Mr. President, my amendment is easy to understand. Rather than reduce taxes by \$150 billion over the next 5 years, about \$13.5 billion in this particular budget, my amendment would use those dollars to reduce the national debt. Most families and businesses that finally had a surplus of funds like we have would be paying off their debt. Today, 13 cents out of every dollar we spend goes to pay interest on the debt. That is almost as much as we spend on defense, and more than we spend on Medicare.

All of the leading economists in this country say we should take the on-budget surplus and use it to pay down the debt. It encourages more savings and investment, and it lowers interest rates, which is a real tax savings.

Last, but not least, it fulfills a moral obligation to our children and grandchildren to remove the debt Congress has put on their backs because Congress did not have the courage to either pay for the things it wanted, or do without.

We have the resources now. We ought to use those resources to pay down the national debt.

Mr. DOMENICI. Mr. President, this amendment strikes the reconciliation instructions. What we have said in our budget resolution is, if we don't get any tax relief, the money will go to reducing the debt. I believe the budget resolution needs to have a reconciliation instruction if we are going to give a fair chance at the tax reforms that are proposed—any size, from \$10 billion to \$75 billion or whatever can be done. Without the reconciliation, we would get none of it done.

Therefore, I oppose it and hope it will be defeated. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 2907. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 56, as follows:

[Rollcall Vote No. 68 Leg.]

#### YEAS—44

Akaka	Feinstein	Lincoln
Baucus	Graham	McCain
Biden	Harkin	Mikulski
Boxer	Hollings	Moynihan
Bryan	Inouye	Murray
Byrd	Jeffords	Reed
Chafee, L.	Johnson	Reid
Cleland	Kennedy	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dodd	Landrieu	Specter
Dorgan	Lautenberg	Voinovich
Durbin	Leahy	Wellstone
Edwards	Levin	Wyden
Feingold	Lieberman	

#### NAYS—56

Abraham	Enzi	McConnell
Allard	Fitzgerald	Murkowski
Ashcroft	Frist	Nickles
Bayh	Gorton	Roberts
Bennett	Gramm	Roth
Bingaman	Grams	Santorum
Bond	Grassley	Schumer
Breaux	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Cochran	Hutchison	Stevens
Collins	Inhofe	Thomas
Coverdell	Kerrey	Thompson
Craig	Kyl	Thurmond
Crapo	Lott	Torricelli
DeWine	Lugar	Warner
Domenici	Mack	

The amendment (No. 2907) was rejected.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2939

(Purpose: The amendment would reduce the GOP tax cut by less than 1 percent in FY2001, and 1.8 percent over 5 years, to increase the Pell grant maximum by a total of \$400—raising the basic Pell grant from the current \$3,300 to \$3,700. This increase is over the Committee increase of \$200 to \$3,500)

Mr. KENNEDY. Mr. President, I call up amendment 2939 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Mr. FEINGOLD, Mr. DODD, Mr. REED, Mr. BINGAMAN, Mr. JOHNSON, Mr. WELLSTONE, Mrs. MURRAY, Mr. HARKIN, and Mr. SCHUMER, proposes an amendment numbered 2939.

The amendment is as follows:

On page 4, line 4, increase the amount by \$124,000,000.  
 On page 4, line 5, increase the amount by \$612,000,000.  
 On page 4, line 6, increase the amount by \$635,000,000.  
 On page 4, line 7, increase the amount by \$646,000,000.  
 On page 4, line 8, increase the amount by \$657,000,000.  
 On page 4, line 13, increase the amount by \$124,000,000.  
 On page 4, line 14, increase the amount by \$612,000,000.  
 On page 4, line 15, increase the amount by \$635,000,000.  
 On page 4, line 16, increase the amount by \$646,000,000.  
 On page 4, line 17, increase the amount by \$657,000,000.  
 On page 4, line 22, increase the amount by \$623,000,000.  
 On page 4, line 23, increase the amount by \$633,000,000.  
 On page 4, line 24, increase the amount by \$644,000,000.  
 On page 4, line 25, increase the amount by \$655,000,000.  
 On page 5, line 1, increase the amount by \$666,000,000.  
 On page 5, line 7, increase the amount by \$124,000,000.  
 On page 5, line 8, increase the amount by \$612,000,000.  
 On page 5, line 9, increase the amount by \$635,000,000.

On page 5, line 10, increase the amount by \$646,000,000.

On page 5, line 11, increase the amount by \$657,000,000.

On page 18, line 7, increase the amount by \$623,000,000.

On page 18, line 8, increase the amount by \$124,000,000.

On page 18, line 11, increase the amount by \$633,000,000.

On page 18, line 12, increase the amount by \$612,000,000.

On page 18, line 15, increase the amount by \$644,000,000.

On page 18, line 16, increase the amount by \$635,000,000.

On page 18, line 19, increase the amount by \$655,000,000.

On page 18, line 20, increase the amount by \$646,000,000.

On page 18, line 23, increase the amount by \$666,000,000.

On page 18, line 24, increase the amount by \$657,000,000.

On page 29, line 3, decrease the amount by \$124,000,000.

On page 29, line 4, decrease the amount by \$2,674,000,000.

Mr. KENNEDY. Mr. President, I offer this on behalf of myself, Senator FEINGOLD, our education committee, Senator SARBANES, and others; and Senator JEFFORDS, Senator COLLINS, and Senator CHAFEE. This is a bipartisan amendment. It is a very simple amendment. At the present time, we are providing \$3,300 on the Pell grants. The Budget Committee has raised that up to \$3,500. This amendment would make it \$3,700. It costs \$1.4 billion a year. This amendment applies for 5 years.

This chart indicates what the Pell grant has meant to education for children. Back in the 1970s it paid effectively 90 percent of the public education for children. It has gone down, now, to about 40 percent for public education—20 percent in private colleges. Ninety percent of the children who are getting Pell grants have incomes of \$9,000 or less.

Finally, for families that have incomes of \$74,000, 90 percent of their children are going on to higher education, whether public education or private education. For families with \$25,000, it is 26 percent. Talk about a digital divide, this is growing and growing and growing.

The money in this amendment all goes to tuition; nothing for rooms, nothing for food, nothing for additional services.

I ask unanimous consent to have printed in the RECORD letters from the various groups that support this amendment.

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

AMERICAN COUNCIL ON EDUCATION,  
 OFFICE OF THE PRESIDENT,  
 Washington, DC, April 3, 2000.

DEAR SENATOR: I write to urge you to support Senator Kennedy's amendment to the FY 2001 Budget Resolution that would increase funding for the Pell Grant program by \$1.4 billion. These funds would translate into a much-needed \$400 increase in the maximum Pell Grant award.

As you know, Congress has made progress in recent years in providing much-needed increases in funding for the Pell Grant program. As a result, millions of low- and middle-income students who would not otherwise be able to access a college education have done so.

The \$30 increase in the maximum Pell Grant award included the S. Con. Res. 101 would, however, halt this progress. It would not allow for a single additional Pell Grant recipient next year and translates into an increase of only \$15 in the average Pell Grant award.

Senator Kennedy's amendment will make a significant difference to students who are seeking to finance a college education. I urge you to support Senator Kennedy's amendment to increase funding for the Pell Grant program.

Sincerely,

STANLEY O. IKENBERRY,  
*President.*

STUDENT AID ALLIANCE,  
*Washington, DC, April 3, 2000.*

Re support Kennedy amendment to increase the maximum Pell Grant by \$400.

DEAR SENATOR: We write on behalf of the Student Aid Alliance—a coalition of 60 organizations representing colleges and universities, students, and parents—to urge you to support Senator Kennedy's amendment to the FY 2001 Budget Resolution that would increase funding for the Pell Grant program by \$1.4 billion. These funds would translate into a much-needed \$400 increase in the maximum Pell Grant award.

As you know, the Pell Grant is the foundation of student aid packages for millions of low- and middle-income students who would not otherwise be able to access a college education. Senator Kennedy's amendment would make a real difference to students seeking to finance a college education.

Alternatively, the \$30 increase in the Maximum Pell Grant award included in S. Con. Res. 101 would not allow for a single additional Pell Grant recipient next year and would translate into an increase of only \$15 in the average Pell Grant award.

We strongly urge you to support Senator Kennedy's amendment to increase funding for the Pell Grant program.

Sincerely,

STANLEY O. IKENBERRY,  
*Co-Chair.*  
DAVID L. WARREN,  
*Co-Chair.*

COMMITTEE FOR EDUCATION FUNDING,  
*Washington, DC, April 5, 2000.*

Re: support education amendments on S. Con. Res. 101 to increase education funding.

MEMBER,

*U.S. Senate, Washington, DC.*

DEAR SENATOR: The Committee for Education Funding, a nonpartisan coalition of over 90 organizations reflecting the broad spectrum of the education community, urges you to support amendments during floor debate to increase education investment in S. Con. Res. 101, the FY01 Budget Resolution reported by the Senate Budget Committee on March 30. The proposed budget resolution provides an increase of only \$2.2 billion for discretionary funding for Function 500, education and related programs and is \$4.7 billion below the President's request.

We welcome Chairman Domenici's stated support for making education a top budget priority. The Budget Resolution proposes an increase of \$2.6 billion for elementary and secondary education, including \$1 billion for the Individuals with Disabilities Education Act, and assumes a modest increase in the

Pell Grant maximum award. While these increases are important, they are \$2.2 billion below the President's request for a \$4.5 billion increase in discretionary spending for education and would require cuts and freezes in other education and related programs to meet the total increase for the function of only \$2.2 billion. The budget resolution also provides \$2.3 billion in mandatory funds for a proposed Performance Bonus Fund that has not yet been enacted and would not make grants until after FY05.

We urge you to support amendments that would add funding to more adequately reflect the important role of education in the overall fiscal health and competitiveness of the nation's economy and its high priority among the American people.

For example, the Bingaman-Kennedy amendment would add \$5.6 billion to the Budget Resolution in FY01 for such key programs as Title I aid for disadvantaged students, Pell grants for student aid, class size reduction, IDEA, school modernization, teacher recruitment and professional development, after school, GEAR UP, TRIO and college work study. The Kennedy-Feingold amendment increases the Pell grant maximum award to \$400. The Jeffords-Dodd amendment would fully fund IDEA at \$15.8 billion over five years and meet the federal commitment of support for special education. CEF strongly supports these amendments and other amendments that increase funding for education. It does not support amendments that increase funding for one education program at the expense of another.

Recent polls show that 61% of the American public believe that the federal government spends too little on education. Americans expect the federal budget to reflect a national commitment to improve and expand educational opportunities for America's children, youth and adults to meet the pressing challenges of the new century. We urge you to support a budget resolution with amendments, such as the Bingaman, Kennedy and Jeffords amendments that make that national commitment.

Sincerely,

ELLIN NOLAN,  
*President.*  
EDWARD KEALY,  
*Executive Director.*

ASSOCIATION OF JESUIT  
COLLEGES AND UNIVERSITIES,  
*April 5, 2000.*

Hon. TED KENNEDY,  
*U.S. Senate, Washington, DC*

DEAR SENATOR KENNEDY: On behalf of the twenty-eight Jesuit colleges and Universities, I want to commend you and Senators Feingold and Dodd for introducing an amendment to the budget Resolution for FY2001 that would increase the maximum amount per student for Pell Grants to \$400.

The higher education community remains concerned with a budget that in essence would freeze any increases for grant programs and campus-based aid programs, except for a marginal increase of \$30 for Pell Grants. Our needs are great and will continue to be so over the next ten years. While on-budget federal funds for higher education decreased by 28% from 1983 to 1998, after factoring in inflation, enrollments rose by 17.4% between 1982 and 1998. And, according to the "Baby-Boom Echo Report on Higher Education" issued by the Department of Education, enrollment in higher education will continue to rise rapidly over the next ten years by a whopping 16% to 20%.

Pell Grants are the cornerstone of all student financial aid. Sadly, Pell Grants are only 75% of the value that they were in 1980. Our twenty-eight Jesuit colleges and institu-

tions have given institutional grants to needy students for centuries. Assisting poor needy students to receive quality education is at the cornerstone of Jesuit higher education. Currently, our twenty-eight institutions give an average of 40% in institutional aid to needy students to make up for declining federal dollars. We will always remain committed to assisting needy students but continue to need the assistance and committed support of the federal government to educate all young Americans regardless of their income.

Please know that we have been appreciative for the increases that higher education has received over the last four years. We know that the American public agrees with our premise that education should be the number one priority in this country. It is our hope that the Senate will see fit to concur with the American public by adopting your Pell amendment. And, it is our long-term hope that the Senate will adopt a budget that offers opportunities for more disadvantaged Americans across the country so that they too can dream the same dreams that other Americans do without an income prohibition.

Thank you for taking the initiative once against to assist needy students. Our association commends your efforts.

Sincerely,

CYNDY LITTLEFIELD,  
*Director of Federal Relations.*

Mr. FEINGOLD. Mr. President, I rise in strong support of Senator KENNEDY's amendment which would raise the individual maximum Pell grant Award to \$3,700, an increase of \$400.

Higher education is one of the most important investments our Federal government can make. After all, for the United States to continue its economic growth, we need an educated workforce.

I recognize that the federal government cannot guarantee that all Americans will be able to attend a post secondary institution. But we must ensure that all qualified Americans have equal access to a post secondary education.

After all, Congress created need-based student financial aid programs to ensure that individuals from low-income families are not denied post secondary education because they cannot afford it.

Grant aid, specifically Pell grant aid, is the key that enables many individuals to graduate from college.

I am deeply concerned about the emergence of a widening educational gap between rich and poor. Statistic after statistic illustrates that students from low-income families are pursuing a post-secondary education at a much slower rate than individuals from middle and upper income families.

With more and more students attending college, the situation may get much worse unless Congress fully funds Pell. Over the next ten years, more than 14 million undergraduates will be enrolled in colleges and universities around the country—an increase of 11 percent.

Many of these students will be the first in their families to attend college and one in five of these students will come from families with incomes below the poverty level. The same students that rely on need-based student grant aid.

Without Pell grants, many individuals simply can't consider college—and without a college degree or serious post-secondary training, some employers won't consider hiring these individuals.

Statistic after statistic shows that a college education helps those who graduate from college with a bachelor's degree earn 74 percent more than those who only complete high school.

What is so tragic is the decrease in Pell grant funding. The Pell grant has failed to keep up with inflation. Over the past 25 years, the value of the average Pell grant has decreased by 23 percent—the average grant is now worth only 77 percent of what Pell grants were worth in 1975.

What is even more troubling about the trend of increasing tuition and decreasing impact of grant value is how students, especially low-income students, make up the difference between aid and tuition.

This chart illustrates grant and loan funding as a percentage of total aid.

As you can see, twenty years ago, grant aid comprised approximately fifty-two percent of a student's aid package, and loans comprised about forty-two percent.

Over the past 20 years, this trend has reversed itself—loans now constitute almost 60 percent of total aid, and grants have plummeted to about forty percent.

Unfortunately, some aren't aware of the recent funding trends for the Pell Grant or its importance. Let's take a look at a recent headline of the Eau Claire Leader-Telegram:

Bush Averse to more college grant funding. Let students get loans, candidate says in Eau Claire.

Apparently, Governor Bush isn't aware that most students are already having to fund their education through loans and more and more debt. Well, Mr. President, as I visit college campuses each year in Wisconsin, I hear from students who are forced to turn to credit cards to pay the difference on tuition, for books or groceries.

In fact, last year alone, the number of students who took out non-federal loans increased by 25 percent.

Well, it seems that Governor Bush believes that Congress needs to force students to take on even more debt. Again, Governor Bush's views on how students should pay for a post secondary education:

Some of it you are going to have to pay back, and that's just the way it is because there is nothing free in society. College is not free.

What, then, is need-based grant aid? Congress created need-based grant aid to ensure that individuals from low and middle income families are not denied post secondary education because they cannot afford it.

Congress created the student grant aid programs under the Higher Education Act for the specific purpose of making college affordable for those in need.

Even after someone pointed out that some students already carry a heavy loan repayment burden, Governor Bush didn't get the picture. According to the Leader-Telegram, Bush responded to this statement by saying "too bad."

Congress should not say "too bad" to students who are in need. I believe that everyone deserves fair and equal access to a higher education.

After all, that is why Congress created need based grant aid.

By supporting this amendment and an increase for the Pell grant program, Congress has a chance to renew its commitment to equal access for all to higher education. I thank my colleagues for their time and support.

The PRESIDING OFFICER. Who yields time? The Senator from New Mexico.

Mr. DOMENICI. Mr. President, in the Budget Committee, there was an amendment offered to raise the Pell grants in this budget to the exact level the President of the United States requested, up to \$3,500. That is what the President asked for. That is what is in the budget. I do not think the President of the United States, the education President, would be underfunding Pell grants. He has increased them in his budget, and it seems as if it is never enough.

What we have done is right and fair and leaves some room for other education programs. We do not use up all the money doing that extra add-on the Senator is asking for, but we do increase it up to the level of the President. I do not believe we should add to it at this point. I hope Senators will reject the amendment. I yield the floor.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 2939. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—51

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	McCain
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Jeffords	Robb
Byrd	Johnson	Rockefeller
Chafee, L.	Kennedy	Sarbanes
Cleland	Kerrey	Schumer
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	

NAYS—49

Abraham	Bond	Campbell
Allard	Brownback	Cochran
Ashcroft	Bunning	Coverdell
Bennett	Burns	Craig

Crapo	Helms	Santorum
DeWine	Hutchinson	Sessions
Domenici	Hutchison	Shelby
Enzi	Inhofe	Smith (NH)
Fitzgerald	Kyl	Smith (OR)
Frist	Lott	Stevens
Gorton	Lugar	Thomas
Gramm	Mack	Thompson
Grams	McConnell	Thurmond
Grassley	Murkowski	Voinovich
Gregg	Nickles	Warner
Hagel	Roberts	
Hatch	Roth	

The amendment (No. 2939) was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I list, without asking unanimous consent, what we currently plan as the next 10 amendments.

The amendments, in the following order, are presently expected to be the order they are considered in the Senate: Ashcroft amendment No. 3032, on Medicare lockbox; Lautenberg amendment No. 2957 on Democrat alternative; Jeffords amendment No. 2984 on aid to education; Edwards amendment No. 3001 on aid to CDBG and provides for some hurricane considerations; Specter amendment No. 2994 on aid to education; Schumer-Durbin amendment No. 2954 on law enforcement; Smith amendment No. 3028 on the census; Kennedy amendment No. 2951 on the minimum wage; Stevens amendment No. 3003 on child reserve fund; and Landrieu amendment No. 2979 on SOS military threat.

As I understand it, Senator ASHCROFT is next, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 3032

(Purpose: To protect the Medicare surpluses through strengthened budgetary enforcement mechanisms)

Mr. ASHCROFT. Mr. President, I call up amendment No. 3032.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself, Mr. BROWNBAC, Mr. VOINOVICH, and Mr. GRAMS, proposes an amendment numbered 3032.

Mr. ASHCROFT. 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:

At the end of title II, insert the following:

**SEC. 211. PROTECTION OF MEDICARE SURPLUSES.**

(a) FINDINGS.—Congress finds that—

(1) the fiscal year 2001 budget submitted by the President, instead of protecting Medicare, reduces payments to Medicare providers by \$53 billion over 10 years;

(2) the fiscal year 2001 budget submitted by the President calls for an increase in spending for fiscal year 2001 of \$58 billion and would increase taxes collected next year by \$12 billion;

(3) the fiscal year 2001 budget submitted by the President continues to use the Medicare,

Part A surplus to mask the President's proposed increases in spending; and

(4) in contrast to the President's budget, this budget resolution protects Medicare, rejects the President's Medicare cuts and provides \$40 billion for prescription drug coverage for needy seniors.

(b) **MEDICARE SURPLUSES OFF-BUDGET.**—The net surplus of any trust fund for part A of Medicare shall not be counted as a net surplus for purposes of the congressional budget.

(c) **POINTS OF ORDER TO PROTECT MEDICARE SURPLUSES.**—

(1) **CONCURRENT RESOLUTIONS ON THE BUDGET.**—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

(2) **SUBSEQUENT LEGISLATION.**—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

(A) the enactment of that bill or resolution as reported;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report; would cause or increase an on-budget deficit for any fiscal year.

(3) **DEFINITION.**—For purposes of this section, the term "on-budget deficit", when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) of the Congressional Budget Act of 1974 for that fiscal year.

(d) **MEDICARE LOOK-BACK SEQUESTER.**—If in any fiscal year, the Medicare, Part A surplus has been used to finance general operations of the Federal government, an amount equal to the amount used shall be sequestered for available discretionary spending for the following fiscal year for purposes of any concurrent resolution on the budget.

(e) **SUPER MAJORITY REQUIREMENT.**—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. 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.

The **PRESIDING OFFICER.** There are 2 minutes of debate.

The Senator from Missouri.

Mr. **ASHCROFT.** I would like to begin by praising Chairman **DOMENICI** for producing this responsible budget, which I intend to support.

Chairman **DOMENICI's** budget will fully protect Social Security over 5 years. This represents a sea change in the way business is done in Washington. When I came to Washington, Congress routinely spent money out of the Social Security trust fund, something that Chairman **DOMENICI's** budget does not even consider.

As a result of this hard-fought fiscal discipline, this budget will retire \$1.1 trillion in publicly held debt over 5 years, and \$177 billion next year. If we continue upon the path laid out by this budget, we will completely eliminate the publicly-held debt over the next 13 years.

In addition to responsibly paying off our debt, this budget allows for \$150

billion in tax cuts over 5 years, including \$13 billion in FY 2001, and responsible increases in other discretionary accounts, including a 4.8% increase in national defense.

I would like to commend Senator **DOMENICI** for crafting this budget, and emphasize what a pleasure it is to work with him.

Last year, I worked with Senator **DOMENICI** on a rule in last year's budget that created a point of order against any budget that spends money out of the Social Security surplus.

As a result of last year's budget rule, the CBO has stated that they FY 2000 budget will not spend a penny out of the Social Security surplus for the first time in 40 years. This year, the Senate Budget Committee estimates that the United States government will have an on-budget surplus of \$8 billion. This on-budget surplus allows the government to protect the Social Security trust fund and to help reduce our publicly held debt by \$300 billion by the end of this year.

Early last year, I introduced the first legislation designed to lockbox the Social Security trust fund. This legislation formed the basis of the Ashcroft rule protecting Social Security included in last year's budget resolution.

In addition, we spent much of last year working on the Abraham-Domenici-lockbox, which also would have protected all of the Social Security surpluses from new spending.

Unfortunately, the Democrats saw fit to block this legislation, filibustering the lockbox 6 times.

Despite this opposition, we have succeeded in creating in practice what we have not yet achieved in legislation.

This year Senator **DOMENICI** included last year's Social Security rule in the FY 2001 budget, and Senator **ABRAHAM** successfully offered a committee amendment to extend that point of order to 60 votes, which was my original intention.

Protecting Social Security through the Social Security lockbox has been a giant step forward in the fight for responsible budgeting. Now it is time to take that fight one step further.

Today I am offering an amendment that creates points of order in the Senate and the House against any budget resolution or subsequent bill that uses the Medicare or Social Security surpluses to finance on-budget deficits. We do not have that protection now.

This new rule I am proposing expands the Social Security budget rule by adding Medicare part A to the Social Security lockbox, ensuring that Congress must balance the budget without using any money from the annual Social Security or Medicare part A surpluses. If Congress does dip into the Medicare part A surplus, my amendment calls for a sequester of discretionary spending in the amount of the violation.

While protecting the Medicare surplus seemed to be an unattainable goal just a few short years ago, this goal is now within our reach. In addition to

funding the government for fiscal year 2000 without spending a penny out of the Social Security trust fund, CBO projections demonstrate that we now have enough revenue available to protect the \$22 billion part A Medicare surplus as well.

It is imperative that we limit spending this year so that we do not dip into the Medicare surplus in FY 2001.

Both Medicare and Social Security are funded out of payroll taxes specifically delineated for their respective purposes, and are supposed to be reserved for those purposes. If there are surpluses in these accounts, if these accounts take in more money than is necessary for their stated purposes in a specific year, then that money should not suddenly be available for general government spending.

Any and all surpluses in those two accounts should be reserved for their stated purposes, or be used to help shore up those accounts. This legislation promotes honest accounting, and requires the government to use funds for their advertised purposes.

In addition to protecting these essential funds, the Medicare lockbox rule will send the powerful message that protecting Medicare and Social Security is our highest priority.

Social Security is scheduled to go bankrupt by 2037. Medicare is projected to become insolvent even sooner, in 2023. We have made real progress on these two fronts since the beginning of the Republican Congress. Social Security's projected insolvency has been extended from 2029 to 2037, while Medicare's bankruptcy has been pushed back by a greater amount, from 2002 to 2023. Despite this progress, we still have more work to do.

Lockboxing Social Security and Medicare surpluses is an essential first step in securing the long term financial solvency of Medicare and Social Security.

It is vitally important that we ensure that the government not spend monies dedicated for the trust funds that sustain these essential programs.

The Medicare lockbox rule will change the way business is done in Washington. We should pass the Medicare lockbox rule, so that protecting Social Security and Medicare will be part of the rules of the Senate. Passing this rule will be the next step on our journey to secure the long term solvency of Social Security and Medicare.

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 am opposed but I yield half of my time to Senator **LAUTENBERG.**

The **PRESIDING OFFICER.** The Senator from New Jersey.

Mr. **LAUTENBERG.** Mr. President, the amendment sounds as if it protects Medicare, but it would cause even

deeper cuts in education and law enforcement and would make implementing Medicare reforms more difficult in the future, including implementing a prescription drug benefit. I recommend that my colleagues vote against this amendment and hope it will be defeated.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not believe we ought to take the HI trust fund off budget. That is what this amendment does. In the budget resolution, we have \$40 billion for Medicare and we do not accept the President's cuts for Medicare. I think we have done right by Medicare. If we can incorporate these numbers in a bill this year, I think we will be on the right track. This just won't work. Medicare is not a trust fund like Social Security. I am grateful that Senator ASHCROFT is trying to do this. He has been a leader in protecting Medicare and Social Security. I do not think this will work.

Mr. President, I make a point of order that the amendment is not germane to the budget resolution.

Mr. ASHCROFT. Mr. President, I move to waive the budget point of order. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question occurs on agreeing to the motion to waive the Budget Act in relation to the Ashcroft amendment No. 3032. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. GREGG). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 30, nays 70, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—30

Abraham	Feingold	Johnson
Allard	Fitzgerald	Kyl
Ashcroft	Grams	McCain
Bond	Hagel	McConnell
Brownback	Hatch	Roberts
Bunning	Helms	Santorum
Campbell	Hutchinson	Sessions
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Specter
Enzi	Jeffords	Voinovich

NAYS—70

Akaka	Feinstein	Moynihan
Baucus	Frist	Murkowski
Bayh	Gorton	Murray
Bennett	Graham	Nickles
Biden	Gramm	Reed
Bingaman	Grassley	Reid
Boxer	Gregg	Robb
Breaux	Harkin	Rockefeller
Bryan	Hollings	Roth
Burns	Inouye	Sarbanes
Byrd	Kennedy	Schumer
Chafee, L.	Kerrey	Shelby
Cleland	Kerry	Smith (OR)
Cochran	Kohl	Snowe
Collins	Landrieu	Stevens
Conrad	Lautenberg	Thomas
Coverdell	Leahy	Thompson
Daschle	Levin	Thurmond
DeWine	Lieberman	Torricelli
Dodd	Lincoln	Warner
Domenici	Lott	Wellstone
Dorgan	Lugar	Wyden
Durbin	Mack	
Edwards	Mikulski	

The PRESIDING OFFICER. On this vote, the yeas are 30, the nays 70.

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. LAUTENBERG. Mr. President, I move to reconsider the vote, and 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 New Jersey is recognized.

AMENDMENT NO. 2957

(Purpose: To provide a substitute)

Mr. LAUTENBERG. Mr. President, 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 New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 2957.

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

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. ROBB. Mr. President, I am pleased to support the substitute Budget Resolution introduced by Senator LAUTENBERG. Unlike the Republican Budget Resolution, Senator LAUTENBERG's Democratic alternative puts real teeth into priorities such as prescription drugs, Social Security, education, and paying down the debt. I support the Democratic proposal because it focuses on our national priorities first. But I want to add a word of caution. Our national defense is underfunded in both resolutions. We cannot afford, as a nation, to continue to underfund our nation's security. Freedom has a price. We can't take it for granted. We're not building enough new weapons platforms and systems to be able to meet our obligations here at home or our commitments to our allies abroad. We can't recruit and maintain the soldiers, sailors, airmen and Marines we need. We can't adequately modernize, much less revolutionize, our Armed Forces without putting more money into our defense budget. I look forward to working with my colleagues from both sides of the aisle to meet our responsibilities in this area.

Mr. LAUTENBERG. Mr. President, the Democratic alternative reflects six key principles in its budget. It protects every penny of the Social Security surplus; it pays down the public debt by 2013; it funds a badly needed prescription drug benefit; it includes targeted tax cuts for working Americans, and it funds important defense and domestic priorities such as education, health, research, and agriculture.

Unlike the Republican budget, this plan is based on realistic assumptions about domestic spending. It contains projections for a full 10 years so we know what will happen.

In sum, we have a responsible package that focuses on the needs of ordinary Americans today and the needs of our Nation in the future. I urge my colleagues to support this Democratic alternative.

Mr. DOMENICI. Mr. President, this is a full substitute. It is a so-called Democrat budget, and essentially the big difference between the two budgets is that over time this Democrat budget will give back to the American people 4 percent of the non-Social Security surplus. We think over time we should give them back 11 percent. The difference is the Democrats spend 22 percent and we spend 17 percent of the surplus.

We think this is not the time to grow Government that much but, rather, leave a little bit more than 4 percent for tax relief for the American people. There are many other differences, but this essentially is the difference.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. BUNNING). Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 2957. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—45

Akaka	Durbin	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
Chafee, L.	Kerrey	Rockefeller
Cleland	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden

NAYS—55

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	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Edwards	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

The amendment (No. 2957) was rejected.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote, and 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 Vermont.

AMENDMENT NO. 2984

(Purpose: To provide full funding for IDEA)

Mr. JEFFORDS. I call up amendment No. 2984.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS], for himself, Mr. DODD, Mr. STEVENS, Mr. KENNEDY, Ms. COLLINS, Mr. FEINGOLD, Mr. L. CHAFEE, Mr. HARKIN, Mr. LEAHY, Mr. KOHL, and Mr. LIEBERMAN, proposes an amendment numbered 2984.

Mr. JEFFORDS. 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 4, line 4, decrease the amount by \$2,000,000,000.

On page 4, line 5, decrease the amount by \$4,000,000,000.

On page 4, line 6, decrease the amount by \$6,000,000,000.

On page 4, line 7, decrease the amount by \$8,000,000,000.

On page 4, line 8, decrease the amount by \$11,000,000,000.

On page 4, line 13, increase the amount by \$2,000,000,000.

On page 4, line 14, increase the amount by \$4,000,000,000.

On page 4, line 15, increase the amount by \$6,000,000,000.

On page 4, line 16, increase the amount by \$8,000,000,000.

On page 4, line 17, increase the amount by \$11,000,000,000.

On page 4, line 22, increase the amount by \$2,000,000,000.

On page 4, line 23, increase the amount by \$4,000,000,000.

On page 4, line 24, increase the amount by \$6,000,000,000.

On page 4, line 25, increase the amount by \$8,000,000,000.

On page 5, line 1, increase the amount by \$11,000,000,000.

On page 5, line 7, increase the amount by \$2,000,000,000.

On page 5, line 8, increase the amount by \$4,000,000,000.

On page 5, line 9, increase the amount by \$6,000,000,000.

On page 5, line 10, increase the amount by \$8,000,000,000.

On page 5, line 11, increase the amount by \$11,000,000,000.

On page 18, line 7, increase the amount by \$2,000,000,000.

On page 18, line 8, increase the amount by \$2,000,000,000.

On page 18, line 11, increase the amount by \$4,000,000,000.

On page 18, line 12, increase the amount by \$4,000,000,000.

On page 18, line 15, increase the amount by \$6,000,000,000.

On page 18, line 16, increase the amount by \$6,000,000,000.

On page 18, line 19, increase the amount by \$8,000,000,000.

On page 18, line 20, increase the amount by \$8,000,000,000.

On page 18, line 23, increase the amount by \$11,000,000,000.

On page 18, line 24, increase the amount by \$11,000,000,000.

On page 29, line 3, decrease the amount by \$2,000,000,000.

On page 29, line 4, decrease the amount by \$31,000,000,000.

Mr. L. CHAFEE. Mr. President, I am pleased to join with Senator JEFFORDS,

Chairman of the Health, Education, Labor, and Pensions Committee, and a bipartisan group of Senators in offering this amendment which reaches the goal of fully-funding IDEA—the Individuals with Disabilities Education Act—within five years.

IDEA was first enacted in 1975 and authorizes funding, mostly in the form of state grants, to assist states in paying for educational services for disabled young people from 3–21. It requires states which provide public education, also to provide a “free, appropriate public education” to this population. Prior to enactment, an estimated 2 million young people either were not receiving any public educational services, or the services they were receiving were inadequate. A number of judicial decisions held that it was unconstitutional for States which provide public education to withhold services from a specific group—the disabled. As a result, States felt compelled to provide educational services to individuals with disabilities and sought help to do so at the Federal level.

The Federal Government responded by enacting IDEA. This important protection for young people with disabilities suggests that the Federal Government will pay for up to 40 percent of the average per pupil expenditure for these students. Regrettably, despite Republican efforts to increase IDEA funding each year for the past several years, we have fallen far short of that goal. Also, Senator DOMENICI has included a significant increase for IDEA in this Budget Resolution that is before us, and I commend him for his effort to address this problem. But I believe we must do even more.

I would like to read the lead paragraph from an article that appeared in the Providence Journal yesterday on this subject. Headline: “Special-ed costs soaring, board is told.” Dateline: Warwick—I was Mayor of Warwick for seven years and am very familiar with its funding needs:

The school committee was told last night that the system’s special education costs, already a heavy burden for schools throughout the state, are continuing to grow and that there will be less federal money around to help pay for it next year.

Already at 20 percent of the city’s education budget, the article went on to say, special education is the fastest growing cost for the school district.

It’s important to remember that typically school costs are borne by property taxpayers. If we want to help the taxpayers, we should be helping the property taxpayers. This is a message that will resonate back home.

Of course, this situation isn’t unique to Warwick or a problem just in Rhode Island. I would venture to say that there probably isn’t a Senator in this Chamber who hasn’t heard from his state’s school boards about the spiraling costs of special education. Now, Senator JEFFORDS has crafted an amendment which will bring Federal

funding for special education up to the promised 40 percent level within five years. This is an amendment in which I believe wholeheartedly, and I urge my colleagues to vote for it.

Mr. FEINGOLD. Mr. President, I rise today as an original cosponsor of the amendment offered by the Senator from Vermont, Mr. JEFFORDS, to strike a small part of the overly large tax cut included in this budget resolution and instead use that money for grants to the states under the Individuals with Disabilities Education Act, IDEA.

For too long the federal government has failed to live up to its responsibility to provide to the States the up to 40 percent of the national average per pupil expenditure for each disabled child served allowed by IDEA.

During the current fiscal year, the federal government will fund only about 12.6 percent of the national average per pupil expenditure. This is 37.4 percent less than the maximum amount allowed under IDEA—an amount that the federal government has not once provided to the states since this funding formula was created.

According to the Congressional Research Service, Congress is appropriating only about a third of what would be required to fully fund IDEA.

As I travel around my home state of Wisconsin every year to host listening sessions in each of our 72 counties, I hear time and time again from frustrated parents, school administrators, teachers, school board members, and others about the need for an increase in special education funding at the federal level.

Just last week at my Dane County listening session, one of my constituents told me that full funding of the maximum federal share of IDEA would have meant an additional \$17 million for his school district during the 1999–2000 school year. And there are stories like that across my state and around the country.

In Wisconsin, and in many other states, the population of students eligible for special education is outpacing the modest annual increases in the Federal share of special education funding, and state and local governments are struggling to keep up.

Mr. President, the efforts of our public schools to serve students with disabilities are a hallmark of our national commitment to a free appropriate public education for all children. Since 1975, public schools have helped students with disabilities become more self-sufficient, to prepare for employment, and to learn the skills they will need to lead productive lives. America’s public schools have led the way toward the full integration of individuals with disabilities in our national life. Our society is richer for it.

IDEA has provided access to free, appropriate public education for millions of previously unserved or underserved students. Through assessments, evaluations, and Individual Education Program (IEPs), every disabled student is



served based on his or her individual educational needs in the setting where those needs can best be met.

We must do more to help state and local governments pay for the cost of educating these children.

I urge my colleagues to support his common sense amendment. It will move toward fully funding the federal share of IDEA, and it will help to provide badly needed relief for a deserving group of Americans.

Mr. HARKIN. Mr. President, I strongly support this bipartisan effort to provide more funding for the Individuals with Disabilities Education Act. As I've said time and again, disability is not a partisan issue. We all share an interest in ensuring that children with disabilities and their families get a fair shake in life. And the 25th anniversary of IDEA is the perfect year to improve the capacity of school districts to meet their responsibilities to children with disabilities.

Currently, the State grant program within IDEA receives \$5 billion. Estimates by the Congressional Research Service suggest that the program needs to be funded at \$15.8 billion each year to meet the targets established in 1975. Our amendment would increase funding for IDEA annually in roughly \$2 billion increments over the next five years and would put us on track to meet our goal of 40 percent funding.

I know many of you have heard this speech before. Every year I stand on the Senate floor at least once or twice and give a short history lesson around IDEA. Well, this year is no different.

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, Congress enacted the Education of Handicapped Children Act, the precursor to IDEA—to help states meet their constitutional obligations.

Congress enacted PL 94-142 for two reasons. First, to establish a consistent policy of what constitutes compliance with the equal protection clause of the 14th amendment with respect to the education of kids with disabilities. And, second, to help States meet their constitutional obligations through federal funding. The Supreme Court reiterated this in *Smith* versus *Robinson*: "[EHA] is a comprehensive scheme set up by Congress to aid the states in complying with their constitutional obligations to provide public education for handicapped children."

I strongly agree with the policy of this amendment and the infusion of more money into IDEA. A Senator JEFFORDS has explained, this is a win-win for everyone. Students with disabilities will be more likely to get the public education they have a right to because school districts will have the capacity to provide such an education—without

cutting into their general education budgets.

However, as much as I agree with the policy of our amendment, I disagree with some of the rhetoric around this issue.

As I see it, a mythology has been created around the 40 percent figure. Some people describe it as a "promise" or "pledge" on the part of the federal government to fund IDEA at 40 percent. Well, the 40 percent figure is simply a funding formula, just like the funding formulas found in lots and lots of other statutes.

In 1975, the EHA authorized the maximum award per state as being the number of children served times 40 percent of the national average per pupil expenditure—known as the APPE. The formula does not guarantee 40 percent of national APPE per disabled child served; rather, it caps IDEA allotments at 40% of national APPE. In other words, the 40 percent figure was a goal, not a commitment.

As the then ranking minority member on the House Ed and Labor Committee, Representative Albert Quie, explained: "I do not know in the subsequent years whether we will appropriate at those [authorized] levels or not. I think what we are doing here is laying out the goal. Ignoring other Federal priorities, we thought it acceptable if funding reaches that level."

The important point in the Congressman's statement is that we cannot fund IDEA grant programs at the cost of other important federal programs. That is why historically the highest appropriation for special education funding was in FY 1979, when allocations represented 12.5 percent APPE. During the Reagan years, the appropriation went back down.

But, over the last five years, as ranking member on the Labor-H Appropriations Subcommittee, I have worked with my colleagues across the aisle to more than double the IDEA appropriation so that we're back up to over 12.5 percent.

And, today, we are in an even better position to do the right thing. We are presented with a non-Social Security budget surplus. Our economy is in great shape. We have the opportunity to pay off the public debt. We will continue to protect the Social Security trust fund. And—even better—we can use money from the non-Social Security surplus to ensure that seniors get prescription drugs, school kids benefit from smaller class size, and students with disabilities get the services they have a right to.

All of these proposals make more sense than providing wealthy Americans with tax cuts that will eat up the non-Social Security surplus.

Last year's Supreme Court decision regarding Garret Frey of Cedar Rapids, Iowa 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 disabili-

ties is minimal, the excess costs of educating other children with disabilities, like Garret, is great.

Under our amendment, my home state of Iowa would receive a total increase of over \$346 million over the next five years.

Of course, lots of places are already doing a great job of educating all of our kids. I just found out about a school district in Iowa—a district that includes my hometown of Cumming—that's delivering on IDEA's promise of full inclusion . . . on budget! According to the superintendent, IDEA works for everyone. For example, a girl with cerebral palsy takes home economics and French in the regular classroom. Just imagine varsity football players working on home-ec projects with a girl in a wheelchair. Each student learns about their value as individuals and their value as members of a team and community.

These new dollars would go a long way toward making a real difference for both children with disabilities and their families. I've heard from parents in Iowa that their kids need more qualified interpreters for deaf and hard of hearing children and they need better mental health services and better behavioral assessments. And the additional funds will help local and area education agencies build capacity in these areas.

We must redouble our efforts to help school districts meet their constitutional obligations. We need to increase dollars to every program under IDEA, not just the state grant programs.

And, of course, by receiving federal dollars, states take on certain responsibilities. IDEA dollars are intended to provide children with disabilities an equal opportunity to public education. States must use this money in a way that builds their capacity to deliver necessary educational and related services to students with disabilities and meet their obligations under the law.

As I understand it, one of the National Governors' Association's top priorities is to get more funding for special education. And that's just what our amendment does. The Education Task Force of the Consortium for Citizens with Disabilities strongly supports this amendment, along with the National Association of Directors of Special Education, the National School Boards Association, and American Association of School Administrators.

As I said at the beginning, we can all agree that states should receive more money under IDEA. And, today, we have the incredible opportunity to fund IDEA—at no real cost to other national programs. I thank Senator JEFFORDS and Senator DODD for their leadership on this issue. I encourage my colleagues to join us in support of the amendment.

Mr. KENNEDY. Mr. President, I strongly support the amendment by Senator JEFFORDS and Senator DODD to increase funding for IDEA by \$2 billion a year for the next five years.

For 22 years, IDEA has brought hope to young persons with disabilities that they too can learn, and that their learning will enable them to become independent and productive citizens and live fulfilling lives. For millions of children with disabilities, IDEA has meant the difference between dependence and independence, between lost potential and productive careers.

In 1975, 4 million handicapped children did not receive the help they needed to be successful in school. Few disabled preschoolers received services, and 1 million children with disabilities were excluded from public school. Now, IDEA serves 5.4 million children with disabilities from birth through age 21. Every state in the nation offers public education and early intervention services for children with disabilities.

Today, fewer than 6,000 disabled children are living in institutional settings away from their families, compared to 95,000 children in 1969. We are keeping families together, and reducing the cost to the taxpayers of paying for institutional care, which averages \$50,000 a child each year.

The number of disabled students completing high school with a diploma or certificate has increased by 10% in the last decade. The number of students with disabilities entering higher education has more than tripled since the implementation of IDEA.

Most important, 57% of disabled youth are competitively employed within five years of leaving school today, compared to an employment rate of only 25% for disabled adults who have not benefited from IDEA.

These accomplishments do not come without financial costs. It is time for Congress to meet its commitment to help schools provide the services and support that give children with special needs the educational opportunities to pursue their dreams. I urge my colleagues to support this amendment.

Ms. COLLINS. Mr. President, 25 years ago, the United States Congress made a commitment to pay each school in America 40 percent of the national average per pupil expenditure for every special education student it enrolled—Washington promised it would help our local communities meet the cost of educating students with special needs.

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. For the current school year the average per pupil expenditure is \$6,000, yet we have appropriated only \$702 per student only 11.7% of the cost—slightly more than one fourth of our promise. To meet the Federal commitment, the budget resolution should assume an expenditure of \$15.8 billion for this year. I commend Senator DOMENICI and the Budget Committee for recognizing the importance of this commitment and for providing a \$1 billion increase in fiscal year 2001. But this is not enough, and we must do

more—we must embark on a short path to full funding. We have the resources to do it, and the amendment before the Senate starts us on our journey to full funding.

What would this mean for our states and local school districts? Let's take Maine as an example. For this year the Individuals with Disabilities Education Act promises Maine \$2,400 per student receiving special education services. However, the Federal Government will spend only slightly more than \$702 per student—which means that Maine will receive \$60 million less than it was promised. According to the U.S. Department of Education, the unmet mandate stands at an astounding \$11 billion nationally. We can not 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.

Last month, I met with about 75 superintendents and principals from northern and eastern Maine to discuss the reauthorization of the Elementary and Secondary Education Act. What was supposed to be a wide-ranging dialog about Federal funding under the ESEA immediately settled into a discussion about special education. They told me that in each of their schools and districts, meeting the special education mandate requires dollars that otherwise could be used for school construction, teacher salaries, new computers, and other effort to improve the performance of their students. They called on us to meet our promise to help pay for special education. They spoke with one voice in strong, unified support for more special education funding, not for new Federal programs.

The Jeffords-Collins amendment would mean an additional \$155 million for Maine schools over the next five years. Mr. President, we need to meet our commitment to bear our fair share of special education costs. When faced with the siren's call for new Federal programs, we must keep in mind what our parents, teachers, and local administrators have told us. If we want to do something for the children of America, let us fund special education, and our schools will be able to hire their own teachers and build their own schools. The best thing this Congress can do for education is to move toward fully funding the Federal Government's share of special education—not to stand in place as the President's budget would have us do.

I urge my colleagues to support the Jeffords-Collins amendment and 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 25 years ago.

Mr. DODD. Mr. President, we have a clear choice before us today. We have the opportunity to fulfill our commitment to fully fund the Individuals with Disabilities Education Act (IDEA). We can accomplish this long overdue goal

by simply reducing this measure's tax relief. We can strengthen our commitment to special needs children, their parents, and our local school boards, or instead, we can once again shirk our commitment to special education in favor of even larger tax relief, the great majority of which benefits the most wealthy.

The Jeffords-Dodd amendment is simple. When Congress passed IDEA in 1975, we made a commitment to provide 40 percent of special education costs. Presently we provide 12.7 percent, the highest level ever reached by the federal government. Our amendment would fully fund IDEA over a five-year period, at the 40 percent level Congress originally pledged, by increasing the allocation to Function 500 of the budget resolution for special education, and for the first time will allow us to meet our obligation to special needs children and local schools.

In my own state of Connecticut, Mr. President, the state spends more than \$700 million annually, or 18 percent of the state's overall education budget, to fund special education programs. In Connecticut's towns, the picture is even worse. Too often our local school districts are struggling to meet the needs of their students with disabilities. In Torrington, Connecticut, special education costs recently increased from \$635,000 to \$1.3 million over a two year period. Our schools need our help.

The National Governors' Association (NGA) recently wrote me—in a letter dated March 7, the NGA writes: "Governors believe the single most effective step Congress could take to help address education needs and priorities, in the context of new budget constraints, would be to meet its commitment to fully fund the federal portion of the Individuals with Disabilities Education Act (IDEA)."

Additional organizations in support of this amendment include the Consortium for Citizens with Disabilities, the National School Boards Association, the National League of Cities, the National Education Association, the National Federation of Teachers, and the National Association of State Directors of Special Education.

Mr. President, isn't it time Congress made good on its pledge to special needs of children? We have an opportunity before us today to strengthen our commitment to children with special needs. We have the opportunity to simply reduce the tax cuts contained within the budget resolution, and by doing so, offer our state and local school district help in providing educational services to children with disabilities. By supporting this amendment, we not only fulfill our commitment to special education, we also alleviate the burden we place on our local school districts by not providing our fair share of special education costs. I ask that my colleagues seize this opportunity and support this amendment and choose to help our schools better serve children with disabilities.

Mr. JEFFORDS. Mr. President, I ask that Senator LIEBERMAN be added as a cosponsor.

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

Mr. JEFFORDS. Mr. President, I urge my colleagues to vote in favor of the amendment by Senators JEFFORDS, DODD, STEVENS, KENNEDY, COLLINS, SNOWE, L. CHAFEE, and FEINGOLD. We have voted many times, often 99-0, to fully fund IDEA. Failure to agree to this amendment will tell the Nation we do not ever intend to make good on this pledge. We have unprecedented economic prosperity. We have surpluses well into the future. We can do it now.

For 25 years, we have promised to pay 40 percent of the cost of educating students with disabilities. Today, we pay 13 percent. The chart behind me shows the truth about the budget resolution. It proposes to move us from 13 percent to 18 percent. It says clearly to the Nation, despite all our rhetoric, we never intend to keep our word.

Our amendment will fully fund our promise. I ask my colleagues: If not now, when?

The time is now.

Mr. VOINOVICH addressed the Chair.

Mr. JEFFORDS. 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. VOINOVICH. Mr. President, I send a second-degree amendment to the Jeffords amendment to the desk.

Mr. DOMENICI. Mr. President, I have 1 minute.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. As good as this idea sounds, we ought not do this. This is taking a major appropriation, a program we fund in appropriations every year, and making it an entitlement.

There are a lot of great education programs. What if we start taking every appropriations bill that has exciting ideas for Americans and we say we don't want to appropriate them anymore; we will just turn them up as if they are Social Security, entitled to automatic funding.

It is not the right thing to do, no matter what the program is. It is our responsibility to pay for IDEA, and special ed, not an entitlement against the American people without anybody voting on it again.

It is not the right thing to do. I yield the floor.

AMENDMENT NO. 3075 TO AMENDMENT 2984  
(Purpose: To provide full funding for IDEA)

Mr. VOINOVICH. Mr. President, I send to the desk a second-degree amendment to the Jeffords amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH], for himself, Mr. GREGG, and Mr. SANTORUM, pro-

poses an amendment numbered 3075 to amendment 2984.

Mr. VOINOVICH. 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:

At the end of the amendment, add the following:

Notwithstanding any other provisions of this resolution, the following numbers shall apply:

On page 4, line 4, decrease the amount by \$1.

On page 4, line 5, decrease the amount by \$1.

On page 4, line 6, decrease the amount by \$1.

On page 4, line 7, decrease the amount by \$1.

On page 4, line 8, decrease the amount by \$1.

On page 4, line 13, increase the amount by \$1.

On page 4, line 14, increase the amount by \$1.

On page 4, line 15, increase the amount by \$1.

On page 4, line 16, increase the amount by \$1.

On page 4, line 17, increase the amount by \$1.

On page 4, line 22, increase the amount by \$1.

On page 4, line 23, increase the amount by \$1.

On page 4, line 24, increase the amount by \$1.

On page 4, line 25, increase the amount by \$1.

On page 5, line 1, increase the amount by \$1.

On page 5, line 7, increase the amount by \$1.

On page 5, line 8, increase the amount by \$1.

On page 5, line 9, increase the amount by \$1.

On page 5, line 10, increase the amount by \$1.

On page 5, line 11, increase the amount by \$1.

On page 18, line 7, increase the amount by \$1.

On page 18, line 8, increase the amount by \$1.

On page 18, line 11, increase the amount by \$1.

On page 18, line 12, increase the amount by \$1.

On page 18, line 15, increase the amount by \$1.

On page 18, line 16, increase the amount by \$1.

On page 18, line 19, increase the amount by \$1.

On page 18, line 20, increase the amount by \$1.

On page 18, line 23, increase the amount by \$1.

On page 18, line 24, increase the amount by \$1.

On page 29, line 3, decrease the amount by \$1.

On page 29, line 4, decrease the amount by \$1.

At the end add the following:

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that Congress' first priority should be to fully fund the programs described under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) at the originally promised level of 40% before Federal funds are appropriated for new education programs.

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

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, the budget resolution provides a generous increase in spending in education, just as the FY 2000 education appropriations bill did. Basically, this amendment says that within the framework of the budget resolution, IDEA should be given priority. We have increased discretionary spending on education 100 percent during the last 10 years, but during that same period, the most we have spent is 12.6 percent of the cost of IDEA, and we are supposed to be spending 40 percent. This amendment gives priority to IDEA without spending another \$31 billion over the next 5 years, as suggested in the underlying amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, this amendment is a sense-of-the-Senate second-degree amendment. It does not do anything at all. I listened to my colleague from New Mexico talk about the pointlessness of sense-of-the-Senate amendments.

The Senator from Vermont is offering the Senate an opportunity to do something that every Governor and mayor in this country wants, and that is to increase funding for special education.

The Governors were here only a month ago, and their top priority was special education. The Senator from Vermont is offering a real amendment, and that is, over the next 4 to 5 years, reduce this tax cut a little bit and apply those resources to special education; send the money back to our communities and States.

With all due respect, the second-degree amendment says it is the sense of the Senate that we ought to do something about it sometime. We are not going to do anything about it if we do not adopt the Jeffords amendment. I urge rejection of the amendment offered by the Senator from Ohio.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this will use \$31 billion of the surplus. It will eat it up with a brand new entitlement, and it will take jurisdiction away from the appropriators in the normal course of allocating what America's Government ought to be doing.

I repeat, the sense-of-the-Senate amendment establishes this as the highest priority, but we should not be

setting a \$31 billion entitlement program in motion today for a piece of education. Because we did not do our job on this, we should not make an entitlement to make up for our deficiency in not funding it properly.

Mr. JEFFORDS. Mr. President, I move to table the second-degree amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 3075. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. ROBERTS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 72 Leg.]

#### YEAS—47

Akaka	Feingold	Lieberman
Baucus	Feinstein	Lincoln
Bayh	Graham	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Bryan	Jeffords	Reid
Chafee, L.	Johnson	Robb
Cleland	Kennedy	Rockefeller
Collins	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Snowe
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden
Edwards	Levin	

#### NAYS—53

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Breaux	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Byrd	Helms	Smith (OR)
Campbell	Hutchinson	Specter
Cochran	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	

The motion was rejected.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3075.

The amendment (No. 3075) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2984, as amended.

The amendment (No. 2984), as amended, was agreed to.

#### AMENDMENT NO. 3001

(Purpose: To provide \$250,000,000 in economic development aid to assist communities in re-building from Hurricane Floyd, including \$150 million in CDBG funding, \$50 million in EDA funding, \$50 million in rural communities facilities grants, to provide long-term economic recovery aid to flood-ravaged communities)

Mr. EDWARDS. Mr. President, I call up amendment No. 3001.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. EDWARDS], for Mr. TORRICELLI, for himself, Mr. EDWARDS, Mr. LAUTENBERG, and Mr. ROBB, proposes an amendment numbered 3001.

The amendment is as follows:

On page 4, line 4, increase the amount by \$52,000,000.

On page 4, line 5, increase the amount by \$63,000,000.

On page 4, line 6, increase the amount by \$74,000,000.

On page 4, line 7, increase the amount by \$35,000,000.

On page 4, line 8, increase the amount by \$18,000,000.

On page 4, line 13, increase the amount by \$52,000,000.

On page 4, line 14, increase the amount by \$63,000,000.

On page 4, line 15, increase the amount by \$74,000,000.

On page 4, line 16, increase the amount by \$35,000,000.

On page 4, line 17, increase the amount by \$18,000,000.

On page 4, line 22, increase the amount by \$250,000,000.

On page 5, line 7, increase the amount by \$52,000,000.

On page 5, line 8, increase the amount by \$63,000,000.

On page 5, line 9, increase the amount by \$74,000,000.

On page 5, line 10, increase the amount by \$35,000,000.

On page 5, line 11 increase the amount by \$18,000,000.

On page 17, line 6, increase the amount by \$250,000,000.

On page 17, line 7, increase the amount by \$52,000,000.

On page 17, line 11, increase the amount by \$63,000,000.

On page 17, line 15, increase the amount by \$74,000,000.

On page 17, line 19, increase the amount by \$35,000,000.

On page 17, line 23, increase the amount by \$18,000,000.

On page 29, line 3, decrease the amount by \$52,000,000.

On page 29, line 4, decrease the amount by \$242,000,000.

#### AMENDMENT NO. 3001, AS MODIFIED

Mr. EDWARDS. Mr. President, I ask unanimous consent to modify the amendment by striking page 1 through page 2, line 14, and lines 7 through 10 on page 4, which I understand has been agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 4, line 22, increase the amount by \$250,000,000.

On page 5, line 7, increase the amount by \$52,000,000.

On page 5, line 8, increase the amount by \$63,000,000.

On page 5, line 9, increase the amount by \$74,000,000.

On page 5, line 10, increase the amount by \$35,000,000.

On page 5, line 11, increase the amount by \$18,000,000.

On page 17, line 6, increase the amount by \$250,000,000.

On page 17, line 7, increase the amount by \$252,000,000.

On page 17, line 11, increase the amount by \$63,000,000.

On page 17, line 15, increase the amount by \$74,000,000.

On page 17, line 19, increase the amount by \$35,000,000.

On page 17, line 23, increase the amount by \$18,000,000.

Mr. EDWARDS. Mr. President, 7 months after Hurricane Floyd hit North Carolina and other States along the east coast, we still have thousands of people who are living in trailers and thousands more who have no place to live. We have towns such as Princeville and Tarboro that have literally been wiped out. Innocent, law-abiding, tax-paying people desperately need our help. This amendment provides \$250 million in relief for the people of North Carolina and all of the victims of Hurricane Floyd.

This photograph, taken the day before yesterday, shows that we are still suffering and are still struggling. I thank my colleagues very much for their support of this amendment, and I yield to the Senator from New Jersey.

Mr. TORRICELLI. I thank the Senator.

Hurricane Floyd may be out of the headlines, but it is not out of people's lives. From Florida to Maine, thousands of people lost their homes. Communities are facing devastating tax increases to repair bridges and roads and schools. This addition to the budget will allow us to begin the planning to help these families. I urge my colleagues to vote in favor of it, and I thank Senator DOMENICI for his help.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, they have modified the amendment so that it is no longer objectionable on our side. We accept it without a rollcall vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3001, as modified.

The amendment (No. 3001), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2994

(Purpose: Increase discretionary health funding by \$1,600,000,000)

Mr. SPECTER. Mr. President, I call up amendment No. 2994.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 2994.

Mr. SPECTER. 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 4, line 22, increase the amount by \$1,600,000,000.

On page 5, line 7, increase the amount by \$1,600,000,000.

On page 5, line 15, increase the amount by \$1,600,000,000.

On page 19, line 7, increase the amount by \$1,600,000,000.

On page 19, line 8, increase the amount by \$1,600,000,000.

On page 27, line 7, decrease the amount by \$1,600,000,000.

On page 27, line 8, decrease the amount by \$1,600,000,000.

On page 42, line 5, increase the amount by \$1,600,000,000.

On page 42, line 6, increase the amount by \$1,600,000,000.

On page 43, line 14, increase the amount by \$1,600,000,000.

On page 43, line 15, increase the amount by \$1,600,000,000.

Mrs. FEINSTEIN. Mr. President, I am pleased to co-sponsor the Specter-Harkin amendment to increase funding for health research by \$2.7 billion, an increase of 15 percent over last year.

For Fiscal Year 2001, the President is requesting a 5.6 percent increase. That is not enough. Congress has shown its commitment to our five-year goal of doubling NIH funding. In 1997, the Senate voted 98-0 to adopt the Mack-Feinstein amendment, which urged Congress to double the budget of the National Institutes of Health over 5 years. To stay on target, we must add 15 percent again this year, bringing NIH funding to \$20.5 billion. That is what this amendment does.

This Fiscal Year, the National Institutes of Health is only funding an estimated 31 percent of grant applications. The National Institute on Aging is only funding 22 percent, and the National Institute of Environmental Health Sciences, 25 percent. NIH officials believe that at least 35 percent of applicants are worthy of funding and others say 50 percent should be funded. Without a significant increase in funding, hundreds of important projects will go without funding. What is it we aren't learning? How many millions of people aren't treated, or cured?

Every day 1,500 people in the U.S. die of cancer, our nation's second leading cause of death. This year over half a million people will die of cancer, and 1.2 million will face a new cancer diagnosis. While the mortality rate has dropped for major cancers, including lung, colorectal, breast, and prostate, the mortality rate has risen for liver cancer and non-Hodgkin's lymphoma.

The National Cancer Institute has a number of promising areas of research, including: (1) better understanding the unique characteristics of cells and how they become cancerous; (2) molecule-directed prevention approaches, such as Herceptin for advanced breast cancer, Rituximab for non-Hodgkin's lymphoma, and STI 571 for leukemia; and (3) early detection of cancer and cancer risk through genetic explanation for cancer risks, environmental influences, and responses to therapies. But we spend one-tenth of one cent of every federal dollar on cancer research.

There are still too many diseases for which we have no cure. AIDS has surpassed accidents as the leading killer of young adults; it is now the leading cause of death among Americans ages 25 to 44. Diabetes and asthma rates are

rising. Forty-thousand infants die each year from devastating diseases. Seven to 10 percent of children are learning disabled. Birth defects affecting function occur in 7 percent of deliveries; that's 250,000 children.

Another compelling reason to double NIH funding is that the baby boom generation is getting older. Over the next 30 years, the number of Americans over age 65 will double. As our population ages, we are seeing an increase in chronic and degenerative diseases like arthritis, cancer, osteoporosis, Parkinson's and Alzheimer's. For example, the 4 million people with Alzheimer's Disease today will more than triple, to 14 million, by the middle of the next century—unless we find a way to prevent or cure it. Health care costs will grow exponentially and we see that in part reflected in our budget debates over Medicare and Medicaid expenditures. The total annual cost of Alzheimer's today is \$100 billion. By finding new treatments through research, if we delay the onset of this disease by 5 years, we can save \$50 billion annually.

This increase in funding for the NIH is important to California. California organizations receive 20 percent of all NIH grants, and the University of California is one of the top recipients of NIH funding. I am proud to say that California and the UC system contribute immeasurably to medical research supported by NIH grants. With support of NIH, many California researchers have helped find new cures and treatments. For example, Dr. Naomi Balaban at the University of California, Davis, with funding from the NIH, discovered a revolutionary way to fight staph infections without antibiotics by blocking the occurrences that make the bacteria harmful to humans. Then, she created a vaccine that successfully aided mice in resisting this infection.

We have made tremendous strides in medical research in the last decade. The Association of American Medical Colleges states, in a June 1999 paper on clinical research:

Perhaps the most profound challenge of this era is the sheer scope of scientific and technologic opportunity. The future of scientific advancement and its potential to transform medical practice and improve the health of the public have never been brighter. Astonishing advancements in the basic sciences have profoundly increased understanding of disease mechanisms and identified a plentitude of novel targets for therapeutic and preventive interventions.

Better treatments are available, and scientists are learning more and more about how to treat diseases. Patient access to cutting-edge treatments is critical to further research and improve the health of Americans. The NIH is beginning to expand clinical research and, with additional funds, more people can reap the benefits of clinical trials and more effective treatments can be found.

For example, the NIH is working on a vaccine for AIDS, better treatments for

diabetes, and a better understanding of the entire human genome and its implications. Understanding a person's genetic make-up is helping researchers understand how genes affect a person's susceptibility to disease. This year's development of a new flu drug is a direct result of AIDS research, and a drug now used to treat hepatitis B was originally created to treat AIDS. Additionally, studies have produced better glucose-sensing devices that will greatly reduce the number of finger pricks that diabetics endure.

The United States is the world's leader in understanding disease, in developing sophisticated treatments for illnesses and diseases, in making important medical discoveries, and in improving human life expectancy. Yet, we are spending only three cents of every health care dollar on health research. NIH's budget is less than one percent of the federal budget.

Inconsistent funding for the NIH discourages the medical community from pursuing research. According to the National Academy of Sciences, we are not producing enough research scientists. That is, in part, due to the uncertainty in health research funding.

Simply put, we can do better. We must try to ensure that all promising areas of research are pursued.

The public is with us. Fifty-five percent of Californians said they would spend one dollar more in taxes per week for medical research, and 55 percent of Americans said that it is important for the U.S. to remain a world leader in medical research. Every day, I hear from Californians who want a cure for their children, a better treatment for a parent, and more knowledge to prevent disease in themselves. I believe the public wants us to fight a war on disease and that the public sees medical research as a top priority for the federal government. I urge passage of this amendment.

Mr. SPECTER. Mr. President, this amendment seeks to add \$1.6 billion for NIH funding to fulfill the commitment made by the Senate on the unanimous 98-0 vote to double NIH funding over 5 years.

The National Institutes of Health are the crown jewel of the Federal Government. In fact, they are the only jewel of the Federal Government. There will be a second-degree amendment offered that will seek to establish a priority for this money, to take it from somewhere else, which is meaningless. The only way to fund NIH in accordance with the commitment of the Senate is to adopt this amendment, which is co-sponsored by Senators HARKIN, MACK, DODD, SNOWE, COLLINS, BINGAMAN, SARBANES, MIKULSKI, BREAU, BOXER, JOHNSON, GRAHAM of Florida, FEINSTEIN, WELLSTONE, KENNEDY, and DURBIN.

We have gotten a detailed appraisal from NIH as to what they have done with the money. It is being wisely used. It is the most important capital investment for America for the future.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, that is an incorrect statement. The NIH can go up the amount the Senator desires if he and his subcommittee, which will be receiving a 14-percent increase under the allocation we have made—and I would not be surprised if this got more than a 14-percent increase by the time allocations are completed. In other words, the subcommittee with NIH in it is already going up about 14 percent. NIH is going up to a huge sum of \$19 billion.

But the Senator who chairs the committee can decide he wants to spend more than \$19 billion. He will have to look at that myriad of programs—you know, \$100 billion in that subcommittee—and decide whether he can find money to increase NIH even more. We increased it \$1.1 billion in this budget.

That is our recommendation. Frankly, all we are doing here is spending more money. It really doesn't have anything to do with NIH. It is raising the amount of money available to be spent on domestic programs.

The PRESIDING OFFICER. The time of the Senator has expired.

AMENDMENT NO. 3076 TO AMENDMENT NO. 2994

(Purpose: Increase discretionary health funding by \$1,600,000,000)

Mr. DOMENICI. Mr. President, 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 New Mexico [Mr. DOMENICI] proposes an amendment numbered 3076 to Amendment No. 2994.

Mr. DOMENICI. 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 4, line 22, increase the amount by \$1,600,000,000.

On page 5, line 7, increase the amount by \$1,600,000,000.

On page 5, line 15, increase the amount by \$1.

On page 19, line 7, increase the amount by \$1,600,000,000.

On page 19, line 8, increase the amount by \$1,600,000,000.

On page 27, line 7, increase the amount by \$1,600,000,000.

On page 27, line 8, increase the amount by \$1,600,000,000.

On page 42, line 5, increase the amount by \$1.

On page 42, line 6, increase the amount by \$1.

On page 43, line 14, increase the amount by \$1.

On page 43, line 15, increase the amount by \$1.

Mr. DOMENICI. Mr. President, this is a simple amendment. It says that the Senate, if it votes for the Domenici substitute, is saying to the Appropriations Committee, within that \$100 billion or more you are going to have to spend on labor, health, and human

services, the highest priority shall be given to the National Institutes of Health. That is what this amendment says. If that isn't enough of an instruction, saying how we feel, I don't know how we can do it. But we don't have to increase the overall spending by the amount requested by the distinguished Senator. We can just say find it within this 14-percent increase that is going to his subcommittee to be spent on labor, health, and human services in this country.

I yield the floor.

Mr. SPECTER. Mr. President, it is true that the budget for three major departments is a large budget. But it is not possible to find \$2.7 billion in the budget as proposed, when we have other education programs, where we have other health programs, where we have other labor programs on worker safety. The choice really is up to the Senate; that is, whether they will authorize the \$2.7 billion increase, which is what NIH needs to fulfill the commitment already made by the Senate on the unanimous 98-0 vote. A vote in favor of this second-degree amendment is a vote against NIH funding for \$2.7 billion.

I yield the remainder of my time to Senator HARKIN.

Mr. HARKIN. I thank the Senator. He is absolutely right. The nondiscretionary budget we have to work with is \$7 billion below a freeze. It is not a 14-percent increase. As the Senator knows, we took some of that BA last year and put it into this year. So we had an artificially low BA that year. What is in the Specter amendment is so important.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the second-degree amendment offered by the Senator from New Mexico. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—45

Allard  
Ashcroft  
Bennett  
Bond  
Brownback  
Bunning  
Burns  
Campbell  
Cochran  
Coverdell  
Craig  
Crapo  
Domenici  
Enzi  
Fitzgerald

Frist  
Gorton  
Gramm  
Grams  
Grassley  
Gregg  
Hagel  
Hatch  
Helms  
Hutchinson  
Hutchison  
Inhofe  
Kyl  
Lott  
Lugar

McConnell  
Murkowski  
Nickles  
Roberts  
Roth  
Sessions  
Shelby  
Smith (NH)  
Smith (OR)  
Stevens  
Thomas  
Thompson  
Thurmond  
Voinovich  
Warner

NAYS—55

Abraham  
Akaka  
Baucus  
Bayh

Biden  
Bingaman  
Boxer  
Breaux

Bryan  
Byrd  
Chafee, L.  
Cleland

Collins  
Conrad  
Daschle  
DeWine  
Dodd  
Dorgan  
Durbin  
Edwards  
Feingold  
Feinstein  
Graham  
Harkin  
Hollings  
Inouye  
Jeffords

Johnson  
Kennedy  
Kerrey  
Kerry  
Kohl  
Landrieu  
Lautenberg  
Leahy  
Levin  
Lieberman  
Lincoln  
Mack  
McCain  
Mikulski  
Moynihan

Murray  
Reed  
Reid  
Robb  
Rockefeller  
Santorum  
Sarbanes  
Schumer  
Snowe  
Specter  
Torricelli  
Wellstone  
Wyden

The amendment (No. 3076) was rejected.

CHANGE OF VOTE

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. L. CHAFEE. Mr. President, on rollcall vote No. 73, I voted aye. It was my intention to vote no. Therefore, I ask unanimous consent that I be permitted to change my vote, since it would in no way change the outcome of the the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. SPECTER. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question occurs on the first-degree amendment.

The amendment (No. 2994) was agreed to.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2954

(Purpose: To provide adequate funding for a gun enforcement initiative to add 500 new federal ATF agents and inspectors and fund over 1,000 new federal, state, and local prosecutors to take dangerous gun offenders off the streets)

Mr. DURBIN. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Mr. SCHUMER, Mrs. BOXER, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. LEAHY, Mr. KENNEDY and Mr. REED, proposes an amendment numbered 2954.

Mr. DURBIN. 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 4, line 4 increase the amount by \$121,341,000.

On page 4, line 5 increase the amount by \$84,399,000.

On page 4, line 6 increase the amount by \$68,925,000.

On page 4, line 7 increase the amount by \$68,925,000.

On page 4, line 13 increase the amount by \$121,341,000.



On page 4, line 14 increase the amount by \$84,399,000.

On page 4, line 15 increase the amount by \$68,925,000.

On page 4, line 16 increase the amount by \$9,225,000.

On page 4, line 22 increase the amount by \$283,890,000.

On page 5, line 7 increase the amount by \$121,341,000.

On page 5, line 8 increase the amount by \$84,399,000.

On page 5, line 9 increase the amount by \$68,925,000.

On page 5, line 10 increase the amount by \$9,225,000.

On page 24, line 7 increase the amount by \$283,890,000.

On page 24, line 8 increase the amount by \$121,341,000.

On page 24, line 12 increase the amount by \$84,399,000.

On page 24, line 16 increase the amount by \$68,925,000.

On page 24, line 20 increase the amount by \$9,225,000.

On page 29, line 3 increase the amount by \$121,341,000.

On page 29, line 4 increase the amount by \$283,890,000.

Mr. SARBANES. Mr. President, I rise today to express my strong support for the amendment offered by Senators DURBIN, SCHUMER and KENNEDY to fully fund the President's firearms law enforcement initiatives.

Clearly, the gun violence facing our Nation is a complex problem, and there is disagreement in the Congress about the need for additional firearms legislation. However, many of my colleagues—both Democratic and Republican alike—are heeding the call of their constituents and advocating more stringent enforcement of our existing gun laws. With our Nation experiencing unprecedented fiscal health, we now have the opportunity to provide law enforcement with the resources it so urgently needs to enforce those laws. The Administration recognized that opportunity, and included in its proposed budget approximately \$284 million to fund the largest national gun enforcement initiative in our history.

Mr. President, the Republican budget resolution does not include this \$284 million for gun enforcement measures and, as a result, jeopardizes programs that have begun to make a real impact and helped to reduce firearms violence. For example, in my own State of Maryland, our United States Attorney, Lynne Battaglia has utilized Project DISARM—a cooperative effort between Federal, State, county, and local law enforcement officials that targets violent and repeat offenders for prosecution under Federal firearms laws. Similar to Richmond, Virginia's well-known "Project Exile," Project DISARM was initiated in 1994 and has real potential for reducing firearm violence across the State.

Despite the initial success of Project DISARM—and tough Maryland laws that also prohibit felons from possessing firearms—the program simply does not have the resources to prosecute every person who violates these Federal laws. Project DISARM works

with a limited staff, which is also responsible for prosecuting complex drug and money laundering cases. Simply put, for Project DISARM to effectively reduce further gun violence, additional prosecutors are needed. The President's \$284 million gun control and enforcement initiative would add 500 new Federal, State and local prosecutors; \$14.5 million of these funds would be used to create 163 positions—including 113 attorneys—to bolster firearms prosecution efforts like Project DISARM.

The resources provided in the President's budget are critical to Maryland's efforts to prevent gun violence, and could save lives in my State. Whatever our views on new gun control measures, we must work to ensure that our existing laws are enforced to their fullest extent—which will not occur unless law enforcement agencies have the resources to investigate and prosecute crimes.

I urge my colleagues to join me in supporting this amendment to fully fund the President's gun control and enforcement initiative. This is a simple proposition that we should all agree on—the enforcement of our existing gun laws is a necessary step in reducing crime and making the Nation a safer place for us all.

Mr. DURBIN. Mr. President, I yield my 1 minute to my colleague and co-sponsor of the amendment, Senator SCHUMER.

Mr. SCHUMER. Mr. President, I thank the Senator for yielding and for his leadership on this amendment.

This is an amendment on guns but one on which we can all come together because it simply deals with increasing enforcement. It would add 500 new Federal ATF agents and inspectors and 1,000 Federal, State, and local prosecutors, at a cost of \$284 million, and should be included in the budget resolution.

It is no secret we in this Chamber have had many disagreements on the issue of guns. The one place I think we can all come together is on a view that there ought to be more enforcement. I, for instance, in my State, have worked with the National Rifle Association on something called Project Exile, which is a forerunner of what we are proposing here, in many ways, because what we do is give money to prosecutors at the Federal and State levels, as well as ATF agents, whose sole job is to prosecute gun crimes.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Idaho.

Mr. DOMENICI. Mr. President, I wonder if the Senator can make a 1-minute argument against it and then a minute on his.

Mr. REID. The amendment has not been reported.

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. REID. The amendment has not been reported.

Mr. CRAIG. Mr. President, it is a second-degree amendment.

Mr. REID. Mr. President, point of order.

The PRESIDING OFFICER. The appropriate procedure is for the 1 minute on the first-degree amendment to expire before the second-degree amendment is offered.

Mr. CRAIG. Mr. President, I will use that 1 minute yielded to me for purposes of explanation.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

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

The PRESIDING OFFICER. The Senator from Idaho was recognized by the Chair.

Mr. CRAIG. Mr. President, I will send a second-degree amendment to the desk to the amendment of the Senator from Illinois. The Senator from New York and I and most of us agree we need more money and effective law enforcement against gun violence. The amendment I will offer uses the same amount of money the Senator from Illinois has proposed. It does not take it out of the tax cut pool; it takes it out of the 902 fund. It directs it to hire Federal prosecutors, U.S. attorneys in Project Exile, puts them on the ground, gives State grants for gun violence reduction, and causes States also to put their mental adjudicant into the background check program. That is exactly what it does.

It also does not prohibit this Congress from offering up a reasonable tax cut to the American citizens. I believe it is the kind of legislation we are expecting and want. But it also addresses the very issue my colleagues from Illinois and New York wish to address.

The PRESIDING OFFICER. The time of the Senator has expired.

AMENDMENT NO. 3077 TO AMENDMENT NO. 2954  
(Purpose: To express the sense of the Senate regarding the enforcement of Federal firearms laws)

Mr. CRAIG. I now send my second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG] proposes an amendment numbered 3077 to amendment No. 2954.

Mr. CRAIG. I ask unanimous consent to dispense with the reading.

Mr. DURBIN. I object.

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

The PRESIDING OFFICER. Is there an objection to terminating the reading of the amendment?

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

The PRESIDING OFFICER. Is there objection to the terminating the reading of the amendment?

Mr. DURBIN. I object.

The PRESIDING OFFICER. The clerk will read the amendment.

Mr. DURBIN. Mr. President, reserving the right to object, I do not speak for my colleague from the State of Nevada, but I address this, not to my friend who offered the amendment but

to the Senate in general. It would be much better, I think, if, when we file amendments, we have two copies so they can be shared with each side, rather than suspending the reading and having no knowledge of the substance of the amendment. That is the reason I object at this point. If there is a copy to be shared for us to read it, I would have no objection.

Mr. REID. If I may say to my friend from Illinois, we understand it is frustrating from everybody's standpoint. We are moving very rapidly. It is a moving target. The reason the absence of a quorum was suggested was so we could have time to read the amendment. The majority has been trying to supply us with the second-degree amendments. They were unable to do that at this time.

So, if it is appropriate, will my friend withdraw his objection? Will the Senator withdraw his objection to the waiving of the reading?

Mr. DURBIN. I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The reading of the amendment is dispensed with.

The amendment is as follows:

At the end of the amendment, add the following:

On page 4, line 4, increase the amount by \$1.

On page 4, line 5, increase the amount by \$1.

On page 4, line 6, increase the amount by \$1.

On page 4, line 7, increase the amount by \$1.

On page 4, line 13, increase the amount by \$1.

On page 4, line 14, increase the amount by \$1.

On page 4, line 15, increase the amount by \$1.

On page 4, line 16, increase the amount by \$1.

On page 29, line 4, decrease the amount by \$1.

On page 29, line 4, decrease the amount by \$1.

At the end, add the following:

Notwithstanding any other provision of this resolution, the appropriate levels for function 920 are as follows:

Fiscal year 2001:

(A) New budget authority, —\$60,214,890,000.

(B) Outlays, —\$48,152,341,000.

Fiscal year 2002:

(A) New budget authority, —\$59,720,000,000.

(B) Outlays, —\$71,395,399,000.

Fiscal year 2003:

(A) New budget authority, \$0.

(B) Outlays, —\$858,925,000.

Fiscal year 2004:

(A) New budget authority, \$0.

(B) Outlays, —\$6,779,225,000.

Fiscal year 2005:

(A) New budget authority, \$0.

(B) Outlays, —\$6,072,000,000.

**SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING ENFORCEMENT OF FEDERAL FIREARMS LAWS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Clinton Administration has failed to adequately enforce Federal firearms laws. Between 1992 and 1998, Triggerlock gun prosecutions—prosecutions of defendants who use a firearm in the commission of a felony—dropped nearly 50 percent, from 7,045 to approximately 3,800.

(2) The decline in Federal firearms prosecutions was not due to a lack of adequate resources. During the period when Federal firearms prosecutions decreased nearly 50 percent, the overall budget of the Department of Justice increased 54 percent.

(3) It is a Federal crime to possess a firearm on school grounds under section 922(q) of title 18, United States Code. The Clinton Department of Justice prosecuted only 8 cases under this provision of law during 1998, even though more than 6,000 students brought firearms to school that year. The Clinton Administration prosecuted only 5 such cases during 1997.

(4) It is a Federal crime to transfer a firearm to a juvenile under section 922(x) of title 18, United States Code. The Clinton Department of Justice prosecuted only 6 cases under this provision of law during 1998 and only 5 during 1997.

(5) It is a Federal crime to transfer or possess a semiautomatic assault weapon under section 922(v) of title 18, United States Code. The Clinton Department of Justice prosecuted only 4 cases under this provision of law during 1998 and only 4 during 1997.

(6) It is a Federal crime for any person “who has been adjudicated as a mental defective or who has been committed to a mental institution” to possess or purchase a firearm under section 922(g) of title 18, United States Code. Despite this Federal law, mental health adjudications are not placed on the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

(7) It is a Federal crime for any person knowingly to make any false statement in the attempted purchase of a firearm under section 922(a)(6) of title 18, United States Code. It is also a Federal crime for convicted felons to possess or purchase a firearm under section 922(g) of title 18, United States Code.

(8) More than 500,000 convicted felons and other prohibited purchasers have been prevented from buying firearms from licensed dealers since the Brady Handgun Violence Prevention Act was enacted. When these felons attempted to purchase a firearm, they violated section 922(a)(6) of title 18, United States Code, by making a false statement under oath that they were not disqualified from purchasing a firearm. Nonetheless, of the more than 500,000 violations, only approximately 200 of the felons have been referred to the Department of Justice for prosecution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this concurrent resolution on the budget assume that Federal funds will be used for an effective law enforcement strategy requiring a commitment to enforcing existing Federal firearms laws by—

(1) designating not less than 1 Assistant United States Attorney in each district to prosecute Federal firearms violations and thereby expand Project Exile nationally;

(2) upgrading the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) by encouraging States to place mental health adjudications on that system and by improving the overall speed and efficiency of that system; and

(3) providing incentive grants to States to encourage States to impose mandatory minimum sentences for firearm offenses based on section 924(c) of title 18, United States Code, and to prosecute those offenses in State court.

Mr. BINGAMAN. Mr. President, I rise today to comment on why I will vote

against the Craig amendment to the budget resolution, amendment #3007. While the amendment offered by Senator CRAIG has many law enforcement provisions that I support, I am very concerned that Senator CRAIG deleted funding for the Bureau of Alcohol, tobacco and Firearms (ATF) in his amendment.

If we are serious about providing the necessary resources to effectively pursue offenders of existing federal firearms laws, we cannot exclude the ATF. A true law enforcement initiative should provide sufficient funding for both ATF agents and inspectors. After all, the ATF is the federal agency whose mission is to reduce violent crime by enforcing our laws and regulations concerning firearms and explosives. Because the Craig amendment deliberately deleted funding for the ATF, I decided to vote against it. I repeatedly hear that in order for prosecutors to do their job, they need law enforcement, such as the ATF, to detect interstate drug running and to investigate gun dealers making illegal transfers of firearms.

Due to Senate procedures, the amendment offered by Senator CRAIG vitiated a vote on amendment #2954, an amendment offered by Senator DURBIN, that I fully supported. The Durbin amendment included funding for more than 1,000 local, State and Federal prosecutors to prosecute firearms offenses. The Durbin amendment also provided funding to expand Project Exile across the country and funding for ballistics testing programs to support law enforcement efforts. As opposed to the Craig amendment, the Durbin amendment provided \$94 million in funding for an increase in ATF agents and inspectors.

Mr. President, prosecutors and federal task forces aimed at enforcing our existing firearms laws will be missing a key element if the ATF's funding is excluded from a federal law enforcement funding initiative.

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

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. I ask the pending amendment be set aside.

Mr. CRAIG. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRAIG. Mr. President, I withdraw my objection.

**AMENDMENT NO. 3003**

(Purpose: To establish a reserve fund for early learning and parent support programs)

Mr. STEVENS. Mr. President, I ask the Chair lay before the Senate amendment No. 3003.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself, Mr. KENNEDY, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. BOND, Mrs. MURRAY, Mr. COCHRAN, Mr. KERRY, and Mr. SMITH of New Hampshire, proposes an amendment numbered 3003.

Mr. STEVENS. 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:

At the end of title II, insert the following:  
**SEC. . RESERVE FUND FOR EARLY LEARNING AND PARENT SUPPORT PROGRAMS.**

(a) ADJUSTMENT.—When the Committee on Education and the Workforce of the House of Representatives or the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill, an amendment is offered in the House of Representatives or the Senate, or a conference report is filed that improves opportunities at the local level for early learning, brain development, and school readiness for young children from birth to age 6 and offers support programs for such families, particularly those with special needs such as mental health issues and behavioral disorders, the relevant chairman of the Committee on the Budget may increase the allocation aggregates, functions, totals, and other budgetary totals in the resolution by the amount of budget authority (and the outlays resulting therefrom) provided by the legislation for such purpose in accordance with subsection (b) if the legislation does not cause an on-budget deficit.

(b) LIMITATIONS.—The adjustments to the aggregates and totals pursuant to subsection (a) shall not exceed \$8,500,000,000 on budget authority (and the outlays resulting therefrom) for the period fiscal years 2001 through 2003.

Mr. KENNEDY. Mr. President, I commend Senators STEVENS, DODD, JEFFORDS, BOND, KERRY, COCHRAN, MURRAY, GORDON SMITH, LAUTENBERG, CHAFEE, DURBIN, REED, WARNER, MURKOWSKI, and BINGAMAN for their leadership on this amendment to ensure that children begin school ready to learn.

The amendment establishes a reserve fund of \$8.5 billion over the next five years to support local investment in early learning and school readiness initiatives for children from birth through age six. Over the past decade medical research has confirmed that stimulation is essential for proper brain development in infants and toddlers. The building blocks for later learning begin to develop during these early years. Stimulation through reading, visual and vocal interaction with adults, and group activities with other children is essential to develop the connection within the brain that result in effective educational, social, and motor skills for each child.

It is long past time to put these medical discoveries into practice. Many parents are well aware of the stimulation needed by their infants and toddlers, and they amply provide it. But many working parents face barriers, including their own lack of education and their inability to obtain quality child care for their children. As a result, millions of children never get the

chance to reach their full potential. This is a tragedy for the child, and an unacceptable price for the nation to pay, since many of society's most complex and costly long-run problems can be avoided by paying greater attention to children early in their lives.

To deal with these problems more effectively, Senators STEVENS, JEFFORDS, DODD, and I have taken a number of steps to improve early learning. First, we need to fill in the gaps in existing programs, and make activities such as childhood literacy training, parenting support, and parenting education more widely available to all parents who seek these services. Second, we need to support local councils that can assess early learning needs of communities and allocate resources to meet those needs. These councils are already formed in some states. In Massachusetts, it is known as the Massachusetts Community Partnerships for Children. Our amendment brings us closer to enabling such councils to direct resources where they are needed most.

Finally, we need to expand access to effective programs like Head Start. More parents are satisfied with Head Start than any other government program, but only two in five eligible children have access to Head Start today.

Today's Senate action is a significant step forward for the nation on this fundamental issue. It shows what can be accomplished when we reach across party lines and work together for educational goals that are clearly in the country's best interest. Early learning should be a high priority for this Congress. It is pro-family and pro-work, and it is one of the best long-term investments we can make in the country's future security and prosperity.

The \$8.5 billion in additional resources proposed by today's budget amendment will make it much easier to enable more children to obtain the services they need in the years ahead. I look forward to the day when every child begins school ready to learn, and I will continue working to pass legislation that makes this day come as soon as possible.

Mr. STEVENS. Mr. President, this amendment establishes a priority of funding for early education of children. It has broad bipartisan support. It does not make it mandatory.

We now know the stimulus children get at a very early age contributes to the development of their brain and increases the ability of children who receive that stimulus to learn readily.

This creates a program for stimulation and sets aside funds for grants to the States. It is not a mandatory program. It will be put in the discretionary level. I do hope the Senate will accept this. My understanding is the managers will accept it.

Mr. REID. No objection.

Mr. DOMENICI. No objection.

Mr. STEVENS. I urge adoption of the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 3003.

The amendment (No. 3003) was agreed to.

Mr. STEVENS. 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.

AMENDMENT NO. 3077

Mr. REID. Mr. President, I believe the pending business is the Schumer-Durbin amendment No. 2954.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. If that is the pending business, my second-degree amendment is the pending business. I believe it is appropriate then that I now speak for 1 minute in support of the second-degree amendment.

The PRESIDING OFFICER. The Senator is correct. The Senator is recognized.

Mr. CRAIG. Mr. President, all of us are concerned about law enforcement and making sure those who misuse firearms are appropriately prosecuted. The Senator from Illinois and the Senator from New York have that same concern. I choose to get the money from the 920 account and not take it out of tax cuts. I direct it at the hiring of Federal prosecutors.

I also direct it to the States for grants in law enforcement because the States continue to put into the background check program those who are legally mental adjudicants. We direct it to law enforcement, which is what the American people say we should do, on the ground where the criminal activity is occurring. The \$283 million increases the intensity of effort against gun violence.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I urge Members of the Senate to oppose this amendment. We have debated gun safety back and forth and one side says we need more enforcement. The second-degree amendment before us provides no new ATF agents. If we are going to enforce the laws to find the 1,000 Federal gun dealers responsible for selling 57 percent of the guns traced in crime, we need more ATF agents. If we are going to stop interstate gunrunning, we need more ATF agents. This second-degree amendment provides no new ATF agents. If my colleagues say enforcement is the key to gun safety, they have to oppose this amendment and support the underlying amendment which provides new ATF investigators, as well as new prosecutors, across America. I hope my colleagues will oppose the second-degree amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The question is on agreeing to amendment No. 3077.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 74 Leg.]

#### YEAS—54

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
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	Snowe
Coverdell	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Voinovich
Fitzgerald	McCain	Warner

#### NAYS—46

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Chafee, L.	Kerrey	Sarbanes
Cleland	Kerry	Schumer
Conrad	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

The amendment (No. 3077) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2954, as amended.

The amendment (No. 2954), as amended, was agreed to.

Mr. NICKLES. 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.

The PRESIDING OFFICER. The distinguished Senator from New Mexico.

#### AMENDMENT NO. 3028, AS MODIFIED

(Purpose: To express the sense of the Senate regarding the census)

Mr. DOMENICI. Mr. President, I think we are ready to call up the Smith amendment No. 3028, as modified. It has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI, for Mr. SMITH of New Hampshire] proposes an amendment numbered 3028, as modified.

Mr. DOMENICI. 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:

At the end of title III, insert the following:

#### SEC. . SENSE OF THE SENATE REGARDING THE CENSUS.

It is the sense of the Senate that the levels in this resolution and legislation enacted

pursuant to this resolution assume that no American will be prosecuted, fined or in any way harassed by the Federal government or its agents for failure to respond to any census questions which refer to an individual's race, national origin, living conditions, personal habits or mental and/or physical condition.

At the end of the amendment strike the period and insert a comma and add the following: "but that all Americans are encouraged to send in their census forms."

Mr. DOMENICI. I yield back any time we have on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3028, as modified.

The amendment (No. 3028), as modified, was agreed to.

Mr. NICKLES. 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. 2951

(Purpose: To express the sense of the Senate concerning an increase in the Federal minimum wage)

Mr. DOMENICI. Mr. President, I believe the next amendment is the minimum wage amendment by Senator KENNEDY.

The PRESIDING OFFICER (Mr. THOMAS). The distinguished Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I call up amendment No. 2951.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 2951.

The amendment is as follows:

At the appropriate place, insert the following:

#### SEC. . SENSE OF THE SENATE CONCERNING THE MINIMUM WAGE.

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation to amend the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to increase the Federal minimum wage by \$1.00 over 1 year with a \$0.50 increase effective May 1, 2000 and another \$0.50 increase effective on May 1, 2001.

Mr. KENNEDY. Mr. President, we have tried for over the last 2 years to get an increase in the minimum wage for those Americans who are at the lowest rung of the economic ladder and who have not had any pay increase. This chart shows what has happened to the minimum wage since the 1960s. As the minimum wage has been going down, the poverty line has been going up. There are more Americans working harder today who are living in poverty than at any time in the history of the country.

Why is this an important issue? Close to 60 percent of the minimum-wage workers are women. One-third of those workers have children, so it is a women's issue. It is a children's issue. It is a civil rights issue because over one-third of minimum-wage workers are men and women of color. It is fundamentally an issue of fairness.

I think in this country individuals who work 40 hours a week, 52 weeks of the year should not live in poverty. We are asking for the opportunity to have a vote on an increase in the minimum wage. Since the minimum wage was last increased, those workers have lost the equivalent of \$500 in purchasing power. It is time that the Senate go on record in support of increasing the minimum wage.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, we voted on this amendment in November. It didn't pass. What we did pass on November 9 was the Domenici amendment. It passed 54-44. It was an amendment that would increase the minimum wage not over 13 months, as proposed by Senator KENNEDY, but over 28 months. In addition, we provided for some small business tax relief, those businesses that would be negatively impacted by a big increase in the minimum wage. We did that. That passed.

I will be sending a second-degree amendment to the desk that would reiterate our support for that. I hope our colleagues will join us in a request to move that amendment, which was attached to bankruptcy, to the House-passed minimum wage so we can go to conference and pass a minimum wage package with tax relief.

#### AMENDMENT NO. 3078 TO AMENDMENT NO. 2951

(Purpose: To express the Sense of the Senate that any increase in the minimum wage should be accompanied by tax relief for small businesses)

Mr. NICKLES. Mr. President, I now send the second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 3078 to amendment No. 2951.

Mr. NICKLES. 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:

In the amendment strike all after the first word and insert the following:

#### SENSE OF THE SENATE

(B) It is the sense of the Senate that the functional totals underlying this resolution on the budget assume that the minimum wage should be increased as provided for in amendment #2547, the Domenici and others amendment to S. 625, the Bankruptcy Reform legislation.

Mr. NICKLES. This is the same amendment we passed in November. This is an amendment that says we should have 100 percent deductibility for self-employed individuals. Right now they only get 60 percent. This is an amendment that says we should give an above-the-line deduction for individuals so they can deduct health care costs. This is not a big tax cut. This is a tax cut targeted towards small business and people who would have a hard time paying the minimum wage. It also

says we should stretch out the minimum wage, instead of doing it over 13 months as proposed by Senator KENNEDY. The language we passed will do it over the next 24 months or 28 months.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the proposal that is offered by the Senator is to cut taxes by \$100 billion without paying for them. It stretches the minimum wage increase of a dollar over 3 years. According to CBO, it is \$100 billion in unpaid tax cuts. We are prepared to work with our friends on the other side for a reasonable proposal to offset any potential kinds of challenges for small business. This is \$100 billion in tax cuts over 10 years. Why should minimum-wage workers be held hostage to this kind of proposal?

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma has 22 seconds.

Mr. NICKLES. Mr. President, for the information of our colleagues, my colleague was incorrect on his figures. The net cost of our tax cut was \$25 billion over the next 5 years. The budget resolution before us says \$150 billion over 5 years. It is clearly within the budget. It is affordable. It is targeted. I don't know where he got the \$100 billion. Maybe that is over 10 years. Over 5 years, the net tax cut targeted toward small business is \$25 billion. I urge my colleagues to adopt the amendment.

The PRESIDING OFFICER. The Senator from Massachusetts has 26 seconds.

Mr. KENNEDY. Mr. President, his tax cuts are over 5 years. The ten year cost is \$100 billion, which are unpaid for. All we are saying is, why stretch it for the hard-working Americans when we have the greatest prosperity in the history of this country and we are denying those hard-working Americans 50 cents a year this year and 50 cents a year next year? That is what our proposal does.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. NICKLES. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to amendment No. 3078. The clerk will call the roll.

The senior assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 75 Leg.]

#### YEAS—51

Abraham	Fitzgerald	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith (NH)
Collins	Hutchinson	Smith (OR)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Warner

#### NAYS—49

Akaka	Feingold	Lincoln
Baucus	Feinstein	Mikulski
Bayh	Graham	Moynihan
Biden	Harkin	Murray
Bingaman	Hollings	Reed
Boxer	Inouye	Reid
Breaux	Jeffords	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Sarbanes
Chafee, L.	Kerrey	Schumer
Cleland	Kerry	Specter
Conrad	Kohl	Torricelli
Daschle	Landrieu	Voinovich
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	
Edwards	Lieberman	

The amendment (No. 3078) was agreed to.

Mr. NICKLES. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3079 TO AMENDMENT NO. 2951  
(Purpose: To express the sense of the Senate concerning an increase in the Federal minimum wage)

Mr. REID. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] for Mr. KENNEDY, proposes an amendment numbered 3079 to amendment No. 2951.

Mr. REID. 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:

At the end of the amendment add the following:

#### SEC. . SENSE OF THE SENATE CONCERNING THE MINIMUM WAGE.

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation to amend the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to increase the Federal minimum wage by \$1.00 over 1 year with a \$0.50 increase effective May 2, 2000 and another \$0.50 increase effective on May 2, 2001.

Mr. REID. I ask to take a minute in leader time; how long did the last vote take?

The PRESIDING OFFICER. Sixteen minutes.

Mr. REID. There has been a suggestion we go to 7½ minutes. If that happens, we have to stay in here to do that. There are people doing their very best. They spent all day here ready to

vote and others walk away to other meetings. If people are not here, they should not be recorded, I respectfully submit on behalf of the leader.

Mr. LOTT. Will the Senator yield?

Do you ask consent we go to 7½ minutes?

Mr. REID. I do at the present time.

Mr. LOTT. That was agreed to?

The PRESIDING OFFICER. No, it was not presented in a unanimous consent request.

Mr. LOTT. I ask unanimous consent we limit the next votes to 7½ minutes.

Mr. STEVENS. Reserving the right to object, on this vote people are out to lunch. I don't mind saying the next one will be 7½ minutes.

Mr. REID. A lot of people are out to lunch all the time.

Mr. STEVENS. This one just came back from lunch.

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

Mr. KENNEDY. Mr. President, this is effectively the identical amendment in the sense the time has been changed, but it still provides a 50-cent increase this year, and 50 cents next year.

I have every intention of continuing to offer these amendments until we get a vote on the amendment. I think we are entitled to that. This has been an issue we have been raising for over 2 years. We have effectively been denied that opportunity.

During that period of time, those at the lowest end of the economic ladder have been falling further and further behind. Six months ago was the last increase we have had on the minimum wage. Since that time, the purchasing power of these men and women has fallen \$500. It will continue to do so unless we take action.

Who are the minimum-wage workers? They are workers working in nursing homes; they are working in childcare centers; they are working with teachers. Those are hard-working people. They are entitled to this body going on record.

Mr. NICKLES. I hope my colleagues vote no. If the Senator from Massachusetts wants to support minimum wage, he should support the unanimous consent request Majority Leader LOTT has made twice, saying let's break it apart from bankruptcy and go to conference with the House.

What the Senator's amendment says is increase minimum wage 20 percent in 13 months with no tax relief.

We just passed an amendment that said we should pass minimum wage with tax relief. That is the right position. I urge my colleagues not to vote on this big minimum wage increase with no tax relief for small business.

Mr. KENNEDY. I have 15 seconds remaining.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 3079. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. BENNETT) is necessarily absent.

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 76 Leg.]

#### YEAS—51

Akaka	Feingold	Lieberman
Baucus	Feinstein	Lincoln
Bayh	Fitzgerald	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Robb
Byrd	Johnson	Rockefeller
Chafee, L.	Kennedy	Roth
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Snowe
Dodd	Landrieu	Specter
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Wellstone
Edwards	Levin	Wyden

#### NAYS—48

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bond	Grams	Nickles
Brownback	Grassley	Roberts
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith (NH)
Collins	Hutchinson	Smith (OR)
Coverdell	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner

#### NOT VOTING—1

Bennett

The amendment (No. 3079) was agreed to.

Mr. KENNEDY. 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.

The PRESIDING OFFICER. Without objection, amendment No. 2951, as amended, is agreed to.

The amendment (No. 2951), as amended, was agreed to.

Mr. SARBANES. 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.

Mr. REID. Mr. President, under the arrangement between the majority and minority, the next amendment is amendment No. 2979 offered by the Senator from Louisiana, Ms. LANDRIEU.

#### AMENDMENT NO. 2979

(Purpose: To express the sense of Congress on the sufficiency of the funding in the Concurrent Resolution on the budget for fiscal year 2001 for allowing members of the Armed Forces to participate in the Thrift Savings Plan)

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant bill clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 2979.

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

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

The amendment is as follows:

At the end of title III, add the following:

#### SEC. . SENSE OF CONGRESS REGARDING FUNDING FOR THE PARTICIPATION OF MEMBERS OF THE UNIFORMED SERVICES IN THE THRIFT SAVINGS PLAN.

It is the sense of Congress that the levels of funding for the defense category in this resolution—

(1) assume that members of the Armed Forces are to be authorized to participate in the Thrift Savings Plan; and

(2) provide the \$980,000,000 necessary to offset the reduced tax revenue resulting from that participation through fiscal year 2009.

The PRESIDING OFFICER. The Senator may proceed.

Ms. LANDRIEU. Mr. President, since the men and women in our armed services provide 100 percent of our national security, they deserve at least 1 percent of the tax cuts as outlined in this budget resolution. We are the largest employer as the Federal Government. The members of our armed services constitute the largest single workforce in America not yet covered by a thrift savings plan.

This amendment does not ask for the same match program we have but that simply they be allowed to have a thrift savings plan. It allows for the participation by all members of our armed services, and it will not replace the current military retirement plan.

I understand this amendment is acceptable, and I ask for a voice vote.

Mr. DOMENICI. We have no objection to the amendment. I yield back my time.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2979) was agreed to.

Mr. REID. Mr. President, under the agreement of the manager of the bill, Senator DOMENICI, we now go to amendment No. 2941, Senator KOHL and Senator LEAHY.

#### AMENDMENT NO. 2941

(Purpose: To strike the reserve fund for allocation of any additional surplus forecast by the Congressional Budget Office in July to the Committee on Finance for tax cuts)

Mr. KOHL. Mr. President, I call up amendment No. 2941, which is filed at the desk, and I ask unanimous consent that Senators LEAHY, LIEBERMAN, ROBB, GRAHAM, BRYAN, KERREY, LEVIN, and FEINGOLD be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Wisconsin [Mr. KOHL], for himself, Mr. LEAHY, Mr. LIEBERMAN, Mr. LEVIN, Mr. ROBB, Mr. BRYAN, Mr. FEINGOLD, Mr. KERREY, and Mr. GRAHAM, proposes an amendment numbered 2941.

The amendment is as follows:

On page 36, strike beginning with line 1 and all that follows through page 37, line 5.

Mr. KOHL. Mr. President, this is a simple amendment. The budget before

us allots to tax cuts any extra surplus forecast by CBO this summer. Our amendment strikes that section and saves the extra surplus for debt reduction. That is good for the economy and good for the solvency of Social Security.

There are \$150 billion for tax cuts and \$19 billion for debt reduction in this budget. Our amendment does not change that. It just says that—if we end up with extra money this summer—it ought to go to the debt reduction side of the equation.

Some have argued that the extra surplus go to tax cuts because otherwise Congress will spend it. That argument is a straw man. Under the budget as it stands, there is a point of order against spending the extra surplus on anything except tax cuts. Under the budget as we would amend it, there is a point of order against spending the extra surplus on anything. It has to be saved for debt relief.

The Concord Coalition and Taxpayers for Common Sense have endorsed the amendment. I ask unanimous consent that their statements of support be printed in the RECORD.

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

THE CONCORD COALITION,  
Washington, DC, April 6, 2000.

Hon. HERB KOHL,

Hon. PATRICK LEAHY,  
U.S. Senate,  
Washington, DC.

DEAR SENATORS KOHL and LEAHY: The Concord Coalition is pleased to support your amendment striking Section 206 from the Senate Budget Resolution (S. Con. Res. 101). We believe that striking Section 206, which allows the proposed five-year tax cut to be increased by the amount of any increase in the current on-budget surplus projection, would strengthen the Senate's bipartisan commitments to reducing publicly held debt, and maintaining balanced budgets without borrowing from the Social Security trust fund. Because these goals are widely endorsed on both sides of the aisle, The Concord Coalition hopes that you will seek, and receive, bipartisan support for your amendment.

The Concord Coalition is greatly heartened by the vast improvement in the federal government's short-term fiscal position over the last several years. Members of both parties can claim a share of the credit for this turnaround. Concord also fully supports the bipartisan commitment to reserve 100 percent of the Social Security surplus, regardless of the differences of opinion that exist over how this money can best be used to ensure Social Security's future.

And yet, it is important to remember that we are not out of the woods. As a nation, we currently have no strategy for dealing with the huge unfunded obligations of Social Security and Medicare, estimated at about \$15 trillion dollars. The Concord Coalition, therefore, recommends a fiscal goal beyond merely achieving short-term on-budget balance. We advocate using the current economic, fiscal, demographic and political windows of opportunity to address the long-term Social Security and Medicare deficits that will accompany the aging of our nation's population. These deficits threaten to undo the hard work and fiscal discipline of recent years and undermine our potential for future economic growth.



In the absence of substantive Social Security and Medicare reform, the next best thing we can do to prepare for the future is use every penny of surplus that happens to come our way to reduce the publicly held debt. Debt reduction will enhance net national savings, thereby freeing up resources for investments in productivity that will lead to stronger economic growth in the future. A larger economy will, in turn, help ease the burden on today's preschoolers who will find it a struggle, when they become working age taxpayers, to finance the retirement and health care costs of a dramatically older population.

Recognizing the benefits of debt reduction, the Senate Budget Resolution properly sets aside the entire Social Security surplus for this purpose. But this commitment is not self-executing. Fiscal responsibility is still required to ensure that we do not return to the days when the Social Security trust fund surpluses were used to pay for general government expenses. Vigilance is required on both the spending and tax sides of the budget. So while it is legitimate to debate competing uses of the non-social Security surplus, including tax cuts, great caution is in order. Surplus projections are inherently uncertain, particularly over many years. For that reason, policy options that depend upon these surplus projections should contain an ample margin for error.

As it currently stands, the Senate Budget Resolution contains little margin for error. It assumes that discretionary spending can be held below inflation over the next five years—a very ambitious goal given the experience of the last two years—and includes a commitment to spend more on priorities such as defense and education. Moreover, a bipartisan consensus is developing around the need to add a prescription drug benefit to Medicare. While \$40 billion is conditionally set aside in the Budget Resolution for this purpose, it is only the tip of the iceberg. No matter how it is designed, a Medicare prescription drug benefit would be an expensive, permanent and growing entitlement expansion. Finally, the Budget Resolution already assumes a five-year tax cut of \$150 billion. Assuming enactment of all these policies, and the accuracy of the projections on which they are based, the Budget Resolution has a razor thin margin for error of just \$19.5 billion in non-Social Security surpluses over the next five years.

Given this narrow margin for error, it is all the more important that any increase in the projected non-social Security surplus be reserved for debt reduction. Unfortunately, Section 206 of the Budget Resolution would allow any such increase to be used immediately, and in its entirety, to enlarge the size of the tax cut, thus consuming any additional margin for error that may be provided later this year by continued economic growth.

Your amendment is simple and clear. It would not prejudice the \$150 billion tax cut already provided for the Budget Resolution. Strictly speaking, it would not even prevent a large tax cut if the Congressional Budget Office does increase its on-budget surplus projection in its summer update. Your amendment would, however, make debt reduction the preferred use of any such windfall and strengthen the chances that the budget will remain in balance without having to borrow from Social Security. The Concord Coalition believes that this approach would be a more fiscally prudent way of dealing with unanticipated surpluses than the approach provided in Section 206.

The Concord Coalition commends your effort to improve the Budget Resolution's commitment to debt reduction and preserving the Social Security surplus. We hope

your amendment striking Section 206 will receive strong bipartisan support.

Sincerely,

ROBERT L. BIXBY,  
*Executive Director.*

TAXPAYERS FOR COMMON SENSE,  
*April 5, 2000.*

Hon. HERBERT H. KOHL,  
Hon. PATRICK J. LEAHY,  
*U.S. Senate,*  
*Washington, DC.*

DEAR SENATORS KOHL AND LEAHY: Taxpayers for Common Sense is pleased to support your efforts to strengthen the Senate's commitment to debt reduction by offering an amendment to strike Section 206 of the Budget Resolution.

Section 206 would allow tax cuts to be paid for from the possible budget surplus that would be identified by the Congressional Budget Office in July. Taxpayers for Common Sense is concerned about the current \$5.8 trillion national debt. We believe that before money is spent on major new tax cuts or major new spending programs, the national debt should be reduced.

The budget surplus is not a reality; it is an illusion based on projections. If we spend money based on projections that turn out to be wrong, then deficits could reemerge instead of the rosy future now in the forecast.

TSC would urge all Senators to vote for your amendment.

Sincerely,

JILL LANCELOT,  
*Legislative Director.*

Mr. KOHL. I yield the remainder of the time to the Senator from Vermont, Mr. LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, we Vermonters know that if you have a debt, you pay it off. It is time to pay off the national debt so our children do not have to. This will help us pay it off.

I thought it was time to introduce a dose of Yankee thrift in this debate. Though he is not a Yankee, the distinguished Senator from Wisconsin seems to share Vermonters' thrifty outlook. The amendment we are introducing is simple, but important. This amendment strikes Section 206 of the budget resolution to ensure that additional surpluses estimated by the Congressional Budget Office (CBO) reduce the national debt, instead of being used for irresponsible tax cuts.

The next CBO update in July is expected to increase the on-budget surplus by at least \$40 billion over the next five years. As it now stands, Section 206 would allow Congress to apply those additional projected dollars to tax cuts, on top of the \$150 billion in tax cuts already called for in the resolution. That would amount to \$190 billion in tax cuts over five years, which is even larger than the fiscally irresponsible tax bill that Congress passed last year, and the President sagely vetoed. That bill would have cost \$156 billion over five years and \$850 billion over 10 years.

Without Section 206, which our amendment would strike, any windfall surplus estimated by CBO would go automatically towards reducing the national debt. In addition, striking this section would ensure that any increase

in the projected surplus would further protect Social Security surpluses from additional spending. I thank Senator KOHL and our other cosponsors of this amendment for making the sensible choice, the thrifty choice, the Yankee choice, to make paying down the national debt our top priority.

In the 1980's, Congress went on a tax cut binge and left the bill for our children. During those years we all saw the lip service and slogans about balancing the budget, while Congress, President Reagan and President Bush simultaneously tripled the national debt and ran the biggest deficits of any nation in the history of the world. As a result, the national debt now stands at \$3.6 trillion and the Federal government pays almost \$1 billion in interest every working day on this debt. Now that we have surpluses, we have a chance and an obligation to pay off that debt. Let's not make the mistakes of the 1980's. Let's not just talk about balancing the budget and paying down the debt. Let's actually do it.

Nothing would do more to keep our economy strong than paying down our national debt. Paying down our national debt will keep interest rates low. Consumers gain ground with lower mortgage costs, car payments, credit card charges with low interest rates. And small business owners can invest, expand and create jobs with low interest rates.

A sound economy rests on a solid foundation of balanced revenue and spending policies. I am proud to have voted for the 1993 deficit reduction package, which was a tough vote around here, and has brought the deficit down. I am also proud to have voted for the 1997 balanced budget and tax cut package—tax cuts that were fully paid for by offsetting spending cuts, not by pie in the sky projected surpluses that had not yet materialized.

For the past seven years, the President and Congress have built this solid foundation by reducing the deficit and restraining spending. In 1992, President Clinton inherited a deficit of \$290 billion. Since then, the Administration and Congress have steadily cut it down, turning it into a projected record surplus of \$171 billion in 2000. Because of our sound fiscal policies, the national debt was \$1.7 trillion lower in 1999 than was projected in 1993—that is \$25,000 less debt for each family of four in Vermont.

These balanced policies have also kept interest rates down and employment up. Since 1993, the unemployment rate in Vermont has dropped from 5.8% to just 2.7%. Now that we have a projected surplus, we should stay the course of fiscal discipline rather than make irresponsible tax cuts. Paying down the debt, protecting Social Security and Medicare, investing in education, and providing hard working Americans with targeted tax cuts should be our top priorities.

The budget resolution we have before us would use almost the entire non-Social Security surplus for tax breaks which would primarily benefit the wealthy. CBO's recent estimates predict that over the next 5 years, the non-Social Security surplus will be \$171 billion. The budget resolution calls for a minimum of \$150 billion in tax cuts. When you take into account the cost of future interest payments due to a reduction in future surpluses, that brings us to \$168 billion. That is 98% of the projected surplus. Not 25%, not 50%, not even 75%, but close to 100% of the projected surplus that will NOT be used to pay down the national debt, according to this resolution. This does not make fiscal sense.

Imagine that you had a credit card debt of \$20,000 and you received a bonus of \$1,000. Would you use only 2%, which is \$20, of that bonus to pay down your substantial debt. Would you continue to carry a debt and waste money on interest payments when it is within your means to pay it down? I do not know of a single Vermonter who would make that choice and yet, incredibly, that is what the budget before us would recommend.

This budget resolution would use only 2% of projected non-Social Security projected surpluses to pay down the debt. Is this Congress serious about paying down the debt? Committing only 2% of projected surpluses to debt reduction suggests that the majority is not. Regardless of slogans offered or lip service paid to reducing the debt, the numbers speak for themselves.

Alan Greenspan and nearly every other economist who has testified before the Senate Budget and Finance Committees has stated that our nation's budget surpluses should be used to pay down the debt. And yet, the Republican budget resolution proposes far less debt reduction than the budgets developed by President Clinton and others. During markup in the budget committee, Senator LAUTENBERG offered an alternative budget that would have reduced \$330 billion in debt over ten years, while providing almost \$300 billion in targeted tax cuts—cuts that would go towards eliminating the marriage tax penalty, permitting the self-employed a full tax deduction for their health insurance and providing estate tax relief for family farmers and small business owners. Such cuts would be fair and targeted to help all Vermonters.

In 1993, Congress and President Clinton charted a course of fiscal discipline and the country has reaped the benefits of this successful plan. Republicans and Democrats can rightfully claim their shares of the credit for getting the nation's fiscal house in order. The important thing now is to keep our budget in balance, to pay down our debt, and to keep our economy growing. The amendment that I have offered with Senator KOHL will help us to reach these goals by ensuring that additional surpluses are used to pay down our na-

tional debt. I urge my colleagues to support our amendment.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, with the full understanding that the Senator from New Mexico is taking this amendment-laden resolution to conference and that it may come back much skinnier and thinner, I agree to accept the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2941) was agreed to.

Mr. LEAHY. 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.

Mr. REID. The next amendment is offered by Senator REED from Rhode Island, No. 3037.

Mr. DOMENICI. We have Senator FITZGERALD.

Mr. REID. I am sorry.

The PRESIDING OFFICER. The Senator from Illinois.

#### AMENDMENT NO. 2961

(Purpose: To express the sense of the Senate that the Social Security trust funds should be protected through sequestration)

Mr. FITZGERALD. Mr. President, I have amendment No. 2961 at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. FITZGERALD], for himself, Mr. ASHCROFT, Mr. CRAIG, and Mr. GRAMS, proposes an amendment numbered 2961.

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

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

The amendment is as follows:

At the end of title III, insert the following:

#### SEC. . PROTECT THE SOCIAL SECURITY TRUST FUNDS.

It is the sense of the Senate that the levels in this resolution assume that the Congress shall pass legislation which provides for sequestration to reduce federal spending by the amount necessary to ensure that, in any fiscal year, the Social Security surpluses are used only for the payment of Social Security benefits, retirement security, social security reform, or to reduce the Federal debt held by the public.

Mr. FITZGERALD. Mr. President, this is a sense-of-the-Senate amendment which provides that in the event it is determined we have spent any of the Social Security trust fund moneys on any other program, we will provide for a sequestration law that will cause across-the-board cuts to ensure that we are not dipping into Social Security for any other purpose.

There are 25 cosponsors of this amendment. In my judgment, it is a more effective way than any of the other ways we have talked about, with points of order and the like, to assure that Congress and Washington are not

plundering the Nation's Social Security trust fund.

Congress has passed laws that prohibit private employers from dipping into their employees' pension funds. We even passed laws that prohibit State and local governments from dipping into their employees' pension funds for any other purpose. Yet we have no law on the books that ensures we will not spend Social Security money on other programs.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. Mr. President, I do not believe the other side has any objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2961) was agreed to.

#### AMENDMENT NO. 3037

(Purpose: To express the sense of the Senate that Congress should grant the Food and Drug Administration the authority to regulate tobacco products)

Mr. REED. Mr. President, I call up amendment No. 3037.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Rhode Island [Mr. REED], for himself, Mr. BINGAMAN, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. DURBIN, Mr. L. CHAFEE, Mr. WYDEN, Mr. WELLSTONE, Mr. HARKIN, Mrs. MURRAY, Mr. GRAHAM, Mr. DODD, and Mr. KENNEDY, proposes an amendment numbered 3037.

The amendment is as follows:

At the appropriate place, insert the following:

#### SEC. . REGULATION OF TOBACCO PRODUCTS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Cigarette smoking and tobacco use is the single most preventable cause of death and disability in the United States.

(2) Cigarette smoking and tobacco use cause approximately 400,000 deaths each year in the United States.

(3) Health care costs associated with treating tobacco-related diseases are \$80,000,000,000 per year, and almost half of such costs are paid for by taxpayer-financed government health care programs.

(4) In spite of the well established dangers of cigarette smoking and tobacco use, there is no Federal agency that has authority to regulate the manufacture, sale, distribution, and use of tobacco products.

(5) Major tobacco companies spend over \$5,600,000,000 each year (\$15,000,000 each day) to promote the use of tobacco products.

(6) Ninety percent of adult smokers first started smoking before the age of 18.

(7) Each day 3,000 children become regular smokers and 1/3 of such children will die of diseases associated with the use of tobacco products.

(8) The Food and Drug Administration regulates the manufacture, sale, distribution, and use of nicotine-containing products used as substitutes for cigarette smoking and tobacco use and should be granted the authority to regulate tobacco products.

(9) Congress should restrict youth access to tobacco products and ensure that tobacco products meet minimum safety standards.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that—

(1) the Food and Drug Administration is the most qualified Federal agency to regulate tobacco products; and

(2) Congress should enact legislation in the year 2000 that grants the Food and Drug Administration the authority to regulate tobacco products.

Mr. REED. Mr. President, this amendment is cosponsored by my colleague, Senator BINGAMAN, and others. It expresses the sense of the Senate that Congress enact legislation this year that grants the Food and Drug Administration authority to regulate tobacco products. This amendment does not specify what form of regulation will be adopted, but it authorizes the FDA to adopt a legislative scheme to regulate tobacco products.

I ask unanimous consent that Senator KENNEDY be added to the amendment as a cosponsor.

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

Mr. REED. Mr. President, with the recent Supreme Court decision, it is imperative Congress act, and it is imperative it act this year to ensure we can properly regulate tobacco products in society. I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I believe this amendment has been worked out with Members on our side who have a genuine interest. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3037) was agreed to.

#### AMENDMENT NO. 2997

(Purpose: Redirect tax cuts to the program for disadvantaged children in order to meet the bipartisan commitment to increase Title I funding to \$15 billion)

Mr. BINGAMAN. Mr. President, I call up amendment No. 2997.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] for himself, Mr. DODD, and Mr. KENNEDY, proposes an amendment numbered 2997.

Mr. BINGAMAN. 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 4, line 4, increase the amount by \$360,000,000.

On page 4, line 5, increase the amount by \$5,680,000,000.

On page 4, line 6, increase the amount by \$6,960,000,000.

On page 4, line 7, increase the amount by \$7,100,000,000.

On page 4, line 8, increase the amount by \$7,100,000,000.

On page 4, line 13, increase the amount by \$360,000,000.

On page 4, line 14, increase the amount by \$5,680,000,000.

On page 4, line 15, increase the amount by \$6,960,000,000.

On page 4, line 16, increase the amount by \$7,100,000,000.

On page 4, line 17, increase the amount by \$7,100,000,000.

On page 4, line 22, increase the amount by \$7,100,000,000.

On page 4, line 23, increase the amount by \$7,100,000,000.

On page 4, line 24, increase the amount by \$7,100,000,000.

On page 4, line 25, increase the amount by \$7,100,000,000.

On page 5, line 1, increase the amount by \$7,100,000,000.

On page 5, line 7, increase the amount by \$360,000,000.

On page 5, line 8, increase the amount by \$5,680,000,000.

On page 5, line 9, increase the amount by \$6,960,000,000.

On page 5, line 10, increase the amount by \$7,100,000,000.

On page 5, line 11, increase the amount by \$7,100,000,000.

On page 18, line 7, increase the amount by \$7,100,000,000.

On page 18, line 8, increase the amount by \$360,000,000.

On page 18, line 11, increase the amount by \$7,100,000,000.

On page 18, line 12, increase the amount by \$5,680,000,000.

On page 18, line 15, increase the amount by \$7,100,000,000.

On page 18, line 16, increase the amount by \$6,960,000,000.

On page 18, line 19, increase the amount by \$7,100,000,000.

On page 18, line 20, increase the amount by \$7,100,000,000.

On page 18, line 23, increase the amount by \$7,100,000,000.

On page 18, line 24, increase the amount by \$7,100,000,000.

On page 29, line 3, decrease the amount by \$360,000,000.

On page 29, line 4, decrease the amount by \$27,200,000,000.

Mr. KENNEDY. Mr. President, disadvantaged communities need more help to ensure that all public schools give children a good education. Increased funding for Title I sends a strong signal that we will increase support for low-achieving children attending schools with high concentrations of poor students.

Nationwide, Title I reaches more than 50,000 schools in over 13,000 school districts. It serves over 11 million students. Approximately 99% of Title I dollars go to local school districts. In addition, Title I is much more targeted to high-poverty districts than state and local funds.

Title I is working effectively in schools. It has contributed to the rapid development of challenging state standards that apply to all students in Title I schools. Teachers are using these standards to guide instruction. States that have implemented high standards and assessments consistent with Title I show increased achievement levels in high-poverty schools. It is clear that Title I is driving higher standards in poor districts and schools.

The National Assessment of Educational Progress has shown significant increases in math scores in the 4th, 8th, and 12th grades. Reading and math performance among nine-year-olds in high-poverty public schools and among the lowest-achieving fourth-graders has improved significantly.

The achievement gap between minority students and white students has narrowed since 1982, one of the greatest gains in science were made by black and Hispanic students.

Average SAT scores—math and verbal—were higher in 1999 than the averages for either 1983 or 1989. These improvements have come at the same time that the proportion of test-takers with a native language other than English has been increasing (to 8 percent in 1999). Test results are continuing a 10-year trend of stable or increasing scores. At the same time, record numbers of students are taking the tests.

More than 80 percent of poor school districts, and almost half of all districts nationwide, report that Title I is “driving standards-based reform in the district as a whole.” In addition, Title I funds, as well as all federal education funds, are more targeted to high-poverty districts than state and local funds. Title I now supports 95% of the highest-poverty schools and is helping these schools to dramatically improve student performance.

In Atlanta, Georgia, Burgess Elementary School is a Title I school that serves 430 students. 99% of them are black, and more than 80% are eligible for free or reduced-price lunches. In 1998, 64% of students performed above the national norm in reading, an increase of 35% over 1995. 72% scored above the national norm in math, an increase of 38% over 1995.

In Baltimore County, Maryland, all but one of the 19 Title I schools showed increased student performance between 1993 and 1998. The success has come from Title I support for extended year programs, implementation of effective programs in reading, and intensive professional development for teachers.

In Boston, the Harriet A. Baldwin School is a Title I program that serves 283 students. 93 percent of them are minorities, and 80 percent are eligible for free or reduced-price lunches. From 1996 to 1998, math and reading scores improved substantially, and are currently well above the national median and are much higher than district scores.

In spite of this progress, there is still a substantial achievement gap between students in the highest poverty schools and students in low-poverty schools. The time is now to build on these successes and make them available to more schools in more communities. We should increase support for Title I to show the nation that we are committed to a level playing field to help all children achieve high standards. I urge my colleagues to support this amendment.

Mr. BINGAMAN. Mr. President, I am offering this amendment on behalf of myself, Senator DODD, and Senator KENNEDY. What it does is set aside in this budget \$15 billion in next year's budget funding of title I.

This is an issue that came up in the authorization committee when we were considering the title I reauthorization.

Senator DODD offered an amendment at that time to raise this to \$15 billion. It was unanimously agreed to. Now is the chance for everybody to go ahead and vote for the funds to carry out that which all agree should be done.

Senator DODD would like to speak for a minute. I yield my time to him.

Mr. DODD. I thank our colleague from New Mexico.

Title I funds go to the poorest students, the poorest school districts in the United States. All of us know that in the 21st century these children have to be the best prepared generation we have ever produced. My hope is to get the resources back to these communities.

It was unanimously adopted by the Democrats and Republicans in the committee. We urge the adoption of the amendment.

Mr. DOMENICI. Mr. President, first, I say to Senators, we have been very helpful. But we only have 1 minute on the amendments—not 2, not 3, not 1 and a half. I ask the Chair to enforce the rule. Everybody is playing by the game. There should be no exceptions.

From our standpoint, we do not want a rollcall vote on this but just a voice vote. I oppose it. We do not need it. It is another effort trying to raise the expenditure level, reducing the money available for the taxpayers. I think we ought to do what we have done to the other ones and vote it down.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2997.

The amendment (No. 2997) was rejected.

Mr. BINGAMAN. Mr. President, I would like to take a moment to express my disappointment with the failed vote on my amendment to increase funding for the Title I education program for disadvantaged children. Disadvantaged communities need more help to ensure that all public schools give children a good education. Title I is working in many schools across the country. We should help bring success to every community. Ninety-nine percent of Title I funds go to local school districts and Title I is much more targeted to high poverty districts than state and local funds. Yet, current federal resources dedicated to the program fall far short of meeting the existing need. Many schools that are eligible for the program do not receive funding due to insufficient appropriations.

During the recent debate of the reauthorization of the Elementary and Secondary Education Act in the HELP committee, Senator DODD offered an amendment to authorize an increase in funding for Title I to \$15 billion. The amendment was unanimously adopted. My amendment to the budget resolution would ensure that funds will be available to carry out this bipartisan goal. It is unfortunate that my colleagues on the other side of the aisle blocked passage of this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

AMENDMENT NO. 2962

(Purpose: To expand Medicaid and S-CHIP coverage to low-income families by decreasing Republican tax break for the wealthy)

Mr. KENNEDY. Mr. President, I call up amendment No. 2962.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant bill clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] for himself, Mr. LAUTENBERG, and Mr. ROCKEFELLER, proposes an amendment numbered 2962.

The amendment is as follows:

On page 4, line 4, decrease the amount by \$100,000,000.

On page 4, line 5, increase the amount by \$1,300,000,000.

On page 4, line 6, increase the amount by \$2,300,000,000.

On page 4, line 7, increase the amount by \$3,100,000,000.

On page 4, line 8, increase the amount by \$4,600,000,000.

On page 4, line 13, decrease the amount by \$100,000,000.

On page 4, line 14, increase the amount by \$1,300,000,000.

On page 4, line 15, increase the amount by \$2,300,000,000.

On page 4, line 16, increase the amount by \$3,100,000,000.

On page 4, line 17, increase the amount by \$4,600,000,000.

On page 4, line 22, increase the amount by \$100,000,000.

On page 4, line 23, increase the amount by \$1,300,000,000.

On page 4, line 24, increase the amount by \$2,300,000,000.

On page 4, line 25, increase the amount by \$3,100,000,000.

On page 5, line 1, increase the amount by \$4,600,000,000.

On page 5, line 7, decrease the amount by \$100,000,000.

On page 5, line 8, increase the amount by \$1,300,000,000.

On page 5, line 9, increase the amount by \$2,300,000,000.

On page 5, line 10, increase the amount by \$3,100,000,000.

On page 5, line 11, increase the amount by \$4,600,000,000.

On page 19, line 7, decrease the amount by \$100,000,000.

On page 19, line 8, decrease the amount by \$100,000,000.

On page 19, line 11, increase the amount by \$1,300,000,000.

On page 19, line 12, increase the amount by \$1,300,000,000.

On page 19, line 15, increase the amount by \$2,300,000,000.

On page 19, line 16, increase the amount by \$2,300,000,000.

On page 19, line 19, increase the amount by \$3,100,000,000.

On page 19, line 20, increase the amount by \$3,100,000,000.

On page 19, line 23, increase the amount by \$4,600,000,000.

On page 19, line 24, increase the amount by \$4,600,000,000.

On page 29, line 3, increase the amount by \$100,000,000.

On page 29, line 4, decrease the amount by \$11,200,000,000.

Mr. KENNEDY. Mr. President, in 1997, as a result of a bipartisan effort, the Senate and Congress went on record to provide \$24 billion, over 5

years, in a program called CHIP; that is, to try to provide health insurance for poor children. Those are above the Medicaid level. We are making progress on that.

This amendment says we are going to now try to provide the health insurance for the parents of those children to try to keep the families together. It amounts to \$11 billion off the tax break over a 5-year period.

This is a family values issue to try to keep needy families together. It permits the States to make the judgment as to how it is going to be implemented. Every single State now has a CHIP program. This builds on the CHIP program. It is accepted by the States. It is virtually free from bureaucracy. It will make a major difference to 7 million parents in this country.

The PRESIDING OFFICER. The Senator's time has expired.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill 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.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this is another entitlement, \$11.2 billion added to the CHIPS program. In many States they have not even used the money yet for this program. I believe there are numerous States that have not been able to cover children with it because it is very difficult to locate them and put them under the program.

I do not believe we ought to be adopting this at this time. We do not need it. We have plenty of money in the CHIP program. We are committed to continue the funding of the CHIP program.

With that, I yield back any time I have and move to table the Kennedy amendment and ask for the yeas and nays.

The PRESIDING OFFICER (Mr. STEVENS). Is there a sufficient second?

There appears to be.

The question is on agreeing to the motion to table amendment No. 2962. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. BENNETT) and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.—

The result was announced—yeas 49, nays 49, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—49

Abraham	Craig	Grassley
Allard	Crapo	Gregg
Ashcroft	DeWine	Hagel
Bond	Domenici	Hatch
Brownback	Enzi	Helms
Bunning	Fitzgerald	Hutchinson
Burns	Frist	Hutchison
Campbell	Gorton	Inhofe
Cochran	Gramm	Kyl
Coverdell	Grams	Lott

Lugar  
Mack  
McConnell  
Murkowski  
Nickles  
Roberts  
Roth

Santorum  
Sessions  
Shelby  
Smith (NH)  
Smith (OR)  
Specter  
Stevens

Thomas  
Thompson  
Thurmond  
Voinovich  
Warner

## NAYS—49

Akaka  
Baucus  
Bayh  
Biden  
Bingaman  
Boxer  
Breaux  
Bryan  
Byrd  
Chafee, L.  
Cleland  
Collins  
Conrad  
Daschle  
Dodd  
Dorgan  
Durbin

Edwards  
Feingold  
Feinstein  
Graham  
Harkin  
Hollings  
Inouye  
Jeffords  
Johnson  
Kennedy  
Kerrey  
Kerry  
Kohl  
Landrieu  
Lautenberg  
Leahy  
Levin

Lieberman  
Lincoln  
Mikulski  
Moynihan  
Murray  
Reed  
Reid  
Robb  
Rockefeller  
Sarbanes  
Schumer  
Snowe  
Torrice  
Wellstone  
Wyden

## NOT VOTING—2

Bennett

McCain

The motion was rejected.

Mr. KENNEDY. Mr. President, a record 44 million Americans were uninsured last year, and that shameful number grows relentlessly by a million more each year. No man, woman, or child in America should have the quality of their health measured by the quantity of their wealth. The United States remains isolated as the only industrial nation in the world, except South Africa, that doesn't guarantee health insurance to its citizens. Our failure to do so is a national disgrace.

A budget is a statement of principles and priorities. This budget states that lavish tax breaks for the wealthy are more important than providing families with health insurance. The amendment I am offering with Senator LAUTENBERG and Senator ROCKEFELLER is a significant step toward that goal. It reduces the tax breaks for the wealthy by \$11 billion over five years, and the savings are used to provide health insurance to the parents of children covered by Medicaid and CHIP. It is supported by the American Federation of State, County and Municipal Employees, the American Nurses Association, the American Public Health Association, the Center on Disability and Health, Families USA, the National Association of Community Health Centers, the National Association of Public Hospitals & Health Systems, the National Council of Senior Citizens, the National Partnership for Women & Families, and the Service Employees International Union, as well as thirteen other organizations. I ask unanimous consent that their letter of support be printed in the RECORD following my remarks.

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

[See exhibit 1.]

We have budget surpluses as far as the eye can see. We have a strong and growing economy. Yet the divide between those who have and those who have not is growing at an alarming pace. Millions of Americans are left out and left behind under the Republican budget plan. Alarming rates of

hunger, homelessness and lack of health care are indicators that our economy is healthy, but our society is not. If we can't take steps to address these challenges now, when will we ever do it?

Our colleagues argue that their budget accommodates some so-called "health" tax breaks. But the health-oriented tax proposals in the Republican budget are a raw deal for the American people. These proposals do very little to expand coverage among the uninsured. Instead, they propose to squander tens of billions of dollars on proposals that would largely give new subsidies to those who already have insurance.

I am all in favor of making insurance more affordable. After all, unfair rating practices and price gouging by insurance companies is part of the problem. However, the Republican tax subsidies are not targeted to those without health insurance, and they are too low to be of any real assistance to the millions of uninsured Americans who are uninsured because they can't afford the high cost of adequate coverage.

An overwhelming majority of the uninsured are working men or women, or family members of workers. Of these workers, the vast majority are members of families with at least one person working full-time.

Most uninsured workers are uninsured because their employer either does not offer coverage, or because they are not eligible for the coverage if it is offered. Seventy percent of uninsured workers are in firms where no coverage is offered. Eighteen percent are in firms that offer coverage, but they are not eligible for it, usually because they are part-time workers or have not worked in the firm long enough to qualify for coverage. Only 12 percent of uninsured workers are offered coverage and decline.

Most of the uninsured have low or moderate incomes. Thirty-seven percent are at or below the federal poverty level. Twenty-eight percent have incomes between 100 and 200 percent of poverty. Fifteen percent have incomes between 200 and 300 percent of poverty. Only one in five have incomes above 300 percent of poverty.

While good coverage for all Americans may not be feasible at this time, we can and must do more to close the current health insurance gap.

It is a national scandal that lack of insurance coverage is the seventh leading—and most preventable—cause of death in America today. Numerous studies indicate that lack of insurance leads to second-class health care or no health care at all. Those without insurance are less likely to get the care they need to stay healthy and productive. A recent article in the Journal of the American Medical Association found that angina patients with insurance are more than twice as likely as uninsured patients to receive needed bypass surgery. Across the nation, more than 32,000 patients are going without need-

ed heart surgery because of their lack of insurance.

The numbers are equally dramatic when it comes to cancer. Early detection and treatment of cancer often makes the difference between life and death. Uninsured patients are two and a half times more likely not to receive an early diagnosis of melanoma and one and a half times more likely not to benefit from early detection of breast cancer, prostate cancer, or colon cancer. Tragically, the new and promising treatments resulting from our national investment in the NIH are out of reach for millions of uninsured Americans.

In 1997, we took a major step toward guaranteeing health insurance to millions of children in low-income working families whose earnings are above the cut-off for Medicaid. Every state is now participating in the children's health insurance plan, and most states have plans to increase coverage under these programs again this year.

As of January, two million children had been enrolled in the program, and many other children had signed up for Medicaid as a result of the outreach efforts. Soon, more than three-quarters of all uninsured children in the nation will be eligible for assistance through either CHIP or Medicaid.

An article in the Journal of the American Medical Association found that 57 percent of uninsured children had an unmet major medical need before enactment of CHIP. But just one year after receiving coverage, only 16 percent of these same children had an unmet medical need.

The lesson is clear. We have the resources. We have good programs. We must do all we can to increase their effectiveness.

Clearly, the states and the federal government have more to do. Fewer than a quarter of post-welfare jobs offer health insurance as a benefit—and even when it is offered, too few companies make it available for dependents.

The overwhelming majority of uninsured low-wage parents are struggling to support their families. Too often, there is too little left to pay for health care. Parents who work hard, 40 hours a week, 52 weeks a year, should be eligible for assistance to buy the health insurance they need to protect their families. Our message to them today is that help with health care is on the way.

Currently, Medicaid is generally available only to single-parent families. Our proposal repeals this "health marriage tax," a serious penalty for low-wage two-parent families, comparable to the "marriage penalty" in the tax code.

This proposal also rewards work. Most parents in families with an employed person are not eligible for Medicaid, while families headed by nonworkers are eligible if their income is low enough.

Coverage for parents also means that coverage for their children is more likely too. Parents are much more

likely to enroll their children in health insurance programs, if the parents themselves can obtain coverage.

This step alone will give up to six and a half million more Americans the coverage they need and deserve. Our goal should be to enact this coverage before the end of this year. Our amendment lays the ground work for this coverage by including this important idea in the Budget Resolution. I urge my colleagues to support it.

EXHIBIT 1

APRIL 6, 2000.

Sen. EDWARD KENNEDY,  
*Committee on Health, Education, Labor and Pensions, Health Office, Hart Senate Office Building, Washington, DC.*

DEAR SENATOR KENNEDY: The undersigned organizations support your efforts to reduce the size of the tax cut in order to provide funds for health coverage for low-wage working families.

Now that states are implementing the State Child Health Insurance Program, we are faced with the glaring problem of these children's parents going without health coverage. The numbers of uninsured Americans continue to grow; yet in 32 states, a parent working full-time at the minimum wage is considered too well off to qualify for Medicaid.

In addition, low-wage working parents are less likely to be offered health benefits than higher-wage workers. Of employees earning \$15 or more per hour, 93 percent are offered health benefits by their employer; by contrast, only 43 percent of employees earning \$7 or less per hour are offered such coverage. Even when low-wage workers are offered coverage, the required average contribution—\$130 a month—is considerably higher than the \$94 a month the average higher-wage worker is required to contribute.

Your amendment will help millions of low-wage families gain access to health coverage that is currently out of their reach. We commend your efforts to help America's uninsured families.

Sincerely,

AIDS Action; Alpha 1; American Association on Mental Retardation; American Federation of State, County and Municipal Employees; American Nurses Association; American Public Health Association; Association of Jewish Aging Services; Bazelon Center for Mental Health Law; Brain Injury Association; Center on Disability and Health; Families USA; National Association of Community Health Centers; National Association of People with AIDS.

National Association of Public Hospitals & Health Systems; National Association of Social Workers; National Council of Senior Citizens; National Hispanic Council on Aging; National Partnership for Women & Families; Neighbor to Neighbor; NETWORK A Catholic Social Justice Lobby; Paralyzed Veterans of America; Public Citizen's Congress Watch; Service Employees International Union.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2942. 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 Utah (Mr. BENNETT) and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 49, as follows:

[Rollcall Vote No. 78 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, L.	Kennedy	Sarbanes
Cleland	Kerrey	Schumer
Collins	Kerry	Snowe
Conrad	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

#### NAYS—49

Abraham	Gorton	Nickles
Allard	Gramm	Roberts
Ashcroft	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	
Frist	Murkowski	

#### NOT VOTING—2

Bennett McCain

The amendment (No. 2962) was rejected.

Mr. DOMENICI. 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.

#### AMENDMENT NO. 2911

(Purpose: To express the sense of the Senate regarding after school programs)

Mr. REID. Mr. President, the next amendment in order is the Boxer amendment No. 2911.

The PRESIDING OFFICER. The clerk will report the amendment by title.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 2911.

At the end of title III, insert the following:

#### SEC. \_\_\_\_ SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) The demand for after school education is very high, with more than 1,000,000 students waiting to get into such programs.

(2) After school programs improve educational achievement and have widespread support, with over 90 percent of the American people supporting such programs.

(3) 450 of the Nation's leading police chiefs, sheriffs, and prosecutors, along with the presidents of the Fraternal Order of Police, and the International Union of Police Associations, support government funding of after school programs.

(4) Many of our Nation's governors endorse increasing the number of after school programs through a Federal and State partnership.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that this resolution assumes that the President's level of funding for after school programs in fiscal year 2001 will be provided, which will accommodate the current need for after school programs.

Mrs. BOXER. Mr. President, this Senate should be very proud because in the last few years with our action and that of the administration, we have accommodated a million kids into after-school programs. That is the good news.

The bad news is that 1 million kids are waiting in line. This sense of the Senate simply says we should take action to accommodate those next million children.

I understand we are going to have this accepted. I am very pleased about that.

I yield back my time.

Mr. DOMENICI. We have no objection to this. This will be a voice vote.

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

The amendment (No. 2911) was agreed to.

#### AMENDMENT NO. 3073, AS MODIFIED

(Purpose: Sense of the Senate regarding protection of workers whose employers convert to cash balance pension plans)

Mr. REID. Mr. President, the next amendment in order is Senator HARKIN's amendment No. 3073.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, and Mr. JEFFORDS, Mr. KENNEDY, and Mr. ROCKEFELLER, proposes an amendment numbered 3073, as modified.

Mr. REID. 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:

At the end of title III, add the following:

#### SEC. \_\_\_\_ SENSE OF SENATE REGARDING CASH BALANCE PENSION PLAN CONVERSIONS.

(a) FINDINGS.—The Senate finds the following:

(1) Defined benefit pension plans are guaranteed by the Pension Benefit Guaranty Corporation and provide a lifetime benefit for a beneficiary and spouse.

(2) Defined benefit pension plans provide meaningful retirement benefits to rank and file workers, since such plans are generally funded by employer contributions.

(3) Employers should be encouraged to establish and maintain defined benefit pension plans.



(4) An increasing number of major employers have been converting their traditional defined benefit plans to "cash balance" or other hybrid defined benefit plans.

(5) Under current law, employers are not required to provide plan participants with meaningful disclosure of the impact of converting a traditional defined benefit plan to a "cash balance" or other hybrid formula.

(6) For a number of years after a conversion, the cash balance or other hybrid benefit formula may result in a period of "wear away" during which older and longer service participants earn no additional benefits.

(7) Federal law should continue to prohibit pension plan participants from being discriminated against on the basis of age in the provision of pension benefits.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the levels in this resolution assume that pension plan participants whose plans are changed to cause older or longer service workers to earn less retirement income, including conversions to "cash balance plans," should receive additional protection than what is currently provided, and Congress should act this year to address this important issue. In particular, at a minimum—

(1) all pension plan participants should receive adequate, accurate, and timely notice of any change to a plan that will cause participants to earn less retirement income in the future; and

(2) pension plans that are changed to a cash balance or other hybrid formula should not be permitted to "wear away" participants' benefits in such a manner that older and longer service participants earn no additional pension benefits for a period of time after the change.

Mr. HARKIN. This has to do with pension plans. All too often when the pension plans are changed, older workers who have been there a long time see nothing added to their pensions; younger workers see their pensions grow. This is age discrimination.

This puts the Senate on record saying we need to change the law so workers receive adequate notice of their pension plan changes and eliminate the so-called "wear away" where older workers get nothing added to their pension plans for years.

I yield the remainder of my time to the Senator from Vermont, Mr. JEFFORDS.

Mr. JEFFORDS. Mr. President, when a pension plan is converted, long-time loyal employees should not see their normal retirement benefits frozen. I believe "wear away" is wrong and Congress should act this year.

I hope the majority of my colleagues will join.

Mr. DOMENICI. We have no objection to the amendment, and I yield back the remainder of my time.

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

The amendment (No. 3073), as modified, was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. DOMENICI. Senator BOND wants to speak on one of his amendments for a minute.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 3018

(Purpose: To express the sense of the Senate that Federal investment in programs which provide health care services to uninsured and low-income individuals in medically underserved areas be increased in order to double access to care over the next 5 years)

Mr. BOND. Mr. President, I want to call to the attention of all colleagues that amendment No. 3018 is a REACH amendment. It is designed to put us on record as doubling the funding for community health centers over 5 years. These are the health facilities that reach the most poor and most needy. It is a bipartisan amendment, cosponsored by Senator HOLLINGS. I know it is cleared on both sides. I ask it be approved by voice vote.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself and Mr. HOLLINGS, Mr. HUTCHINSON, Mr. DEWINE, Mr. STEVENS, Mr. BREAU, Mrs. MURRAY, Mr. JOHNSON, Mr. FEINGOLD, Mrs. LINCOLN, Mr. WELLSTONE, Mr. DODD, Mr. INOUE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. EDWARDS, Mr. LUGAR, Mr. CLELAND, Mr. BINGAMAN, Mr. BAUCUS, Mr. KOHL, and Ms. COLLINS, proposes an amendment numbered 3018.

The PRESIDING OFFICER. Without objection the reading of the amendment is waived.

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF THE SENATE CONCERNING UNINSURED AND LOW-INCOME INDIVIDUALS IN MEDICALLY UNDERSERVED COMMUNITIES.**

(a) **FINDINGS.**—The Senate finds that—

(1) the uninsured population in the United States continues to grow at over 100,000 individuals per month, and is estimated to reach over 53,000,000 people by 2007;

(2) the growth in the uninsured population continues despite public and private efforts to increase health insurance coverage;

(3) nearly 80 percent of the uninsured population are members of working families who cannot afford health insurance or cannot access employer-provided health insurance plans;

(4) minority populations, rural residents, and single-parent families represent a disproportionate number of the uninsured population;

(5) the problem of health care access for the uninsured population is compounded in many urban and rural communities by a lack of providers who are available to serve both insured and uninsured populations;

(6) community, migrant, homeless, and public housing health centers have proven uniquely qualified to address the lack of adequate health care services for uninsured populations, serving over 4,500,000 uninsured patients in 1999, including over 1,000,000 new uninsured patients who have sought care from such centers in the last 3 years;

(7) health centers care for nearly 7,000,000 minorities, nearly 600,000 farmworkers, and more than 500,000 homeless individuals each year;

(8) health centers provide cost-effective comprehensive primary and preventive care to uninsured individuals for less than \$1.00 per day, or \$350 annually, and help to reduce the inappropriate use of costly emergency rooms and inpatient hospital care;

(9) current resources only allow health centers to serve 10 percent of the Nation's 44,000,000 uninsured individuals;

(10) past investments to increase health center access have resulted in better health, an improved quality of life for all Americans, and a reduction in national health care expenditures; and

(11) Congress can act now to increase access to health care services for uninsured and low-income people together with or in advance of health care coverage proposals by expanding the availability of services at community, migrant, homeless, and public housing health centers.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the functional totals underlying this resolution on the budget assume that—

(1) appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health care services at community, migrant, homeless, and public housing health centers; and

(2) appropriations for consolidated health centers should be increased by \$150,000,000 in fiscal year 2001 over the amount appropriated for such centers in fiscal year 2000.

Mr. BOND. I rise today to offer an amendment that addresses what is perhaps the biggest problem we face in health care—the fact that millions of Americans can't get health care when they need it.

Part of this problem is caused by the fact that about 44 million Americans aren't covered by any type of health plan or health insurance. For obvious reasons, it can be difficult to get care if you don't have any insurance coverage.

An equally serious part of the access problem is many people's simple inability to get in to see a health care provider. Even if they have insurance, a young couple with a sick child is out of luck if they can't get in to see a pediatrician. And in too many urban and rural communities across the country, there just aren't enough doctors to go around.

This while issue is a hot topic, and there have been a number of recent plans that address it. Some have made proposals that call for something close to a large, government takeover of our health care system—something that we soundly rejected in 1994. Others have proposed tax credits or other tax benefits to allow more people to buy into the existing market-based health care system.

There are clearly many differences between all of these plans, but they all have one thing in common—it will be difficult or impossible for them to become law this year. Whether because of policy differences or political differences, they're just not likely to pass.

So today I'm offering an amendment with strong bipartisan support—based on what I call the REACH Initiative—

that begins to address the health care access problem, and which does have a chance to pass this year. There's no need to wait—we can start this year.

This proposal builds on the crucial work that organizations known as community health centers do to provide care and ensure access for millions of Americans.

Health centers are private, nonprofit clinics that provide primary care and preventive health care services in medically underserved communities across the country. They exist in every State in hundreds of rural and urban communities. Overall, there are about 750 separate centers with more than 3,000 clinics nationwide. This year, health centers will provide basic care for about 11 million people every year, 4 million of whom are uninsured.

The goal of this amendment and of the REACH Initiative is simple—to make sure that even more people have access to health care. We do this by calling for a doubling in funding for community health centers over a period of 5 years, including a 1-year increase of \$150 million.

This will ultimately allow up to 10 million more women, children, and others in need to receive care at health centers. If we are successful, we can practically double the number of uninsured and underinsured people that health centers care for.

I am pleased that 15 other Senators have joined me as cosponsors of the REACH Initiative—the full 5-year plan. And I am ecstatic that 63 of my colleagues have agreed to join in a letter to support the \$150 million increase in this coming year.

Now, out of all the ways we can address health care access problems, why are health centers a good solution and a worthwhile target for additional funding?

Building on an existing program that produces results. Too many health care proposals out there suggest huge—even revolutionary—changes to our health system. While I realize that we have many problems, we must realize that many people are pleased with it despite the flaws. Instead of radical new proposals, I believe it make sense to build on an existing part of the system that's been proven to provide cost-effective, high-quality care.

Health centers already play an essential role. It's amazing to me how few people realize just how important community health centers are in our existing health system. Think about this—health centers provide care to close to one out of every 20 Americans—11 million people overall. In addition, health centers provide care to one out of every 12 rural residents, one out of every 6 low-income children, and one of every 5 babies born to low-income families.

Health centers truly target the health care access problem. By definition, health centers must be located in “medically underserved” communities—which simply means places where people have serious problems

getting access to health care. So health centers attack the problem right at its source.

Relatively cheap. Health centers can provide primary and preventive care for less than \$1 dollar per person per day—about \$350 per year. Even better, with the base federal grants, health centers are able to leverage additional private funding. This means that health centers can basically turn one federal dollar into several—all of which can be used to address the health care needs in these underserved communities. With an extra billion dollars a year—the goal of the REACH Initiative in its fifth year—health centers could be caring for an additional 10 million people.

Not a government takeover of health care. While this amendment and the REACH Initiative call for some additional government spending, this is NOT a government takeover. Out of all the plans to address the health insurance and health access problem, the REACH Initiative is by far the least costly. Unlike many of the other plans, this new funding would not go to create a huge new bureaucracy. Instead, the REACH Initiative would invest additional funds into private organizations that have consistently proven themselves to be efficient, high-quality, and cost-effective health care providers.

To me, all of these reasons point to one logical conclusion—a need for drastically increased funding for health centers. Health centers are already helping millions of Americans get health care. But they can still help millions more—pregnant women, children, and anyone else who desperately needs care.

Simply put, we need to take the goal of this amendment and of the REACH Initiative—doubled funding for health centers within 5 years—and make it happen.

I thank my colleagues who have taken a leadership role in support of this issue—Senator HOLLINGS; Senator HUTCHINSON; and Senator STEVENS, who I am very pleased has joined as a cosponsor of this amendment. I join with these powerful voices and urge my colleagues to vote “yes.”

Mr. HUTCHINSON. Mr. President, I introduced an amendment earlier this week which calls for a doubling of funding for community health centers over the next 5 years, and I am pleased to join my colleagues, Senator BOND and HOLLINGS, in a similar amendment, which I hope will pass the Senate unanimously.

In my home State of Arkansas, Community Health Centers serve rural, low-income areas where access to primary health care is limited, if even existent. They serve anyone who walks through their door, whether they have money or not, or whether they have insurance or not.

Back when there was a great ice storm in Arkansas, a 75-year-old farm laborer came into the community

health center in Portland, AR, complaining of terrible tiredness.

Upon examination and an electrocardiogram, it was found that he was in severe heart failure. His heart rate was so slow, it could barely be detected.

With no money and no transportation, he had walked to the clinic. The clinic staff immediately got to work and gave him medication and arranged for ambulance transfer to a larger hospital in Little Rock.

With ice forming, ambulances were hesitant to go, but one finally agreed. He and his wife were transferred and he arrived in time for life-saving surgery.

In Dermott AR, a 2-year-old child was rushed into the Mainline Health Clinic with convulsions. A blood test was performed and he was diagnosed with meningitis, which is normally fatal for such a young child. Life-saving medication was given, and he was transferred to Arkansas Children's Hospital for intensive treatment.

If it were not for these community health centers, both the farmer and this little child would be dead.

Community health centers serve where no other medical professionals usually want to go and they are often the difference between life and death. They are the front line in rural America and their mission must be supported by Congress.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I ask my colleagues to adopt this on a voice vote.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3018) was agreed to.

Mr. HOLLINGS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

The Senator from New Mexico.

AMENDMENT NO. 3049, AS MODIFIED

Mr. DOMENICI. Mr. President, I ask amendment 3049, of Senator DEWINE, be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. DEWINE, for himself, Mr. ABRAHAM, Mr. BREAU, Mr. COVERDELL, Mr. FEINGOLD, Mr. GRASSLEY, Mr. GRAHAM, Mr. KOHL, Ms. LANDRIEU, and Mr. MURKOWSKI, proposes an amendment numbered 3049, as modified.

Mr. DOMENICI. 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:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ FISCAL YEAR 2001 FUNDING FOR THE UNITED STATES COAST GUARD.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Coast Guard in 1999 saved approximately 3,800 lives in providing the essential service of maritime safety.

(2) The United States Coast Guard in 1999 prevented 111,689 pounds of cocaine and 28,872 pounds of marijuana from entering the United States in providing the essential service of maritime security.

(3) The United States Coast Guard in 1999 boarded more than 14,000 fishing vessels to check for compliance with safety and environmental laws in providing the essential service of the protection of natural resources.

(4) The United States Coast Guard in 1999 ensured the safe passage of nearly 1,000,000 commercial vessel transits through congested harbors with vessel traffic services in providing the essential service of maritime mobility.

(5) The United States Coast Guard in 1999 sent international training teams to help more than 50 countries develop their maritime services in providing the essential service of national defense.

(6) Each year, the United States Coast Guard ensures the safe passage of more than 200,000,000 tons of cargo cross the Great Lakes including iron ore, coal, and limestone. Shipping on the Great Lakes faces a unique challenge because the shipping season begins and ends in ice anywhere from 3 to 15 feet thick. The ice-breaking vessel MACKINAW has allowed commerce to continue under these conditions. However, the productive life of the MACKINAW is nearing an end. The Coast Guard has committed to keeping the vessel in service until 2006 when a replacement vessel is projected to be in service, but to meet that deadline, funds must be provided for the Coast Guard in fiscal year 2001 to provide for the procurement of a multipurpose-design heavy icebreaker.

(7) Without adequate funding, the United States Coast Guard would have to radically reduce the level of service it provides to the American public.

(b) ADJUSTMENT IN BUDGET LEVELS.—

(1) INCREASE IN FUNDING FOR TRANSPORTATION.—Notwithstanding any other provision of this resolution, the amounts specified in section 103(8) of this resolution for budget authority and outlays for Transportation (budget function 400) for fiscal year 2001 shall be increased as follows:

(A) The amount of budget authority for that fiscal year, by \$300,000,000.

(B) The amount of outlays for that fiscal year, by \$300,000,000.

(2) OFFSETTING DECREASE IN FUNDING FOR ALLOWANCES.—Notwithstanding any other provision of this resolution, the amounts specified in section 103(19) of this resolution for budget authority and outlays for Allowances (budget function 920) for fiscal year 2001 shall be decreased as follows:

(A) The amount of budget authority for that fiscal year, by \$300,000,000.

(B) The amount of outlays for that fiscal year, by \$300,000,000.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the provisions of this resolution, as modified by subsection (b), should provide additional budget authority and outlay authority for the United States Coast Guard for fiscal year 2001 such that the amount of such authority in fiscal year 2001 exceeds the

amount of such authority for fiscal year 2000 by \$300,000,000; and

(2) any level of such authority in fiscal year 2001 below the level described in paragraph (1) would require the Coast Guard to—

(A) close numerous stations and utilize remaining assets only for emergency situations;

(B) reduce the number of personnel of an already streamlined workforce;

(C) curtail its capacity to carry out emergency search and rescue; and

(D) reduce operations in a manner that would have a detrimental impact on the sustainability of valuable fish stocks in the North Atlantic and Pacific Northwest and its capacity to stem the flow of illicit drugs and illegal immigration into the United States.

Mr. KENNEDY. This year, the nation has set a new record for elementary and secondary student enrollment. The figure has reached an all-time high of 53 million students—500,000 more students than last year.

Serious teacher shortages are being caused by this rising student enrollment. The nation's public schools will need to hire 2.2 million teachers over the next ten years just to maintain current student teacher ratios which are already viewed as too high. The teacher shortage is being worsened by the growing number of teacher retirements, and by the fact that too many new teachers leave within the first three years of teaching, including 30–50% of teachers in urban areas.

The Troops to Teachers program was established in 1993 by Congress to encourage military personnel who leave the service to become public school teachers. Since its inception, over 3,000 service men and women have made the transition under this program, filling teaching positions in 48 states. This highly successful program is providing teachers in areas where educators face the greatest shortages.

The program has worked and has been highly successful in recruiting and retaining high quality teachers, especially in high-need subject areas and disadvantaged neighborhoods. Studies show that these service men and women who become teachers are likely to fill the most urgent current needs:

—29% of them are math teachers, compared to 13% of all public school teachers.

—29% of them are minorities, compared to 10% of all public school teachers.

—The overwhelming majority—90%—are male, compared to 23% of all public school teachers.

—24% of them are teaching in inner-city schools, compared to 16% of all public school teachers.

They are also highly committed, with very high retention rates. 82% of them continue in teaching beyond the first year.

Troops to Teachers is a program that works. California has hired nearly 300 teachers through the program, including a former Navy pilot who used to hunt submarines, but now faces almost two dozen kindergarten students. He says, "It doesn't pay as much, but the job satisfaction is incredible."

Florida hired more than 200 teachers through the program, including a

former Navy instructor who now teaches honors algebra to high school students. The students say, "He gets all excited about this stuff. He definitely knows what he's talking about." Though the teacher had to take a pay cut, he said, "I enjoy the kids, and I enjoy the school."

We need to do much more to help communities recruit qualified teachers, but Troops to Teachers is a strong step in the right direction.

Senator DEWINE's Sense of the Senate Amendment makes the authorization and funding of the successful Troops to Teachers program within the Department of Education a priority, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me suggest, this is for Senator DEWINE and others, including Democrats. We are willing to accept it. The Democrats are willing to accept it.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3049), as modified, was agreed to.

Mr. DOMENICI. Let me say to all Senators, we only have one rollcall vote left. That will be final passage.

The PRESIDING OFFICER. I am not sure Senators can hear you. The Chair is to get order. We have welcome news from the Senator from New Mexico.

Mr. DOMENICI. Mr. President, we only have one vote remaining. It is on final passage. But we have about 50 sense of the Senates that we have agreed on, on both sides. We will just offer those rather quickly here and then go to final passage. But we are being asked, and appropriately so, by a Senator, that we read off the Senators and the subject matter. We did not have that all prepared in that manner, but we are working on it now. It should not take us very long. We will do our very best. Both sides are working on it, not just one.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill 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.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that it be in order that the following amendments be made the pending business, that they be agreed to en bloc, and that the motion to table and motion to reconsider be agreed to en bloc, and that any statements be printed in the RECORD.

Now, let me list what is in this, so Senator BYRD and others will know.

First, what you have to know is these are all sense-of-the-Senate amendments. We have worked them out so they are acceptable in the manner I have just described. We will not have

to vote on them. They will go to conference along with the other sense-of-the-Senate amendments that we had. I am going to start by just using the Senators' names.

The PRESIDING OFFICER. The Senator will suspend. May we have order please.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will state the Senator's name and the general nature of the amendment: Senator LINCOLN, a sense-of-the-Senate amendment on flood control; Senator BAYH, human genome; Senator REID, women's health; Senator REID, notch babies; Senator REID, computers; Senator KENNEDY, civilian/military research; Senator DORGAN, rural providers; Senator DORGAN, empowerment zones; Senator DORGAN, trade; Senator BAYH, fatherhood; Senator LANDRIEU; children; Senator LANDRIEU, military procurement; Senator LANDRIEU, thrift savings plan—military; Senator CLELAND, Centers for Disease Control; Senator CLELAND, long-term health; Senator FEINSTEIN, environmental cleanup; Senator LIEBERMAN, asset building; Senator KOHL, Medicare equity; Senator LAUTENBERG, Amtrak; Senator BINGAMAN, veterans' benefits; Senator MURRAY, customs; Senator BOND, medically underserved; Senator ABRAHAM, as modified, Medicare choice; Senator BUNNING, mining; Senator COLLINS, hunger relief; Senator COLLINS, excess gas revenues; Senator COLLINS, home health; Senator COVERDELL, flood control; Senator DEWINE, troops to teachers; Senator FITZGERALD, trust fund commission; Senator FITZGERALD, child safety seats; Senator GRASSLEY, World Trade Organization; Senator GRASSLEY, long-term care; Senator GRASSLEY, child welfare; Senator GREGG, Social Security education; Senator JEFFORDS, LIHEAP; Senator KYL, estate taxes; Senator SANTORUM, farmland; Senator SHELBY, as modified, defense; Senator SMITH of Oregon, fiber optics; Senator L. CHAFFEE, breast and cervical cancer; Senator BURNS, taxes; Senator KYL, Medicare choice; Senator GRAMS, Social Security; Senator INHOFE, impact aid; Senator HUTCHISON, oil; Senator ENZI, as modified, home office; Senator ENZI, as modified, prevention health. We add Senator HATCH, No. 3022, sense-of-the-Senate on Internet drugs, and No. 3023 on methamphetamines.

That is it.

The PRESIDING OFFICER. The modification will be sent to the desk. The Senator from Montana.

Mr. BAUCUS. Mr. President, I have a sense-of-the-Senate amendment which has been cleared, No. 3014, that somehow was dropped from the list. Is the Senator aware of that?

Mr. DOMENICI. Senator HUTCHINSON had No. 2918, high-intensity drugs.

Now we have a question from the distinguished Senator from Montana.

Mr. BAUCUS. A sense-of-the-Senate amendment No. 3014. My understanding is it has been cleared and inadvertently dropped.

Mr. DOMENICI. Does the Senator remember what it is about?

Mr. BAUCUS. It is firefighters.

Mr. DOMENICI. Has that been accepted on the Senator's side? It is all right with us. We will add it to the list.

The PRESIDING OFFICER. Without objection, it will be added to the list.

What is the request of the Senator from New Mexico?

Mr. DOMENICI. I asked unanimous consent, as I stated originally, that all of these amendments I have listed and explained be in order; that they be made the pending business; that they be agreed to, en bloc; that the motion to table and the motions to reconsider be agreed to, en bloc; and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Is there any objection?

Mr. BYRD. Reserving the right to object, Mr. President, we are seeing bad, bad go to worse. There are many things that can be said about the way this Senate is operating with respect to budget resolutions. Vote-arama is bad enough, but now to ask the Senate to take all of these amendments in bloc is just asking too much. I do not say this critically of the distinguished Senator from New Mexico. He has a tough assignment, and he does it well. He is trying to accommodate a lot of Senators here. I would personally be willing to take him at his word. But this is no way to legislate.

I will not be a part of gang rape of the legislative process. That is what this has become. If we are going to do all these amendments—I did not count them; I do not know how many amendments there may be here—but if we are going to do all of these just by voice vote, pig in a poke, just so we can get out—and I want to get out, too—then why shouldn't we have done it at the start of the process? Why have we gone through all this rigamarole voting on these matters? If we come to the end and we still have two-thirds of the amendments left undone, and we are just going to say: OK, let's go home; we will accept them all, sight unseen, and let them go to conference—I am not going to be a part of that, Mr. President. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, if I may respond to my friend from West Virginia, we have worked now for 4 days on this resolution, and we have worked our way through what we thought were the difficult amendments that required votes. Staff has been working for several days on amendments that have been cleared on both sides.

I respectfully suggest to my distinguished leader, this happens on every piece of legislation, where staff gets together, subject to the matters of the bill, and approves legislation by unanimous consent. That is what we did here.

Mr. BYRD. Mr. President, I have been in this Senate now going on 42 years. I know what is going on. We

have time. We could come back next week and vote on these amendments. The Senators who have offered the amendments are entitled to a vote on each amendment. They are entitled to have some debate. Those of us who do not know what are in the amendments are entitled to know what they are about, and we are also entitled to a vote on the amendments if we so desire. I have already objected.

We can stay here this evening. We can come back tomorrow. We can come back Monday and finish voting on the amendments. We do not have to legislate in this fashion. I am just not going to be a part of it. I may earn the enmity of every Senator in this body, but I am keeping a good relationship with my own conscience on this. We are seeing the legislative process go downhill in this Senate.

More and more, this Senate is becoming like the other body. I am not for that. And if I have to stand alone, I will stand alone. I have no problems with that. I object.

Mr. DASCHLE. I suggest the absence of a quorum. I withhold the request.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to Senator BYRD, first, I appreciate the kind remarks he made about the Senator from New Mexico, but on a budget resolution, we are dealt what we are dealt. It just happens that a Parliamentarian had ruled that all these sense-of-the-Senate amendments are in order on a budget resolution. The Senator from West Virginia knows as well as I know that many of them are not going to do anything, but if a Senator wants to offer them, not as legislation or law—they will not be that, no matter what we do; even if we kept every one in conference, they would not be law.

We have worked our best to let every Senator who had an amendment who wanted a vote—the Senator raised the issue of why don't we vote on these. I make the point that every Senator who had an amendment and wanted a vote got a vote.

I do not think you had any of the sense of the Senates here, but every Senator whose amendment I read agreed that they did not need a rollcall vote. It is not like they want a vote. They do not want a vote. They want to do it this way.

Mr. BYRD. I did not say they wanted a vote. I said every Senator has a right.

Mr. DOMENICI. You said they should be entitled to.

Mr. BYRD. Every Senator has a right to vote.

Mr. DOMENICI. You say they have a right. They do not want to exercise that right. They want to do it this way.

Frankly, we can stop and the leaders can decide where we go next. But these sense-of-the-Senate amendments that we are adopting here should not really hold up the budget because they do not affect the budget. They are sense of the Senates that have to do with how we

feel about things and what we want to make people think about the Senate with reference to the subject matter of the sense-of-the-Senate resolutions.

But you have every right, and you exercise it with dignity, although for many of us it is a pretty tough pill. Even your dignity makes it a tough pill.

Mr. MURKOWSKI. Will the Senator yield for a question?

Mr. DOMENICI. Yes.

Mr. MURKOWSKI. I believe it was just a few years ago we had this stage of frustration. We were addressing the merits of these nonbinding sense-of-the-Senate resolutions. I put the matter to a vote. After much self-examination, why, the Senate decided not to support my amendment to do away with these nonbinding sense-of-the-Senate resolutions. But the debate was rather interesting because it addressed the right of a Senator to express himself or herself. Yet the realization that these should not be a part of the budget process, I think, was generally agreed upon by most Members.

I leave that for you to ponder because I think it represents a degree of frustration here.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. I guess I have a question of the manager and maybe a parliamentary inquiry.

The question is, Are all of these sense-of-the-Senate amendments; every one of them?

Mr. DOMENICI. Yes, sir.

Mr. LOTT. I have to agree with what Senator BYRD has said about the way we vote on the budget resolution at the end with the vote-arama. Although I must say, to everybody's credit, we only had 14 seriaticim this time.

The sense-of-the-Senate resolutions are not binding at all. They may make a statement that makes you feel good, but many Senators are being asked to agree to these en bloc without knowing what the details are.

So the parliamentary inquiry is, since there has been objection, is the status that these, then, are not agreed to, and we are ready to go to adoption of the concurrent resolution?

The PRESIDING OFFICER. These amendments have not yet been proposed. The agreement was objected to; therefore, they have not been presented for formal action.

Mr. LOTT. So what is the status, Mr. President? Are they all still pending?

The PRESIDING OFFICER. They are not. The amendments have been identified but are not pending before the Senate.

Mr. LOTT. I believe we are ready to go to the adoption of the concurrent resolution, Mr. President.

The PRESIDING OFFICER. Unless they are called up, that is correct.

Mr. LOTT. Mr. President, I move regular order.

The PRESIDING OFFICER. There is no pending amendment.

Ms. SNOWE. Mr. President, today marks an historic point for the Senate. Not only did the Federal Government last year experience a balanced Federal budget without the use of the Social Security surplus for the first time since 1960, but we are now considering a budget resolution that will ensure we have a balanced Federal budget without the use of the Social Security surplus for three consecutive years—the first time this has happened since 1947 to 1949—and that takes us one step further on the path to actually eliminating our Nation's publicly-held debt by the year 2013.

Needless to say, such a change in the way the Government does business is not only a significant step for the Senate and the Congress, but a welcome relief to a generation of Americans who have become all too accustomed to the terms "deficit" and "debt."

Mr. President, in light of the non-Social Security budget surpluses we are now enjoying, I 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 debt 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.

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 2001 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 with Senator WYDEN and Senator SMITH (OR), provides a "down-payment" for a new Medicare prescription drug benefit, while ensuring a strong impetus for much-needed, comprehensive Medicare reforms.

Third, it provides a fiscally responsible increase in Federal spending, while targeting funds for critically needed priorities 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 tax relief for higher education tuition paid and for interest paid on student loans as a top priority in any tax cut package that is ultimately crafted. When considering that the cost of college has risen twice as fast as inflation and

eight times as fast as median household incomes over the past 20 years—and students borrowed more during the 1990s than during the 1960s, 1970s, and 1980s combined—I can 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.

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 in early-February.

Specifically, as we have learned from CBO's analysis of his budget, President Clinton has proposed \$1.3 trillion in new spending over the coming 10 years. This new spending—of which \$866 billion would be for discretionary spending program—would utilize 70 percent of the projected on-budget surpluses over this period of time.

Furthermore, despite his initial claim of providing working Americans with a tax cut of \$250 billion over the coming 10 years, we now know that the President's budget not only increases taxes by \$5 billion in FY 2001, but he only cuts taxes by \$4 billion over the coming five years and \$146 billion over 10 years, representing eight percent of the projected on-budget surpluses, and the net result is far below his original proposal of a \$250 billion tax cut!

In contrast, the Senate budget resolution provides a strong, but fiscally-responsible, increase in discretionary spending of \$27 billion next year—a 4.6 percent increase from the current fiscal year—and \$125 billion over the coming five years. Furthermore, the resolution also provides a tax cut of up to \$13 billion in FY 2001 and up to \$150 billion over the coming five years—an amount that ensures for every dollar in tax relief, there will be \$13 in debt reduction.

Finally, the Senate resolution contains a provision I authored with Senators WYDEN and SMITH (OR) that will be critical to our efforts to move forward on an issue of critical importance to our nation's seniors: a reserve fund that will provide up to \$40 billion for a new Medicare prescription drug benefit. In contrast, the President's budget would provide less than \$30 billion for such a benefit over the coming five years.

As my colleagues are aware, the need for a new Medicare prescription drug 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-five 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 69 percent of Medicare beneficiaries have drug coverage from other sources—but that number simply doesn't tell the whole story.

Specifically, ten 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. You can run up 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 significant amount of money for someone living on a fixed income.

An estimated 8 percent get drug coverage from participating in Medicare HMOs and another 11 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—31 percent—to have employer sponsored drug coverage through their retiree program.

In my view, a solution to the pressing problem of prescription drug coverage can't come soon enough. 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.

Accordingly, during the markup of the Senate budget resolution, I offered an amendment—along with Senators WYDEN and GORDON SMITH—that ensures the Congress can move forward in creating a prescription drug benefit before we adjourn this fall, while still providing a strong impetus for comprehensive Medicare reform. Specifically, the reserve fund we offered not only provides a "down-payment" of \$20 billion for such a benefit over the coming three years, but it provides an additional \$20 billion in years four and five if Congress moves forward on legislation that extends the solvency of the Medicare program without any gimmicks. Furthermore, it ensures that the Finance Committee has ample time—until September 1, to be exact—to craft a new benefit that utilizes the \$20 billion "down-payment" prior to these monies being freed-up for stand-alone proposals on the floor.

Why is this reserve fund and its structure so important? Put simply, by providing a "down-payment" on a new prescription drug benefit over the com-

ing three years—but by linking the long-term funding of the benefit to substantive reforms—my amendment ensures that a benefit can be crafted immediately without undercutting the long-term reform effort. In fact, by linking the extension of this new benefit to actual reforms, my amendment serves as a strong impetus for reform as no member of Congress would want to risk having such a benefit expire due to a failure to act on broader reforms.

Ultimately, I believe this reserve fund—which was adopted by voice vote in the Budget Committee—will serve as a catalyst for the most important changes to the Medicare program since its inception, both in terms of creating a much-needed new benefit and in terms of enacting comprehensive reforms.

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 commend the Chairman DOMENICI, again, for his efforts in crafting this balanced resolution.

Mr. SARBANES. Mr. President, I rise in opposition to the Majority's budget resolution pending before the Senate—a budget that, in my view, will take the country in the wrong direction.

We meet at a time when the Nation is enjoying remarkable economic prosperity. Thanks to the strong economy and the fiscal discipline begun in 1993, the country is in a fiscal position no one thought possible even a few years ago. In 1997, the Congressional Budget Office, the Office of Management and Budget, and nearly everyone else were predicting substantial budget deficits far into the next decade—as high as \$159 billion in FY2000, \$153 billion in FY2002 and continuing into the foreseeable future. Instead, the Nation is enjoying the longest economic expansion in its history. Since 1993, 20.8 million new jobs have been created, real wages have increased by 6.6 percent, the median family's income has grown by 12 percent, and the unemployment rate is the lowest it has been in 30 years.

I am proud to have been a part of the effort in 1993 that helped to create this positive economic climate. Working to-

gether, the President and Congressional Democrats crafted a package that finally brought the Federal deficit under control. By making difficult but critical decisions to cut Federal programs and raise revenues, we tamed the deficits that plagued the Nation throughout the 1980's, placed enormous pressure on important Federal initiatives, and hampered our economic growth. Most Republicans argued at the time that this responsible package would ruin the economy and send markets tumbling. They were dead wrong.

When you look at the choice we face for our economic future, we are at a sort of fork in the road. We can continue down the path of fiscal discipline begun in 1993, shoring up Social Security and Medicare, paying down the debt, investing more in our people—or we can take the other fork in the road embodied by irresponsible and unrealistic tax cuts that have been passed by the Majority in the Budget Committee, a path that will eventually eliminate any projected surplus, cause deep cuts in funding for critical education, health care, environmental or other programs, and put us back on a path toward deficits.

In my view, we have a tremendous opportunity right now with the strongest economy in history to move our country in the right direction—to strengthen Social Security and Medicare, to shore up education and address the issue of the digital divide, to expand access to health care and provide a meaningful prescription health benefit, to clean up the environment, to bring down the crime rate, and on and on. We can build on this effort and use this opportunity to secure a bright and prosperous future for our Nation and its citizens, or we can squander it with irresponsible decisions.

It is my strongly held view that any surplus realized in the near future should be seen as an opportunity to pay down the Nation's debt, invest in our Nation's future, and shore up vital programs. I am deeply concerned that much like the budget proposal put forward by the Majority last year, this year's budget resolution fails to take advantage of an unprecedented opportunity to ensure that the Federal government will meet its obligations after the baby boomers retire and beyond.

I am also concerned because the budget resolution before us would endanger our hard-won progress and shortchange national priorities that the American people want to see addressed. This is an opportunity for us to think seriously about our Nation's needs and priorities as we look into the 21st century, and chart an appropriate course for the future. The Republican budget resolution is less a forward-looking policy blueprint than a political document aimed at short-term gain. Let us take a balanced approach, and continue the fiscal discipline that has allowed our Nation to prosper.

The Democrats proposed a responsible budget resolution to the Committee. That alternative covered ten



years and would have reduced \$330 billion in debt over ten years, while providing almost \$300 billion in targeted tax cuts. Unlike the Republican budget resolution, it proposed realistic levels of discretionary spending, including the President's full requests for education and defense spending. It also reserved funding for very important programs, such as health coverage for uninsured Americans. Unfortunately, the Democratic alternative was defeated on a party-line vote.

We have come far economically and must be very careful as we move forward about how we use any budget surplus. In my view, we must emphasize paying down the national debt, protecting Social Security and Medicare, increasing spending for programs important to our Nation's future, and providing targeted tax cuts for working Americans. The Republican budget before us, in contrast, contains a \$150 billion tax cut—enough to consume almost 98% of the non-Social Security surplus over the next 5 years. This leaves nothing for prescription drug coverage, education increases, and other initiatives critical to the future well-being of our Nation.

Mr. President, the Republican priorities evident in this resolution simply are not shared by most of the American people. The Majority's budget proposal falls far short of the mark in almost every respect and would take our country in the wrong direction. I strongly oppose this resolution, and I urge my colleagues to reject it.

Mr. BIDEN. Mr. President, I am disappointed in this budget resolution, because it endangers our national security.

The budget resolution does so by reducing the President's request for international affairs by over 10 percent. This reduction may appear to be a politically easy way to keep spending down. But mark my words: the reductions assumed by this budget resolution will end up costing us more elsewhere in future budgets.

Literally speaking, our diplomats are on the front lines of our national defense. They are out in force around the capitals of the world, defending and protecting our national interests every day—preventing and mitigating conflicts, fighting drug trafficking, promoting U.S. exports, reducing environmental degradation, and advancing American values and ideals. Most of them live and work under less than ideal circumstances. Many of them live in very dangerous places like Lebanon or Colombia. This budget breaks faith with those people because it will not provide enough money for secure embassies to protect them, and it does provide enough money for critical tools of diplomacy—exchange and assistance programs—that will enable them to adequately perform their missions.

We are deluding ourselves as a nation into thinking that we can remain a great power while continuing to skimp on spending to maintain a robust international presence.

We have made important progress in the past several years in restoring funding for international affairs. Unfortunately, we haven't made enough progress, and the budget remains below historical levels. According to a recent study by the Congressional Research Service prepared at my request, the discretionary budget authority for Function 150 in Fiscal 2000, \$22.264 billion in FY 2000 dollars, is 9.3 percent below the average of the past two decades, \$24.56 billion. As a percentage of total budget authority, Function 150 funding in FY 2000 is 1.24 percent, nearly one-fifth below the annual average, 1.571 percent, for the past two decades.

Mr. President, I hope that as the budget process moves forward, the leadership on the other side will find a way to accommodate the legitimate needs of our foreign policy and increase the allocations to these accounts. I urge the Chairman to do everything possible in the coming months to work toward that objective.

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 much reliance on risky estimates about the Federal surplus over the next five years and provides for an unwise tax cut in lieu of greater reduction in the national debt and emphasis on protecting Social Security and Medicare as well as investments in the future of young Americans through education.

For the past several months we have heard a familiar refrain—that the budget of the Federal Government will be in surplus over the next ten years. In fact, all throughout the first session of this Congress, the American people were told over and over again that, after years of running huge deficits, the Federal budget was about to start running enormous surpluses—tens, or even hundreds, of billions of dollars per year. While these were only projections, they seem constantly to improve, painting a very rosy scenario of America's fiscal future—that is until Congress passed the Fiscal Year 2000 appropriations bills. Shortly after passage, the Congressional Budget Office, in its End of Session Summary, projected a \$17 billion on-budget deficit for this year—meaning \$17 billion of the Social Security surplus would be used—the result of the tens of billions of dollars in so-called “emergency” spending. In the intervening months, the CBO has revised its forecasts and now projects a \$26 billion surplus for the current fiscal year, assuming no supplemental appropriations and no downturn in the economy. But we won't really know whether we have a surplus or a deficit for fiscal year 2000 until it ends in October. By the same token, we won't really know for sure whether we'll have a 10-year surplus or deficit until fiscal year 2010 draws to a close.

With that in mind, I want to share a reality check on the projected ten year

budget surplus and on the tax cuts proposed by the Senate Budget Committee majority and by Governor George W. Bush. In January of this year, the Congressional Budget Office released three surplus estimates, each based on a different assumption about the level of discretionary spending over the next ten years. These estimates were updated by the CBO on March 9th. The largest non-Social Security surplus estimate, \$1.95 trillion, assumes that Congress will spend decreasing amounts for discretionary spending through fiscal year 2002, as required by the existing budget caps created in law and that discretionary spending will then increase at the rate of inflation. But Congress basically ignored these caps for the fiscal year 2000 budget passed back in November. Almost nobody believes it is realistic to assume that they will be adhered to for the next two years.

The second surplus estimate, \$1.89 trillion, assumes that we freeze discretionary spending for the next ten years at the fiscal year 2000 level. Freezing spending at this year's level for the next ten years means that we can't maintain Federal services at their current levels because we'd be ignoring the effect of inflation. So we'd be cutting federal services from their current level for ten years in a row. Over ten years this amounts to an \$835 billion cut in current Federal services or 12%. That's a totally unrealistic assumption on which to project a surplus. Just look at the last ten years—an era supposedly characterized by fiscal restraint: Non-defense discretionary spending grew at a nominal annual average rate of almost 5%—that's 2% above inflation. The last three years, during which the budget caps have supposedly been in effect, total discretionary spending has outpaced inflation by 1.2%.

The third CBO surplus estimate, \$893 billion, is by far the most realistic—and indeed it too may be optimistic. This estimate assumes that discretionary spending will keep pace with inflation for the next ten years. If spending follows that path and if the economy performs reasonably well, the surplus, exclusive of Social Security revenues, could amount to \$171 billion over the next five years and \$893 billion over the next ten years. I emphasize the words “if” and “could.” This surplus estimate is just that—an estimate, far from certain, that depends upon several assumptions about things like economic growth rates, interest rates, and discretionary spending. If any of these assumptions is off, even by just a little, the surplus could shrink considerably.

Obviously, Congress can't legislate economic growth or interest rates. But, Congress can and does have responsibility for discretionary spending, taxes, managing the National Debt and the continued strength of programs like Medicare and Social Security. So, we must carefully analyze and try to

project faithfully and fairly what happens to the surplus when we look at our promises and our responsibilities to the American people over the next ten years: our responsibility to help provide seniors with access to the prescription drugs they need to live, our responsibility to our children to pay down the publicly held National Debt, our responsibility to protect Medicare, and our responsibility to stimulate the research and development of new technologies necessary to continue to strengthen the economy in the new millennium.

Both parties seem to agree that the rising cost of prescription drugs makes some type of prescription drug plan for Medicare beneficiaries a necessity. The President's plan would have no deductible and pay half of all beneficiaries' prescription drug costs up to \$5,000 when fully phased in by 2009. If you subtract the plan's ten year cost of \$98 billion from the \$893 billion surplus estimate of the CBO, the surplus shrinks to \$795 billion.

The Medicare Hospital Insurance Trust Fund is estimated to encounter problems beginning in 2010, when expenditures start to exceed income. The difference will be made up by using the interest income on securities held by the Trust Fund. Beginning in 2015, the Trust Fund will have to start drawing down principal to meet its obligations. And by 2023, the Hospital Insurance Trust Fund will be insolvent—with principal depleted and income able to meet only 80% of its obligations. In any case, the Concord Coalition estimates that the entire Medicare program will suffer a huge cash deficit on the order of over \$250 billion over the next ten years, unless substantial changes are made and/or dollars infused into it. The President's plan calls for both and he would provide \$299 billion to extend Medicare's solvency beyond 2030. When these dollars are allocated to the Medicare Hospital Insurance Trust Fund, they are not paid out immediately to beneficiaries. And since current law requires that these dollars be invested in government securities, this allocation would also reduce the publicly held National Debt. So, if you subtract \$299 billion from the surplus for protecting Medicare which also helps pay down the Debt, the surplus shrinks to \$496 billion over the next ten years.

Given those other demands on the budget surplus, the President proposes tax cuts targeted toward low and moderate income Americans: increasing the Low Income Housing Tax Credit, education incentives, health care incentives, encouraging charitable contributions. If we subtract the net cost of these tax cuts, \$256 billion, the surplus shrinks to \$240 billion.

If we ignored these priorities and did nothing with the surplus, under current law, it would automatically go toward debt reduction. With the exception of programs such as Medicare and Social Security, each dollar of the sur-

plus that gets allocated to one of these important domestic priorities cannot go toward reducing the publicly held National Debt and that costs money because of the interest that must be paid. While the exact amount of interest varies depending on how the surplus is allocated, the Office of Management and Budget estimates this cost to be \$64 billion. When we subtract this amount, the surplus shrinks to \$176 billion.

At this point, if the economy keeps up and projections are accurate, we'll still have a surplus of \$176 billion over ten years. But all this math still doesn't take several things into account—things like a 3.2% average annual increase in the rate of discretionary spending—which was the annual average discretionary spending increase from FY97–FY00. If we continued at that historic pace, that would decrease the surplus by another \$107 billion. If we don't assume that increase, given the budget committee action increasing defense spending, domestic discretionary spending for programs like Head Start, COPS, the Superfund, and hiring new teachers would have to be cut very substantially. And what of the tax cuts that the Senate or the House have already passed? Just one of these bills, the Bankruptcy Reform Bill, contains tax cuts that would decrease the surplus by another \$103 billion over ten years. Also, over the next 10 years, up to 21 different tax provisions, such as the Research and Experimentation Tax Credit, will need to be renewed by Congress or they will expire. Congress has routinely renewed these credits. This will cost another \$100 billion over ten years. Finally, if Congress decides to provide relief to farmers suffering from droughts and other disasters, as well as low prices, and to healthcare providers reeling from prior-year Medicare cuts, that could cost another \$60 billion over ten years. And the list goes on.

So, if we take into account certain important responsibilities over the next ten years, the surplus could easily turn into a deficit. That is the sobering reality of the situation.

Some have suggested that Congress' first priority in reaction to budget surpluses should be to cut taxes. Governor George W. Bush, has proposed such a plan.

Governor Bush proposes to cut taxes by roughly \$483 billion over five years and \$1.2 trillion over the next ten years. Even before factoring in the interest costs that result from this tax cut, the surplus would evaporate completely under Governor Bush's plan.

Bad enough, his proposed tax cut leaves nothing to protect Medicare or extend its solvency by one day. Nothing to pay down the publicly held National Debt. In fact, it would add hundreds of billions to the National Debt and cut into the Social Security surplus. The reality of the situation illustrated here is that, without spending a dime on any of America's other prior-

ities, the Bush tax cut converts an \$893 billion surplus into an \$572 billion deficit, and that means cutting into the Social Security surplus by \$572 billion.

Sinking back into the deficit ditch is the wrong direction for the budget and for the economy. We ought not to go in that direction.

The Budget Resolution now before the Senate goes in that same direction. The Budget Resolution contains \$150 to \$200 billion in tax cuts over five years. The Budget Resolution passed by House Republicans contains tax cuts which eat up 98% of CBO's \$171 billion, five-year non-social security surplus. These tax cuts not only come at the expense of other domestic priorities, they endanger the on-budget surplus and threaten the Social Security surplus. To pay for this tax cut, Senate and House Republicans continue in the misguided direction of the Bush plan by proposing enormous cuts in domestic Federal services while giving lip service to priorities such as a Medicare prescription drug benefit. First, both the Senate and House Republican Budget Resolutions would cut many domestic Federal services by almost 10 percent over the next five years. Second, the Resolutions create a "reserve fund" of \$40 billion that, in the Senate's version, could go toward a prescription drug benefit if a Medicare reform bill is introduced. I emphasize the words "could" and "if." Unlike the tax provisions in the Budget Resolution—that direct the Finance Committee to produce legislation cutting taxes—there are no enforceable instructions compelling anyone in Congress to do anything when it comes to prescription drugs for Medicare beneficiaries. So the reality of Republican Budget is clearly a double standard: Serious action when it comes to a large tax cut, and loose language when it comes to prescription drugs.

What is particularly disturbing is that the House and Senate Republican budgets evade realistic scrutiny by producing only a 5-year plan. Last year, faced with the same situation, the Senate considered a ten year plan. This year, the majority hides the explosive effect of their tax breaks over the next ten years that could plunge the federal budget back into large deficits.

So, before we become too enchanted by the promise of huge surpluses in the hundreds of billions or trillions of dollars, before anyone writes any checks on surplus dollars, or enacts large tax cuts which are also difficult to reverse, I wanted to offer this reality check to show how, if Congress acts unwisely and with too little caution, the surplus boom could too easily turn into a deficit bust.

Mr. President, the Budget Resolution the Senate considers today in my judgement takes such a risk. It is premised on the shaky foundation of surplus projections reliant upon unrealistically large cuts in spending for domestic programs like Head Start, programs to reduce class size in schools,

clean up superfund pollution sites, and to hire new police officers. It does too little to protect Medicare and Social Security and to provide for a prescription drug benefit under Medicare. And, it contains an unwise tax cut while hiding the exploding costs of that cut in future years.

While a few changes which I have supported have been made over the past few days, such as increasing Pell grants and devoting more dollars to veterans' health care, I cannot support this Budget Resolution. This budget emphasizes the wrong priorities and runs the risk of heading back toward reliance on the Social Security surplus to keep us out of the deficit ditch.

Mrs. FEINSTEIN. Mr. President, it is with great regret that I rise in opposition to this Republican budget resolution.

It is with regret because I had sincerely hoped that this year, thanks to a booming economy and a federal budget surplus, Congress would be able to approach the budget resolution in a bipartisan and responsible manner, and do what is necessary to protect Social Security and Medicare, make sure we have adequate funds to meet important domestic priorities like education and the environment, and provide fair tax cuts for working Americans.

Indeed, thanks to unprecedented economic growth, the tough choices we made on the budget in 1993, and the discipline we have demonstrated since passing the Revenue Reconciliation Act of 1997, this year we have an opportunity to structure a fiscally responsible budget that pays down the national debt and makes important investments in America's domestic priorities.

Unfortunately, this Republican budget resolution threatens to blow a hole in the budget by instituting irresponsibly large tax cuts. It does not provide sufficient funding for important domestic priorities and the long-term fiscal solvency of Social Security and Medicare.

When I first came to the Senate seven years ago, we faced \$200 billion annual federal deficits as far as the eye could see. Thanks to fiscal discipline and the current economic boom we are running surpluses. The Congressional Budget Office estimates that the non-Social Security budget surplus over the next ten years will be over \$890 billion.

Thanks to the size of the surplus we have a once in a lifetime opportunity to pay down our national debt and meet the challenges of the future.

We have the opportunity to extend the solvency of Social Security and Medicare so that these programs are available for the next several generations of recipients.

We have the opportunity to invest in education, the environment, and health care. To reduce class size and increase Title I funding. To clean up our environmental treasures, including Lake Tahoe. To provide health care for all children.

We have the opportunity to provide prescription drugs for seniors who currently have to make the choice between paying for food or prescription drugs.

And we have the opportunity to provide fiscally responsible and targeted tax cuts for working Americans.

Unfortunately, this budget resolution is not fiscally responsible, and it does not meet these needs.

The budget resolution calls for \$150 to \$200 billion in tax cuts over the next five years. Who knows how much these cuts will cost over the next ten years? Tax cuts that appear to be modest and reasonable at first will mushroom in years six to ten to something like \$1 trillion. To hide this the Republicans on the Budget Committee did not even try to estimate the size of these tax cuts in the so-called "out" years. They did not even try because the reality is that these tax cuts will be greater than the non-Social Security budget surplus over 10 years, just as they are over 5 years.

This budget resolution uses the surplus for tax cuts, not debt reduction. The non-Social Security budget surplus is expected to be \$171 billion over the next five years, but this budget resolution calls for \$168 to \$218 billion in tax cuts over the same period. Quite simply, this resolution does not protect Social Security surpluses.

The Republican budget calls for increases in spending on defense, education, veterans health care, and income support payments for farmers. I applaud these increases. We need a strong defense. To take care of veterans. To educate our children. To protect our farmers from income fluctuations that are the result of weather, disease and market conditions.

Unfortunately, to increase funding for these priorities while providing almost \$1 trillion in tax breaks would result in a ten percent across-the-board cut in all other non-defense discretionary spending.

Let me tell you what this means for ordinary people. Over the next 5 years a 10 percent across-the-board budget cut would cut: 750,000 low-income women, infants and children from WIC; 1,100 FBI and 900 DEA agents; 316,000 Pell Grants for needy students; and 40,000 students from Head Start.

This budget resolution would leave the COPS program about 40,000 police officers short of the goal of 150,000. It would prevent us from providing urgent repairs for 5,000 schools. It could force us to abandon plans to put 100,000 new teachers in our classrooms and reduce class sizes.

The reality is that even though this budget is predicated on slashing these programs, and more, the Republican Congress has not been able to slash non-defense discretionary spending. Domestic spending grew in 1997, 1998, 1999, and 2000. In fact, it grew by more than ten percent last year.

So what are our options?

This budget resolution forces us to decide between an across-the-board ten

percent budget cut in domestic spending or dipping into the Social Security Trust Fund. This is not fiscal discipline. This is not fiscally responsible.

We must extend the solvency of Social Security and Medicare. This budget resolution opens the door to raiding the Social Security and Medicare trust funds, thereby reducing the solvency of these entitlements.

We must take this once in a lifetime opportunity to provide prescription drugs for seniors that cannot afford them. This budget resolution will not do so.

We must take this opportunity to expand Title I, secure funding for 100,000 new teachers, modernize schools, and increase Head Start funding. To extend the 100,000 COPS program and protect our children from gun violence. To bolster the Immigration and Naturalization Service's ability to protect our borders. To protect the environment and expand mass transit in California and other states.

Let me be clear: In addition to spending on these important domestic priorities, I also believe that we have a responsibility to provide tax relief.

In fact, last year Senator GRASSLEY and I introduced the Tax Relief for Working Americans Act of 1999. This is legislation to provide tax relief for working families in a fiscally responsible manner—\$271 billion over ten years—and in a budget framework which protects Social Security and Medicare. It includes provisions to eliminate the marriage penalty for 21 million working couples, provide for health insurance and child care, promote long-term care, create more affordable housing, make education more affordable, and keep our economy strong through incentives such as the research and development tax credit.

We must provide targeted tax relief; Eliminate the marriage penalty; Expand the earned income tax credit; Establish a long-term care tax credit; Establish educational savings accounts and Individual Development Accounts; Permanently expand the research and experimentation tax credit.

I believe that given the health of our economy and the Federal budget surplus we can provide the American people with real tax relief, responsible tax relief. But this Republican budget resolution does not do so.

The current economic boom has presented us with a unique opportunity—we can save Social Security and Medicare, invest in domestic priorities, provide for a strong national defense and give working Americans targeted tax relief. All while paying down the national debt.

Unfortunately, this budget resolution includes unrealistic tax cuts that risk upsetting the current economic climate. This resolution may set us down a path of fiscal irresponsibility that will endanger all of our gains of the past few years.

I urge my colleagues to oppose this budget resolution.

Mrs. MURRAY. Mr. President, this Republican budget fails to reflect the priorities of families across America.

If this budget were submitted in any math class—it would get an F—because the numbers just don't add up. The reality doesn't match the rhetoric.

And while Republicans are talking about how great their budget is, when you do the math the things Americans care about—improving education, reducing the debt, saving Social Security, strengthening and modernizing Medicare—have all been left behind.

The things that matter to families have been sacrificed in the name of an irresponsible tax cut.

Mr. President, I am disappointed that this budget abandons the progress we have made since 1993. Since I first joined the Budget Committee, our nation's financial strength has grown dramatically. Through the hard work of the President, the Vice President, and others, we have turned deficits into surpluses.

And we learned two important lessons. First, budgets must be realistic—they have to take into account what our nation needs and what we are capable of providing.

Second, budgets must be responsible. A responsible budget meets our obligations. It makes sure that Social Security, Medicare and other existing commitments aren't left hanging.

But, Mr. President, this budget fails both tests—it is neither realistic nor responsible. This budget fails to provide the necessary investments in education, health care and prescription drug coverage. Instead, this Republican budget sacrifices our priorities for \$200 billion in tax cuts.

This tax cut could eat up all of the on-budget surplus. Given this Congress' track record on tax cuts, it is fair to assume when we see the specifics they will be similar to Governor Bush's plan and to the tax bill Republicans tried to pass last year.

In both of those Republican plans, the top 10% of the people, get more than 60% of the benefits. The President and the American people rejected that tax plan last year, and I expect they will reject it again.

Mr. President, so far the majority has expressed interest in two specific tax provisions. Unfortunately, their efforts have been misguided.

First, the Majority has moved to repeal the marriage penalty. I support making sure that families in America are not penalized by our tax code. In fact, I am a cosponsor of S. 8, which would eliminate the marriage penalty. Our bill addresses a real problem—too many lower and middle income families are penalized by the current system.

But the majority's proposal—by giving further tax relief to those who already enjoy a marriage bonus—simply creates new inequities while still burdening lower and middle income families with a marriage penalty.

Mr. President, the Republicans have a second proposal—related to small

businesses. Democrats fought to pass a minimum wage increase, which some of America's hardest workers desperately need. But the majority would only go along if their tax proposal was included.

What did we end up with? A minimum wage increase over 3 years instead of 2—so workers would have to wait an extra year to get the full benefit—and a tax plan that kept growing. While I support targeted tax cuts that will really help small businesses, I do not support the majority's approach, which abandons fiscal responsibility by the sheer size of their combined proposals.

Mr. President, I do want to take just a moment to mention three important positive statements we were able to include in the budget resolution.

I am pleased that my amendment placing a high priority on the unique needs of women in the Social Security debate was adopted in committee. This amendment recognizes the economic safety net of social security for women and puts the Senate on record in support of using the reform process to improve the economic condition of women.

This resolution also includes my amendment regarding the urgency of reauthorizing the Violence Against Women Act and the need to support full funding for these programs. We are facing a deadline on reauthorization—I want to make it clear that we will not abandon battered women and children during this short, legislative year. Regardless of the actions of Congress or the courts, we will work to continue funding for VAWA programs.

The third positive statement included in this budget resolution is my amendment on pipeline safety—which was adopted unanimously by the Budget Committee. My amendment says that pipeline safety efforts should be funded at the levels called for in my bill, S. 2004—the Pipeline Safety Act of 2000.

While I am proud that we were able to win concessions for these three important areas, overall this budget still puts tax cuts above vital investments.

Mr. President, while Republicans are saying that their budget funds key priorities, their rhetoric doesn't match the reality of their budget. The reality is that to make room for their tax cut, Republicans shortchange the investments that matter to the American people. In fact, in key areas, this budget doesn't even keep up with inflation.

Let me give you a few examples of how this misguided budget leaves America's priorities behind. The bad decisions in this budget will be felt in classrooms across America. This budget would decimate the progress we have made reducing overcrowded classrooms. Over the past two years, we've hired 29,000 new, fully qualified teachers to reduce class size. And today 1.7 million students are learning the basics in a disciplined environment. We should be building on our progress, but

this Republican budget abandons our progress.

This budget tells students—"sorry, you'll have to sit in an overcrowded classroom next year because under the Republican tax plan—you are not a priority."

Mr. President, it's a priority that we save Social Security while our economy is so strong. We shouldn't wait until later to fix what we know needs to be changed. But this budget tells every American who will rely on Social Security in the years to come—"sorry, this budget won't save Social Security for you because under the Republican tax plan—you are not a priority."

Mr. President, it's a priority that we pay down our national debt—instead of passing that burden along to our children. But this budget tells every young American—"sorry, you better start saving money now to pay off the national debt—because under the Republican plan—you are not a priority."

Mr. President, it's a priority that we strengthen and modernize Medicare. It's a priority that seniors get help buying the medicine they need—because no one should have to choose between buying medicine and buying food.

But this budget tells seniors—"sorry, you can't get the prescription drug coverage you need because under the Republican tax plan—you are not a priority."

Mr. President, the American people want real budgets—not gimmicks. They want to know that our nation's vital priorities are being treated like priorities. They don't want the things that matter in their lives to be squeezed out by unbalanced tax cuts that would benefit only a few people.

Unfortunately, the driving force of this resolution has been tax cuts—tax cuts that explode in the outer years and jeopardize our fiscal strength. We should be using the surplus to honor our commitments to our children and our seniors. Now is the time to address the long-term solvency of Social Security and Medicare and to provide resources to local communities to make our classrooms ready for the 21st century. Those are the things a responsible budget does.

But as I look at this budget, the only priority I see is this exploding tax cut. Who gets left behind in this budget?

Students—who could lose the smaller classes they need; every American who will depend on Social Security; young people—who will still be burdened with our national debt; and seniors—who rely on Medicare and need prescription drug coverage.

They all get left behind, and that is wrong. I'm on the floor to say that they are priorities, and we will fight for them.

Mr. President, we should pass a budget that reflects the priorities of the American people and one that is realistic. This budget fails the American people on both counts, and therefore I must oppose it. Let's give the people

we represent a responsible budget that meets their needs.

EMERGENCY AGRICULTURE ASSISTANCE FOR  
SEED PRODUCERS

Mr. SMITH of Oregon. Mr. President, on behalf of my colleague from Wyoming, Senator ENZI, and myself, I wish to engage in a colloquy with the Chairman of the Budget Committee regarding the reserve fund for agriculture contained in section 204.

Mr. DOMENICI. I will be pleased to speak with my colleagues regarding this issue. I am very much aware that these are difficult times for many farmers and ranchers across the Nation. For that reason, the Budget Committee set aside \$5.5 billion in FY 2000 budget authority to provide assistance for agriculture producers.

Mr. ENZI. We wanted to draw the Chairman's attention to a crisis amongst farmers that produce forage grass seed and turf grass seed in a number of Western states. Due to the recent bankruptcy filing of AgriBioTech, one of the Nation's largest handlers of seed products, thousands of farmers are facing financial disaster.

Mr. SMITH of Oregon. For a state like Oregon, whose grass seed farmers are owned an estimated \$40 million by AgriBioTech, the slow progress of bankruptcy proceedings threatens the very future of our grass seed industry, our third largest commodity. Many Oregon grass seed growers simply do not have the capital to keep their farms in operation without receiving payment for their product already delivered to, or stored under contract to, AgriBio Tech.

Mr. ENZI. Similarly, in my state of Wyoming, we have close to one hundred alfalfa seed growers who may lose their farms without timely assistance of some form. These growers are owed close to \$4.5 million on seed they have already delivered. Many of my growers have found that the continuing uncertainty surrounding the bankruptcy case has made it impossible to secure even the short-term credit needed to see them through another year.

Mr. SMITH of Oregon. Is it Mr. Chairman's understanding that the agriculture assistance levels in this resolution do not preclude assistance to agricultural producers adversely impacted by the AgriBio Tech case?

Mr. DOMENICI. That is correct. The funding levels assumed for agriculture assistance in this resolution do not foreclose the possibility that assistance could be provided for that purpose.

Mr. ENZI. I thank the chairman for taking the time to clarify this point for us. I can assure you that this issue is of paramount importance for many small farmers in our states, and we look forward to working with you and the rest of our colleagues to address their situation in the near future.

Mr. LIEBERMAN. Mr. President, I rise to explain my opposition to the Senate Budget Committee's resolution for FY2001. How unfortunate that dur-

ing these great economic times, my Republican colleagues have outlined a fiscal policy that will squander our hard earned on-budget surplus on misguided economic priorities. Instead of using our on-budget surplus to make important investments for our economic future, this plan calls for large tax cuts that will devour nearly all of our on-budget surplus. Simply put, the budget we are considering today does not reflect my economic priorities of fiscal discipline and wise investment in our people in order to ensure that all Americans participate in our history's greatest economic expansion.

The committee's budget makes unrealistic assumptions about the level of discretionary spending for the next five years and assumes that the projected surplus will materialize to pay for a large tax cut. The Budget Resolution provides for FY2001 \$596 billion for total discretionary spending. When defense discretionary spending is taken out, there is a ten percent across the board cut from FY2000 spending levels. This means that important investments in our economic future will not be made. For example, 20,000 new teachers will not be hired. Subsidies and grants for school construction to 5,000 schools would be eliminated and 62,000 students will not be able to participate in Head Start.

Instead, the Republican budget calls for a \$150 to \$200 billion tax cut over five years. When an additional \$17 billion is added for servicing the larger national debt created by the tax cut, the Republican tax plan will consume at least \$168 billion of the \$170 billion CBO projected on-budget surplus. Moreover, at a time when the Federal Reserve is already nervous about inflation and has been raising interest rates to protect against higher inflation, a tax cut will only increase inflationary pressure. At this time of strong growth I cannot see a benefit to a tax cut other than that it serves as a consumption subsidy.

By assuming unrealistic spending levels and using the surplus for a large tax cut, this budget leaves no funding for debt reduction. It only dedicates \$1 billion for debt reduction in FY2001. If the on-budget surplus funds were used to service the debt, the result would be less inflationary pressure and lower interest rates—a de facto tax cut for all Americans, not just the wealthiest Americans. Paying down the debt would also reflect a commitment to fiscal discipline. After we have worked so hard to balance the budget, it seems only reasonable that it should stay balanced and that we use the surplus funds to benefit our economy not hurt it.

This budget does not promote savings and reduce the growing income and wealth gaps in our economy. The budget proposed by the majority party does not take advantage of our booming economy to rectify some of our greatest economic inequalities.

The economic expansion that began in April, 1991 is the longest in Amer-

ican history. It is now more than 9 years old and shows few signs letting up. Both inflation and unemployment remain remarkably low. The key to economic vitality, worker productivity, hit a 7 year high last year. This expansion is being fueled by combination of new and old economy fundamentals, technological innovation and fiscal discipline.

Along with this phenomenal economy we would expect to see the circle of opportunity expanding to include many more Americans. But we do not. Despite this historic era of growth, we are seeing the opposite—a growing gulf between the have and have nots, with more Americans falling further behind and out of the economic mainstream. As we have celebrated continued economic successes, we have scarcely noticed a swelling opportunity gap that is as much about wealth as it is about income.

Several recent studies have documented a growing income gap in the U.S.—an increasing income disparity between the rich and poor with declining incomes for both poor and low-income families. In addition to that income gap, a report released recently by the Federal Reserve Bank, has identified a significant wealth gap in this country. A gap where the net worth—or assets—of the typical American family has risen substantially since 1989, while the net worth—or assets—of lower income families has actually declined during the economic boom of recent years.

According to the Fed report, families earning under \$10,000 a year had a median net worth of \$1,900 in 1989. That climbed to \$4,800 in 1995, but had slipped back to \$3,600 by 1998. Those families earning \$10,000 to \$25,000 saw their net worth drop from \$31,000 in 1995 to \$24,800 in 1998. More specifically, while the percent of all U.S. families that own a home or business has risen during the boom years of 1995–98, the percent among lower income families has decreased. For example, in 1995, 36.1% of families earning under \$10,000 annually owned their home. By 1998 the rate had dropped to 34.5%. The drop for families earning \$10,000 to \$25,000 was from 54.9% to 51.7%. The same story is true for the percent of lower income families owning a business. Other recent studies show that this wealth gap is even more profound in certain parts of our society. We also know that wealth accumulation is generational; it runs in families. According to some studies, up to 50% of all household wealth is passed down from generation to generation.

If this trend is not corrected, we are putting at risk some of the very fundamentals of the American Dream—essential values like home ownership and the small, family-owned business. But closing the wealth gap is not just an issue of opportunity and fairness. If this trend is not corrected, we also put at risk future economic growth. We must begin to question how sustainable

is our economy if its growth continues to elude so many. How many potential entrepreneurs are we leaving behind and to what extent are we limiting our future economic growth by doing so?

We can take steps to address this wealth gap and expand economic opportunity. One innovative and powerful approach to help low-income, working families save and develop the assets they need to get ahead and thrive in the new economy is Individual Development Accounts, or IDAs. Similar to Individual Retirement Accounts, IDAs are incentive-based savings accounts that can be opened and used only for specific, predetermined purposes. Deposits into an IDA by an account holder are matched dollar for dollar through public and private funding. The matching funds are held in a parallel account until the account holder completes a financial education course and saves enough to purchase an asset. Low income individuals and families may use their IDA to purchase a home, start a small business, or seek postsecondary education—to pursue the American Dream.

Currently, there are nearly 250 IDA programs across the country with approximately 5,000 account holders. The early evidence from these programs is convincing. It shows that IDAs are highly effective in promoting savings and asset building among the working poor. In less than two years, 1,300 account holders in the largest national IDA program saved more than \$375,000 and leveraged an additional \$740,000 in matching funds. Participants made an average deposit of just \$33 a month. The majority of account holders are women. Twenty percent of account holders had never even held a bank account before enrolling in the IDA program.

In the new economy, where job churn is the norm and individuals are increasingly responsible for funding their own retirements, wealth-building assets are rapidly becoming the main source of economic security. IDAs can give millions of low income working families, parents, their children, and future generations, an opportunity for upward mobility and economic stability.

By proposing such a large and unrealistic tax cut, the majority will make it harder to resource our military at the level it will need to maintain its battlefield capability today and begin the difficult and costly process to transform the force into one that can counter the kinds of threats we are likely to see in the future. We have worked very hard over several years to raise the defense budget to ensure our soldiers, sailors, and airmen are fairly and adequately compensated for their unique and arduous sacrifices to protect our freedoms. The President has also proposed a budget that increases procurement spending to \$60 billion, a level that the Quadrennial Defense Review deemed necessary in 1997, but until this year was not achievable. In-

deed, the President's proposed budget increases defense over the previous years' budget in real terms for the first time since 1985, and keeps us on a path to modernize our current force and transform it in later years.

Although the rhetoric of this Resolution would increase spending over the President's budget this year and in the immediate out years, we can only hope that it will allow us to transform our military over the long term because the huge tax cut that is being proposed will most likely squash our superiority in readiness and technology in the long term. As more than one military commander has noted, hope is not a method. The majority wants to provide a large tax cut and talk the talk of strong defense. Unfortunately, they will not be able to have it both ways, and given a choice, we should all vote against such a large tax cut, and walk the walk with responsible defense spending now and in the future.

We are at a critical time in our society where more young people, particularly minorities and low-income individuals, are being left behind in the new economy because they are not learning the basic skills of reasoning, mathematics, and communication that provide the foundation for higher education or entry-level jobs in high tech work. The committee's budget fails to invest the level of resources necessary to ensure that all of our children are adequately prepared to compete in this challenging marketplace.

While more money alone won't solve our problems, we cannot honestly expect to reinvent our schools without it either. The reality is that there is a tremendous need for additional investment in our public schools, not just in urban areas but in every kind of community. Not only are thousands of crumbling and overcrowded schools in need of modernization, but a looming shortage of two million new teachers to hire and train lurks on the horizon. Add to this, billions in spiraling special education costs to meet.

During the upcoming debate on the Elementary and Secondary Education Act reauthorization, several of my colleagues and I will offer a reform proposal, which concentrates our national efforts on closing the achievement gap between the haves and have-nots, fostering English proficiency for immigrant children, improving the quality of teaching for all children, promoting choice and competition within the public system, and stimulating innovative and high performance educational initiatives. We would ask the states to set performance standards in each of these areas, and in exchange for the funding and flexibility, we would—for the first time ever—hold states accountable for delivering demonstrable results.

The Function 300 account of the budget—the function that funds core environmental and conservation projects—contains some important increases in funding for particular programs, but suffers from the overall

cuts in discretionary spending. While I support additional funding for water infrastructure projects and land management, I remain concerned that core programs of the Environmental Protection Agency are suffering unjustified cuts. Discretionary decreases can substantially undermine clean-ups at Superfund sites, review of pesticide tolerances under the Food Quality Protection Act, and ongoing work to identify air toxics.

I am particularly concerned that the Senate mark includes \$1.2 billion in assumed revenues from oil drilling in the Arctic National Wildlife Refuge. These revenues are fiscally irresponsible, as drilling is not in place to bring in net receipts over the five year time frame of the budget. More importantly, I, like the majority of the American public, am opposed to drilling in the Refuge as it would irreversibly damage a critical national ecological treasure. A responsible strategy would be to set aside about one-third of the surplus during this period of growth to pay for a drug benefit, to strengthen Medicare against the future, and to address the desperate condition of many facilities in Connecticut and other states. The approach of the Republican majority saves about 2% of the on-budget surplus, and uses the rest to fund new tax breaks.

If this budget passes, the Medicare program will have \$331 billion less—\$331 billion less to cover drug benefits for our seniors, \$331 billion less to keep hospitals and nursing homes open, and \$331 billion that our children will have to pay.

Our past investments in research, made in all scientific disciplines and supporting work performed in universities, industry, and government labs, have been the driving force for creating the technologies that have driven our high tech economic boom, preserved our national security, and created fantastic new advances in medical care. Yet, this budget resolution calls for only a small increase in federal investments in science and technology over last year's levels. This budget resolution presents a timid and incremental approach to innovation, even though the Senate has recognized the importance of research and development and last year passed the Federal Research Investment Act unanimously—which called for a doubling of funding for civilian science and technology over the next decade.

Unfortunately, the small increase in the budget resolution does not match the administration's aggressive program for civilian science investments, nor the spirit of the Senate's own legislation, for many key agencies. In particular, I support the Administration's efforts to restore balance to the federal research portfolio by aggressively funding work in the physical sciences and engineering, through programs at the National Science Foundation and Department of Energy. A number of my colleagues and I are introducing a



Sense of the Senate Resolution which calls for funding science at increasing levels each year in order to achieve a goal of doubling the federal investment in civilian R&D over an eleven year period, as well as for annually increasing funding of the Department of Defense's Science and Technology program—whose products are critical to the safety of our nation's warfighters.

In conclusion, Mr. President, I would like to support a budget resolution that more closely reflects sound budget and economic priorities. It should be a budget plan that follows the policy of fiscal discipline and strategic investment that achieved and has sustained our current economic expansion. Unfortunately, this resolution does not and it will only lead us back into deficit.

Mr. LEVIN. Mr. President, I would like to state for the record why I voted against Senator BOND's amendment yesterday. The Bond amendment states that "It is the sense of the Senate that the budget levels in this resolution assume that no Federal funds may be used by the Department of Housing and Urban Development to provide any grant or other assistance to construct, operate, or otherwise benefit a smoke shop or other tobacco outlet." The broad language of the amendment could easily be interpreted to mean that the Department of Housing and Urban Development should not use federal funds to support any economic development project, including housing for senior citizens, which has a retail outlet that sells, among other things, cigarettes. To cut off federal support for such projects that have a retail outlet that sells cigarettes as one of hundreds of other items, is too extreme. Instead, I support nondiscriminatory legislation that targets establishments whose primary business is the sale of tobacco products.

Mr. BOND. Mr. President, my amendment 2913 to the budget resolution expresses the sense of the Senate that no Federal funds may be used by the Department of Housing and Urban Development to subsidize or otherwise assist smoke shops or tobacco outlets. The amendment refers to those facilities or designated portions of facilities which focus almost exclusively on cigarette and other tobacco product sales. Free standing tobacco outlets funded by HUD in recent years devote nearly ninety percent of their in-store inventory to cigarettes and other tobacco products. Larger HUD-funded facilities containing designated tobacco stores still devote as much as eighty percent of their total in-store inventory to cigarettes or other tobacco products. These cigarette and tobacco stores stand in contrast to convenience, grocery and general discount stores where cigarette and tobacco products generally account for no more than thirty percent of total in-store sales volume.

The Campaign for Tobacco-Free Kids, American Lung Association, American Heart Association, American Medical

Association, American Cancer Society and American Academy of Pediatrics supported this amendment after agreement that HUD support of businesses that exist primarily to sell tobacco products is totally inconsistent with the Clinton Administration's efforts to curb youth smoking. The National Congress of American Indians agrees this amendment will treat Indian and non-Indian HUD grantees alike, and thus they also supported this amendment.

Mr. JEFFORDS. Mr. President, I rise today to support the permanent protection of the Arctic National Wildlife Refuge.

I certainly understand the concerns raised by those calling for more domestic energy production. I don't disagree that this nation should do more to kick our addiction to foreign oil. I agree it's time to develop more of our nation's clean, renewable energy resources. I urge my colleagues to look carefully at creating incentives for clean, domestically produced energy such as ethanol, methanol, natural gas, wind, solar and biomass power. However, we must withhold efforts to drill in one of our nation's most pristine nature preserves and instead look at alternatives.

It may be easy for some to look at maps of the Arctic National Wildlife Refuge and envision it as an empty expanse of land that should be valued only for its small and scattered oil pockets. However, this is a beautiful stretch of land that contains an incredible variety of plant and animal life. This is the only national conservation area that provides a complete range of arctic ecosystems, and it is home to two large caribou herds and 72 species of land mammals and fish. The founders of the Refuge recognized the special characteristics of this land and its value to the American public as a wild and free land.

In the summer of 1997, I traveled to the Refuge and was able to see first hand how beautiful and important this land is to both Alaska and the Nation. As part of a Senate delegation, I visited the Port of Valdez, where oil is loaded onto tankers, and I traveled along the pipeline that brings oil from the north. I also flew over the Refuge itself, getting a perfect birds-eye view of this quiet, peaceful landscape. In particular, I was silenced by the beauty of the Mollie Beattie Wilderness. As my colleagues will remember, we dedicated a large portion of the refuge to Mollie Beattie, a friend and fellow Vermonter.

Mollie oversaw all of Vermont's public lands as Commissioner of the Vermont Department of Forests, Parks and Recreation, instituting policies which today are a model of environmental protection. She then brought her passion and extensive knowledge of the natural world to Washington to head the U.S. Fish and Wildlife Service.

I was astounded by the natural beauty of this area and proud as I reflected

back on Mollie's contribution and dedication to preserving wildlife and wildlife habitat. I could not think of a better tribute than to have named the eight million acres of wilderness in the Arctic Refuge after Mollie. It's been three years since she passed away and we miss her dearly. Although I can no longer work by her side in common cause, her spirit and enthusiasm for preserving our nation's wildlife is always with me.

While in Alaska I also visited a number of native communities along the North Slope and spoke to the inhabitants about their life in this unique environment, one that they depend on for both their cultural identity and their survival. I understand the needs these people have and they must be addressed.

As a nation we must continue to protect this vital ecosystem while working to bring good jobs, education, and health care to these native communities. Our nation's dependence on oil and its byproducts cannot overshadow the importance of keeping ANWR free from the traditional impacts of oil drilling and exploration. Drilling and exploration in this gentle Arctic wilderness could have a lasting impact that would forever damage the environment of this region.

I applaud Senator ROTH's commitment to permanent protection for this unique linkage of ecosystems upon which local communities depend, and the American community as a whole should value as a national and natural treasure.

Mr. HATCH. Mr. President, I would like to take just a few minutes to comment about the status of the Medicare program and the more immediate issue of adding outpatient prescription drugs as a covered benefit.

First of all, I think we can be pleased with the news from the Social Security and Medicare Board of Trustees on March 31 regarding the financial status of the Medicare program. The Trustees' annual reports on the financial status of Medicare and Social Security were, indeed, encouraging to the nearly 84 million Americans who rely on these two critically important entitlement programs.

The news for the Medicare program was especially good. The Trustees' reported that Medicare's Part A Hospital Insurance Trust Fund, which pays for inpatient hospital expenses, is projected to remain solvent until the year 2023. Last year, the Trustees' reported the Part A Trust Fund would remain solvent until 2015. Thus, we have gained an additional eight years of solvency under the projections recently issued by the Trustees' report.

This is very welcome news. But we must recognize that the fiscal soundness of the Medicare program cannot be attributed to the underlying health of Medicare itself. Medicare's projected bankruptcy has been extended eight years to 2023 because of the strong economy, and not because of the overall health of the Medicare program.

As one witness before the Finance Committee testified last year, if there is as much as a hiccup in the economy, that could translate into lowering the solvency date by as much as five to ten years. Medicare is not solvent indefinitely.

In fact, beginning in 2010, the Part A Trust Fund will begin deficit spending taking in fewer dollars than it spends until 2023 when it is projected to be bankrupt. That is why Medicare reform is needed, and why it is needed now.

The Finance Committee, on which I serve, is currently considering several proposals that, in addition to reforming Medicare, would also provide Medicare beneficiaries with a drug benefit. There is not one member I am aware of on the committee who is opposed to adding prescription drugs as a Medicare benefit. And, I doubt there are many, if any, members in the Senate or House who do not believe prescription drugs should be added as a covered benefit.

Prescription drugs are as much a part of modern medicine as is any component of health care. In fact, drug therapy has often provided a successful alternative to more extensive and expensive medical interventions. To preclude prescription drugs from Medicare's benefit package today is tantamount to precluding hospital care back in 1965 when the Medicare program was enacted.

Some of my friends on the other side of the aisle want to cast Republicans as the barrier to a new drug benefit. That could not be farther from the truth. In fact, I was one of the three sponsors of legislation in 1997 along with the Chairman of the Finance Committee, Senator ROTH, and the Ranking Minority Member, Senator MOYNIHAN, that created the National Bipartisan Commission on the Future of Medicare Reform.

That Commission held great promise to identify and forge a bipartisan proposal to reform Medicare, including the development of a drug benefit. But, by just one vote—which was cast by the President's own commission appointee—the nearly two years of work by the seventeen member commission failed to receive the necessary super majority vote to formally report recommendations to Congress.

In fact, all of the President's appointees voted against the commission's recommendations. As a result, the commission was unable to formally recommend to Congress a strong bipartisan proposal that would clearly have helped provide the impetus toward reforming Medicare and providing a drug benefit.

The issue now before the Finance Committee is not so much should we have a prescription drug benefit, but rather how a benefit would be structured and how much a benefit would cost the Medicare program. These are very real and complicated issues that will clearly need to be fully vented and addressed before any legislation can move forward.

For example, one of the key issues which will need to be addressed, but on which there has been little discussion, is who will administer or manage the new drug benefit? This is not an insignificant decision, Mr. President.

Under the President's program, the Health Care Financing Administration, along with pharmacy benefit managers, or PBMs, would be responsible for administering the drug benefit. Another proposal by Senator BREAUX and Senator FRIST—who I would add is the only physician that serves in the Senate—would create a new Medicare Board to be the administering entity.

Now, I don't mean to be too critical of my friends at HCFA, but I do believe that involving the Health Care Financing Administration in the management of the drug benefit is not the prudent course of action.

Moreover, HCFA has been besieged by complaints from providers over reimbursement policies and practices. Although, in all fairness to HCFA, it is not totally at fault. There are clearly management issues involving third-party fiscal intermediaries, or the insurance carriers, which actually administer the reimbursement component of the Medicare program.

I do not think the current structure is a good model on which to base a new drug benefit. It seems to me we need to fix the current structure under which HCFA and the fiscal intermediaries operate before we add-on a whole new layer of responsibility which, in many respects, will be one of the costliest benefits Medicare beneficiaries receive.

I believe we can fix the current administrative structure. There are many good people at HCFA, including the administrator and the deputy administrator, who are committed to improving program integrity and accountability by the carriers. But I simply do not believe that the kind of significant administrative reforms necessary to make the President's proposal work can be approved by Congress and implemented in time to make a drug benefit available within the foreseeable future.

A new Medicare Board as proposed under the Breaux/Frist legislation makes inherently greater sense in the overall scheme of providing a drug benefit. The proposal is modeled on the Federal Employees Health Benefits Program which has successfully served federal employees, including the President of the United States and each member of the U.S. Congress, for over 40 years. Moreover, the proposal promotes choice by allowing seniors a voluntary option to either stay in the current, traditional Medicare fee-for-service system, as run by HCFA, or enroll in a private plan, as run by the Medicare Board. Both options would offer prescription drugs.

This is just one example of the numerous logistical and structural issues that must be addressed before a drug benefit can be implemented. Even under the Breaux/Frist proposal, there will need to be considerable lead time

to get the Medicare Board up and running, and fully functional. So I am very pleased the Budget Committee has reported a budget resolution which provides \$40 billion over five years for this purpose. This is certainly an important first step.

The Finance Committee is now currently considering all options under the very able leadership of our Chairman, Senator ROTH. I would only reiterate the importance of fully addressing the critical management and administrative issues because they clearly will be instrumental in the success of any new drug benefit Congress enacts. Once again, the provisions in the Budget Resolution represent an important first step in moving forward.

But there remains a great deal of work on the details and little time in which to address them. Our work will have to be bipartisan and it will require the support and leadership of President Clinton. Otherwise, we jeopardize the very real prospect of a drug benefit this year.

I will continue to work with my colleagues on the Finance Committee in the development of a drug proposal that meets the needs of Medicare beneficiaries while preserving the underlying financial integrity of the Medicare program.

We owe it to our seniors, and to those with disabilities, to do this the right way.

Mr. LIEBERMAN. Mr. President, I rise today to clarify the intent of a Sense of the Senate amendment we passed earlier today regarding the Census. That amendment, which we passed unanimously, expressed the sense of the Senate that Americans should not be prosecuted, fined or harassed for not answering certain Census questions. At the same time, the amendment expresses our encouragement that all Americans should fill out and send back their Census forms.

I want to emphasize that there has not been a prosecution for failing to fill out the Census in decades. The American people should not fear the Census; we should fear an incomplete or inaccurate count due to lack of participation. The Constitution requires an enumeration of our population every 10 years. While the data the Census Bureau collects are used for purposes of apportionment of the House and redistricting, this information is also used to help determine funding for thousands of Federal, state and local programs that benefit all Americans. Moreover, the law requires Census forms to be kept confidential for 72 years—not only from the public but from all other government agencies.

We should support the Census Bureau in its effort to carry out this massive task. I encourage every resident to fill out and send back his or her census form and to cooperate with census-takers or enumerators who will be in the neighborhoods in the coming weeks. I also want to make clear that the amendment is not intended to impede

census-takers or enumerators in appropriate followup actions they may need to undertake.

The PRESIDING OFFICER. The question before the Senate is on adoption of the concurrent resolution, as amended.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask unanimous consent that the Senate turn to the House companion resolution, H. Con. Res. 290.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 290) establishing the congressional budget for the fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005.

Mr. DOMENICI. Mr. President, I ask unanimous consent that all after the resolving clause be stricken, the text of S. Con. Res. 101 be inserted, a vote occur on adoption of the concurrent resolution, all without any action, and that following that vote, the Senate insist on its amendment, request a conference with the House, the Chair be authorized to appoint conferees on the part of the Senate, and the Senate concurrent resolution then be placed back on the calendar. I also ask consent that the conference ratio be 4 to 3.

The PRESIDING OFFICER. Is there objection to the request of the manager of the bill?

Without objection, it is so ordered.

The question is on adoption of H. Con. Res. 290, as amended.

Are the yeas and nays requested?

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on adoption of H. Con. Res. 290, as amended. The clerk will call the roll.

Mr. REID. Mr. President, on this vote I have a pair with the Senator from Utah (Mr. BENNETT). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

I further announce that, if present and voting, the Senator from Utah (Mr. BENNETT) would vote "yea."

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

On this vote, the Senator from Nevada (Mr. REID) is paired with the Senator from Utah (Mr. BENNETT).

If present and voting, the Senator from Utah would vote "aye" and the Senator from Nevada would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—51

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith (NH)
Collins	Hutchinson	Smith (OR)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Specter
Crapo	Jeffords	Stevens
DeWine	Kyl	Thomas
Domenici	Lott	Thompson
Enzi	Lugar	Thurmond
Fitzgerald	Mack	Warner

NAYS—45

Akaka	Durbin	Leahy
Baucus	Edwards	Levin
Bayh	Feingold	Lieberman
Biden	Feinstein	Lincoln
Bingaman	Graham	Mikulski
Boxer	Harkin	Murray
Breaux	Hollings	Reed
Bryan	Inouye	Robb
Byrd	Johnson	Rockefeller
Chafee, L.	Kennedy	Sarbanes
Cleland	Kerrey	Schumer
Conrad	Kerry	Torricelli
Daschle	Kohl	Voinovich
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden

PRESENT AND GIVING A LIVE PAIR—1

Reid, against

NOT VOTING—3

Bennett McCain Moynihan

The concurrent resolution (H. Con. Res. 290), as amended, was agreed to.

(The concurrent resolution will be printed in a future edition of the RECORD.)

Mr. DODD. Mr. President, I would like to take this opportunity to discuss briefly the Fiscal Year 2001 Budget Resolution that was passed by the Senate this afternoon.

Regrettably, I was unable to support this budget resolution. I believe the focus of this resolution was skewed at best. Instead of investing critical dollars in modernizing our nation's aging schools, in providing a comprehensive prescription drug benefit for seniors, in protecting our natural environment, or in reducing our national debt, this resolution chose as its priority a set of risky and irresponsible tax cuts that our country cannot afford.

There are several reasons I feel compelled to oppose the resolution. First, this budget resolution calls for at least \$150 billion in tax cuts over the next five years to be paid for out of the non-Social Security surplus. This substantial tax cut will result in increased interest payments of nearly \$18 billion dollars. So at a minimum, the tax provisions within the resolution have a real cost of \$168 billion.

The CBO has estimated that the on-budget surplus for the next five years will be \$171 billion. The math here is simple, Mr. President. The tax cuts consume nearly 98 percent, at a minimum, of the projected on-budget surplus and leave nothing for other crucial investments.

If these tax cuts reach \$200 billion over five years—as they well may—

then they will exceed the on-budget surplus and eat into current programs. There are only so many places to turn to for funding once the on-budget surplus has been drained. One is the Social Security surplus—a surplus we have committed to keeping off-limits to new spending or tax relief measures. Are our colleagues going to break that commitment to pay for their tax cuts? I would hope not. Another is to sharply cut spending for priorities such as education and law enforcement. That option is also highly troubling.

Mr. President, I represent a state that has the highest per capita income in the country. And on a per capita basis, my constituents would stand to benefit a great deal from the tax cuts proposed in this resolution. However, in my travels across Connecticut, not one of my constituents has ask me to support the tax breaks in this resolution. On the contrary, they have urged that the surplus be dedicated to lowering the debt, to strengthening Social Security and Medicare, and to improving the quality of education for America's schoolchildren.

Second, this resolution chips away at our fiscal discipline. By only covering the next five years as opposed to the ten in last year's resolution, the exploding costs of the tax cuts in later years remain hidden. Furthermore, this tactic prevents any meaningful enforcement mechanisms that would serve to control these run-away costs. After all the progress we have made over the past seven years in eliminating the budget deficits, this resolution would take us back to those grim days of runaway deficits.

Third, I am also troubled by the deep cuts in discretionary spending proposed in this resolution. The use of the on-budget surplus for tax cuts would require that non-defense discretionary priorities be cut by nearly \$105 billion, or 6.5 percent, over the next five years.

These cuts would therefore cause 62,000 fewer students would be served by Head Start. Twenty-thousand new teachers could not be hired which would severely impede efforts to reduce class size. Significant cuts in new housing vouchers would threaten millions of low-income families in tenuous living situations. Funding for the COPS Program would be cut by 73 percent, making it impossible to meet the President's goal of hiring up to 150,000 new police officers. And funding for the National Science Foundation would be cut by \$500 million, preventing the training of 19,100 researchers and educators needed to address our high-skilled worker shortage. Mr. President, these are just some of the consequences of the risky tax scheme that is the centerpiece of the resolution.

The resolution offered by my colleagues on the other side of the aisle ignored these critical priorities, and when offered the chance to address these important issues, they repeatedly failed to make a bad resolution better. Moreover, I was discouraged that

Democratic amendments were defeated to improve the resolution and redirect its priorities away from risky tax breaks and toward important commitments like debt reduction, Medicare and education.

One such amendment, offered by Senators KENNEDY and BINGAMAN, would have bolstered our investment in education by \$31.7 billion over the next five years. It increased funding for the GEAR UP program, expanded after-school opportunities for children, and provided \$2 billion to recruit and mentor qualified teachers.

Senator ROBB offered an amendment, also defeated, that would have required that the surplus be spent on a prescription drug benefit before those funds could be used for a tax cut.

The Ranking Member of the Budget Committee, Senator LAUTENBERG, offered a Democratic alternative resolution that would have reduced the debt by \$330 billion while providing almost \$300 billion in targeted tax cuts. The amendment fully funded education and defense and reserved funding for important initiatives such as health coverage for the uninsured. Regrettably, it was defeated on a party-line vote.

Our Republican colleagues also failed to support a bipartisan amendment that I was proud to offer with Senator JEFFORDS. It would have reduced the size of the resolution's tax cut and directed resources to help families, schools, and local taxpayers bear the rising cost of special education. The National Governor's Association calls special education their highest priority. Unfortunately, the Senate ignored their request for federal assistance.

Senator VOINOVICH offered an amendment that directed the \$150 billion slated for tax cuts toward debt reduction. His proposal would have helped ensure that future generations have the ability and resources to make their own investments without also having to pay our bills. This amendment drew support from both sides of the aisle, but this, too, was defeated. Federal Reserve Chairman Alan Greenspan has stated on numerous occasions, and even recently before Senate committees, that debt reduction should be our number one priority. I regret that my colleagues chose to ignore his recommendation to instead support tax breaks over placing our country on sound financial footing.

In short, Mr. President, this resolution jeopardizes the prosperity that so many have worked so hard to achieve. It mortgages our children's future, rather than helps them prepare for it. I regret that the Senate could not fashion a resolution that protects our values and advances our priorities—debt reduction, Social Security, Medicare, and a better education for America's schoolchildren.

Mr. DOMENICI. Mr. President, does the minority leader wish to speak?

Mr. DASCHLE. Yes, briefly. I appreciate that very much.

I compliment the distinguished chairman for his work. This is not easy. While we may have ended up at different places at the end of the resolution, I admire him for the work he has done and applaud him for the way he did it.

Let me also thank and congratulate our ranking member, Senator LAUTENBERG. This is the last time he will manage a budget. He has been an outstanding member of the Senate Budget Committee. I consider Senator LAUTENBERG a close personal friend. I have admired his work not only on this committee but all of the work he does on appropriations and other issues he cares about.

Let me also thank our assistant Democratic leader, Senator REID. He is the best. We could not have come to this point in the debate and concluded this afternoon were it not for his work as well. A lot of work has gone into the completion of the budget resolution. We are very fortunate to have the leadership and the extraordinary work done by our chair and our ranking member.

I wanted to take a moment to thank them both.

I want to thank our colleagues on the other side of the aisle for joining us in saying that the long delay over reasonable gun-safety measures must end. The Juvenile Justice conference committee must send us its report—with the Senate-passed gun safety measures included—no later than the first anniversary of the Columbine tragedy, so we can vote on those measures.

I also want to congratulate my Republican colleagues on another accomplishment. The law says Congress must pass a budget resolution by April 15. By passing this resolution today, you are well on your way to meeting that deadline. Considering the difficulty you have had doing that in the past, passing the calendar test is no mean feat.

On every other test that matters, however, this budget resolution—your budget resolution—fails. This budget resolution does not continue the fiscal discipline that is at the heart of today's unprecedented economic prosperity. This budget resolution does not reflect the priorities of ordinary Americans. This budget resolution does not use honest numbers. This budget resolution does not give priority to paying down our national debt; in fact, if it were to become law, it would almost certainly risk a return to the days where we relied on the Social Security surplus to fund the rest of the government.

Despite all the assurances to the contrary, this budget resolution does not extend the solvency of Social Security or Medicare. This budget resolution does not guarantee a real Medicare prescription drug benefit. This budget resolution does not allow us to increase our investments in education, the environment, or any other critical national priority; in fact, if it were to pass, this budget resolution would force deep

cuts—of up to 12 percent—in many of these priorities.

So, this budget resolution passes the first test. It meets the calendar deadline. But it fails all the tests that really matter.

It's worth reviewing what we tried to do this week.

First, Senator ROBB offered an amendment that said simply: Before we pass a huge tax cut, we ought to add an affordable, voluntary prescription drug benefit to Medicare. An overwhelming majority of Americans agree with that statement. A majority of this Senate also agrees with it. Unfortunately, we were not able to clear the 60-vote hurdle erected by those who oppose it. So this budget resolution now puts tax cuts ahead of prescription drugs.

Senator BINGAMAN offered an amendment to reduce the Republican tax cut by \$28 billion and use that money to improve America's public schools. We would have reduced the \$150 billion Republican tax cut by less than 20 percent. And we would have used that money to do things like reduce class size, improve teacher training, and help students pay for college. That amendment, too, was defeated—largely along party lines.

Senator CONRAD offered an amendment to reduce the Republican tax cut by \$75 billion, and use that money to pay down the federal debt. This Republican budget allows for \$150 billion—or more—in tax cuts, but only \$19 billion in deficit reduction. We could have done better. Instead of a paltry down payment on the debt, we could have made a significant down payment. That amendment also was defeated.

Senator ROBB offered a second school-related amendment—a plan to reduce the Republican tax cut by nearly \$6 billion, and use that money instead to modernize our children's public schools. To repair schools that are in disrepair, replace schools that are too crowded, and make sure every school is connected to the Internet. Despite all of the talk we hear about the importance of education, that amendment, too, was defeated.

Senators SCHUMER and DURBIN offered an amendment to reduce the Republican tax cut by \$284 million and use that money to hire 1,000 new local, state and federal law enforcement officers—to ensure better enforcement of existing gun laws. Given all the talk we've heard recently on the need to enforce gun laws, you would have thought that amendment would pass 100-0. Instead, it was rejected.

Finally, Senator DURBIN offered as an amendment the Bush tax cut, the same tax cut so many of our Republican colleagues have implicitly—and in some cases explicitly—endorsed. Four times previously—once in the House Ways and Means Committee, once in the House Rules Committee, and twice in the Senate Budget Committee, our Republican colleagues were asked to vote up or down on the Bush tax cut. Every time, they used some parliamentary

procedure to duck the vote. To borrow a phrase used by our old friend Dale Bumpers and resurrected by our colleague DICK DURBIN, they ran from the Bush tax cut like the devil runs from holy water. They tried to duck the vote again on the Senate floor during this debate. But they were unable to do so.

So what did our Republican colleagues do when they were finally forced to take a stand on the Bush tax cut? Every single Republican Senator rejected the Bush tax cut. This Senate voted 99-0 vote to table the plan.

The vote against the Bush tax cut was probably the most significant of all the votes we cast on this budget resolution—because tax policy isn't just the centerpiece of the Bush candidacy. Tax policy is the centerpiece of any economic and fiscal program.

By repeatedly refusing to support the Bush tax plan, our Republican colleagues have sent a very clear message. That message is: They know the Bush tax cut will not work. They know we cannot afford the Bush tax cut. They know that, in order to pay for the Bush tax cut, we will have to raid Social Security, and cut critical programs deeply, and hurt working families.

So, we are now about to vote on a budget that would end this economic expansion by abdicating the fiscal discipline that has produced and nurtured it. A budget that blows the entire non-Social Security surplus on risky, exploding tax cuts—leaving virtually nothing for Medicare, or prescription drugs. Nothing for debt reduction. And nothing for increased investment in education, law enforcement, the environment and other urgent, national priorities.

If this budget were to become law, there are only three ways we could pay for those tax cuts and still make essential investments in education and other priorities: We could make massive cuts in the rest of the budget. We could raid Social Security. Or, we could drive up the deficit, and the debt. At a time when we could have so many good choices before us, it is astounding that this budget presents us only with bad choices.

The next step is for our colleagues to reconcile their budget with the plan passed by House Republicans—a plan that contains even bigger tax cuts, and even deeper budget cuts in key priorities. I have no doubt they will reconcile their plans. And this budget will go from bad to worse. The real test, though, is not in reconciling the House plan and the Senate plan. The real test is in trying to reconcile either plan with reality. Frankly, there is no way they can meet that test. The numbers simply do not add up.

Our colleagues did everything they could this week to limit debate on their plan. Right out of the box, they yielded back over 20 hours of debate time on their budget. That's how determined they were to limit debate on their plan. That's how desperate they were to avoid any discussion of their

priorities, versus our priorities, and the priorities of the American people.

I would remind our friends across the aisle, though, that this debate has only begun. We have months to go before this budget is finished. We will raise these issues again and again and again so that every American knows the choices facing our nation, and the consequences of those choices. We will make the improvements in this budget that we sought to make this week, or the proposals contained in this budget will not become law.

So I say again to our colleagues across the aisle, congratulations on meeting this first test of your budget. We look forward to working with you in coming months to produce a budget that passes the tests that truly matter. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. There are a lot of people I am certain I should thank, but I think they all know how much I appreciate their efforts—the majority staff, the minority staff—and hard work and long hours on a difficult product with very difficult procedures.

I hope before too long we will find a way to have these procedures streamlined so it is not so difficult and it is easier to understand and so we are not burdened by scores upon scores of sense-of-the-Senate resolutions when we are talking about numbers in a basic budget.

I thank by name Senator LAUTENBERG, who will not be here when we do a budget resolution in the future because he will be leaving the Senate. I thank him again for the way he conducts himself and the way he asks his staff to conduct themselves in relationship to the majority and in relationship to his duties.

I believe this was a pretty rare achievement, a very hard budget, with very different philosophical and ideological points of view. I think we accomplished on our side what we wanted to do. It does not take a long explanation.

We did protect Social Security. We did strengthen Medicare by putting \$40 billion in a reserve fund for Medicare, including prescription drugs. We reduced the national debt substantially. We provided some tax fairness for the American people. For those who are very worried about putting enough money toward the national debt, this will be the largest installment against the national debt in the history of the Republic; \$177 billion will go to the debt. Most of that is by not using the Social Security trust fund.

I am very grateful it has finally come to pass that the ideal which I conceived immediately after the President suggested 62 percent of Social Security should be saved, and I said why not 100 percent, looks as if it is going to come to pass. We are locking up 100 percent of the Social Security trust fund. That means there will not be big swings in expenditures in our Government, there

will not be huge swings in tax reform, because we are setting aside for the senior citizens what is theirs and not spending a nickel of it.

Overall, this is a good budget for this year. We are in a Presidential election, and somebody next year, a new President, will tell us what changes they want. If it is a President of the Republican Party and his name is Bush, he will recommend a brand-new budget that will be very different, in which case the tax reform we seek and the tax relief we seek will be part of his budget. He did not seek any tax relief until 1 full year from now, so that it would be time for him to be in office and work on things.

Having said that, let me close saying to all the Senators who worked with Senator LAUTENBERG, Senator REID of Nevada, myself, and our respective staffs to get on that long list of agreed-upon amendments, some Members have hard feelings tonight because they agreed and worked with us; having done that, Members did not get an opportunity to offer their amendments.

I don't think we had any other way to do it tonight. We would not have finished this budget resolution for a very long time had the majority leader not suggested the regular order following the objection of Senator BYRD to our agreed-upon list.

My last praise goes to Senator REID, the minority whip, for spending a lot of time on the floor on every bill. He was tremendously helpful and instrumental in getting the Senate where we are.

Obviously, on my side, I thank the majority leader for helping get the budget resolution completed and all the others who helped. A hearty thanks from this Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, before Senator DOMENICI leaves the floor, I wish to thank him.

I know the public may wonder why it is that Democrats all voted one way yet we say a consensus has been arrived at. I will take a minute to explain it.

Yes, the Democrats voted against this budget resolution. It wasn't so much on the issues we wanted to have taken care of. It is fair to say, if one listened to the debate, one could determine that each side wants to protect Social Security in different degrees and in different ways. One could observe we both want to do something about Medicare but, once again, in different degrees and in different ways. The list goes on.

There are many things on which we purely disagree. But the fact is, though I am disappointed in the outcome and I prefer the budget resolution to be done differently, I cannot say there weren't times when we agreed we wanted to get to point A, B, or C on things that affect the public generally.

We agreed on strengthening defense. We agreed on taking better care of our

veterans. We agreed on raising the minimum wage against the objections of most of our friends on the other side.

The budget is passed. It is a consensus in a peculiar way. It is not a consensus arrived at necessarily by Democrats and Republicans, but here I have to commend Senator DOMENICI. He has a rare touch. He knows his business. He understands the budget thoroughly. There isn't anybody I know here who would say he isn't a good, decent guy.

He deals with the differences of view that perhaps are the result of being in the majority. People want to make sure their views are taken care of.

The minority finds it a little easier to unite, perhaps, because we unite behind issues we think are important, that we realize will not be typically dealt with in the fashion we would like. We are not in the majority.

By structure of the branches of Government, we have a President. The President can only lay down his recommendations; he cannot necessarily get them through. There is no veto right in this process. So it makes it a different structure.

The public may be scratching their heads as they look at this and saying: What do they agree on? Senator DOMENICI said something that is so true: much of what we did will not have ultimately the effect of becoming law. Why did we do it? We did it because each Member of this body has a right to express themselves about issues. We are concerned about the relevance of a lot of the resolutions that were presented.

I hope we will do something about organizing the process, though I will not be here to do it, for the public interest. Before this budget resolution has the effect of turning into appropriations bills that will fund these programs, there is a fairly long way to go. For me, it is the last time I will have a role in passing a budget resolution. I arrive at this point with some wistfulness and anticipation that in years ahead I will be arriving at this time of the year with a degree of nostalgia.

It is hard to imagine one could miss this kind of exercise after witnessing the process we just completed. But I must confess, the challenge of arriving at the resolution, as I see it, produces a debate that does raise a conscientious review of the issues, even though we disagree on the paths to get to places we want to be. But each of us, again, has the right to express himself or herself as this process evolves.

I am certain the public views some of the antics we have gone through here as curious, to say the least. We heard Senator BYRD, the distinguished Senator among Members, say he was disappointed in some things. I hope, therefore, a review of the process will take place so we can have a more concise, more orderly program for getting to a budget resolution.

In the process, however, of this year 2001 budget resolution, I have to say

thank you to Senator DOMENICI, to his chief of staff, now loaded down with the product of his work, Bill Hoagland. I thank Bill, who worked arduously to make sure we had the information we needed, even though we disagreed on some of the process to get to the end of the game.

I am grateful to HARRY REID, the Democratic whip, for the role he played in getting this year's budget resolution passed. He was part of a support team for me and left me with time to do some of the things for which I am responsible. He did a wonderful job as a friend and as a leader on the Democratic side, helping us get done.

I thank Leader DASCHLE for his faith and support of me throughout the budget resolution negotiations.

I thank my colleagues on the Budget Committee, the Republicans, but I am particularly obliged to my Democratic friends and colleagues because of the unity we had through the process.

I cannot conclude my remarks without saying the staff support was really special.

No. 1 on my team is Bruce King, who is the chief of staff of the Budget Committee, the Democratic staff on the Budget Committee. Sue Nelson is an expert on so many areas, particularly in the health area, on whom lots of the Senators called; Lisa Konwinski and Mitch Warren, who used to work on my personal staff as well; Marty Morris, Nisha Antony, Claudia Arko, Frederic Baron, Gabrielle Batkin, Steve Benson, Maggie Bierwirth, Pat Bogenberger, Rok Chung, and Jim Esquea.

I want to thank Randy DeVal, who is part of Senator DASCHLE's team, the person who works on budget for Senator DASCHLE. He was very helpful throughout.

I thank our floor staff. They were diligent and always there for information and for support, defining the process so we did not step on too many toes. I think I might have stepped on a couple along the way, but it was not cataclysmic. The process takes a long time to learn. Senator DOMENICI has been doing it for a long time. He is one of the best experts we have.

So I thank everyone for their work, some of our Republican friends who voted with us on occasion, and even those Senators with whom I had disagreements on occasion.

I want to say—maybe as part of a swan song because come next January I will be doing other things—that even those with whom I most ardently disagreed still earned my respect as Senators, though I could vehemently disagree with their point of view. These are people who are sent here by a constituency we have to recognize. The majority is what it is because the American people sent them here to be a majority. I wish it were otherwise, make no mistake about that. I wish we were in the majority and I had my last year as chairman of the committee. But next best to the chairman on the other side is to be the ranking member

and work with a good and decent manager.

With that, I say, this is a conclusion of part No. 1 of FRANK LAUTENBERG's retirement from the Senate, an experience which I shall treasure and remember fondly, forever.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, let me acknowledge the remarks of the Senator from New Jersey. I suspect this time next year the Senator from New Jersey will be looking fondly at us from the ski slopes of Utah, wishing us well but being very happy with his fondness for skiing.

#### INSTITUTING A FEDERAL FUEL TAX HOLIDAY

Mr. MURKOWSKI. Mr. President, given the cloture vote taken last week on the motion to proceed to the gas tax bill, and with the overwhelming result of an 86-11 vote, I now ask unanimous consent the Senate proceed to S. 2285 regarding the Federal fuels tax.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2285) instituting a Federal fuels tax holiday.

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

Mr. MURKOWSKI. Mr. President, I ask consent that only gas-tax-related amendments be in order to the pending bill.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. We object.

The PRESIDING OFFICER. Objection is heard.

#### CLOTURE MOTION

Mr. MURKOWSKI. In light of the objection, and in order to keep the Senate on the subject matter of the gasoline tax that is affecting virtually every American who fills up his or her automobile at the gas pump, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 473, S. 2285, a bill instituting a Federal fuels tax holiday:

Trent Lott, Judd Gregg, Connie Mack, Kay Bailey Hutchison, James Inhofe, Frank H. Murkowski, Paul Coverdell, Michael Crapo, Thad Cochran, Charles Grassley, Jim Bunning, Gordon Smith, Ben Nighthorse Campbell, Larry E. Craig, Bob Smith, Don Nickles.

Mr. MURKOWSKI. This cloture vote will occur on Tuesday. I ask unanimous consent the cloture vote occur at 2:25 p.m. on Tuesday, and there be 10 minutes equally divided prior to the vote, and the mandatory quorum be waived.



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

Mr. MURKOWSKI. Mr. President, I hope much of Monday and Tuesday morning will be designated for debate on the gas tax issue.

With that in mind, I announce the next rollcall vote will occur at 2:15 on Tuesday.

#### MORNING BUSINESS

Mr. MURKOWSKI. I now ask consent there be a period for the transaction of morning business, with Members permitted to speak for up to 10 minutes each.

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

#### STRAIGHT TALK ON SOCIAL SECURITY ACT

Mr. MCCAIN. Mr. President, I would like to take this opportunity to once again remind my colleagues of the very precarious financial condition of the entire Social Security system and the urgent need for a serious, bipartisan effort to reform and revitalize this cornerstone of many Americans' retirement planning.

The only way to achieve real reform of the Social Security system is to work together in a bipartisan manner. It's time to abandon the irresponsible game of playing partisan politics with Social Security. Democrats will have to stop using the issue to scare seniors into voting against Republicans. Republicans will have to resist using Social Security revenues to finance tax cuts. And both parties must stop raiding the Trust Funds to waste retirement dollars on more government spending. We must face up to our responsibilities, not as Republicans or Democrats, but as elected representatives of the American people with a common obligation to protect their interests.

We have an obligation to ensure that Social Security benefits are paid as promised, without putting an unfair burden on today's workers.

We also have an obligation to talk straight with working Americans about the true financial status of the Social Security program. This means providing each worker with honest information about the financial status of the Social Security program including the real value of their personal retirement benefits.

Under the current system, hard working Americans—young and old—are not receiving straight, honest information regarding the actual financial status of the Social Security program including how much it is receiving in payroll taxes and how much is needed to give promised benefits to seniors. This includes clearly telling Americans exactly when the program will no longer have sufficient funds for paying full benefits.

Furthermore, we must begin providing working Americans with accu-

rate, easy to understand information regarding the average rate of return they can expect to receive from Social Security as compared to the amount of taxes an individual pays into the program. It is only fair to be straight with everyone and let them know the true facts about how much they will pay in payroll taxes and what the limited return will be on their contributions.

It is time for us to talk straight to Americans about Social Security and begin working together in a bipartisan fashion to make the necessary changes to strengthen and save the nation's retirement program for the seniors of today and tomorrow.

#### DEMOCRACY IN TAIWAN

Mr. AKAKA. Mr. President, on March 18th the people of Taiwan elected Democratic Progressive Party (DPP) leaders Chen Shui-bian, former mayor of Taipei, to be President, and Annette Lu to be Vice-President of Taiwan.

This was an historic vote, representing the first recorded, peaceful transfer of power in any Chinese political system in 5,000 years. A free and fair vote by 80 percent of the electorate occurred without violence with a military that remained in the barracks.

It was a vote with implications not only for the people on Taiwan but also for China and the United States.

First, the vote represented a rejection by a majority of the voters of the traditional ruling Kuomintang Party (KMT) and a vote in favor of political reform and change in Taiwan. There was a clear desire by the people to cleanse the political system that they viewed as corrupt. That the DPP could win a national election after having only been formed in 1986 indicates the maturity of the political system, as well as the deep desire for change.

The first steps by President-elect Chen Shui-bian indicate the political sophistication of Taiwan's future leaders. He made conciliatory statements towards China, stating that he would avoid declaring independence and emphasizing that "the people's top priority is peaceful cross-strait relations" while declaring his willingness to "negotiate cross-strait air travel, trade and investment, peace agreements, and military conference-building measures with the mainland." He has offered to meet with China's leaders, even to travel to Beijing. His party is now considering dropping its pro-independence policy in its party platform.

He has nominated the current Kuomintang Defense Minister, Tang Fei, to be his Premier. General Tang was born in China. And in another step towards reform both major parties have reached an agreement to reduce the powers of the National Assembly and to strengthen those of the Legislative Yuan, the nation's parliament.

The breath of fresh air blowing through Taiwan has not been matched in Beijing. In the run-up to the election the only wind out of China was the

fierce breath of threats. Central Military Commission Vice-Chairman General Zhang and Vice Premier Qian Qichen both declared that "Taiwan independence means war." A People's Liberation Army publication stated that "the PLA is determined to liberate Taiwan. If they meet hard resistance, then they can choose to use weapons of mass destruction, like neutron bombs."

Since the election, there has been some diminishment of the intensity of the attacks but Beijing remains consistent in its criticism and insistence on Taiwanese concessions. Last week, at a conference on Taiwan in Washington organized by the Center for Strategic and International Studies, PLA Senior Colonel Luo Yuan observed that "if you no longer acknowledge you are Chinese and sell off Chinese national interests, the Chinese government will definitely punish this national traitor. [ . . . ] Once the Taiwan independence provokes an impasse, then we have no choice but the use of blood to uphold the authority." China's official Xinhua News Agency has commented that "Lee Teng-hui's ignominious fate proves that all those who engage in 'Taiwan independence' and splittism and try resorting to trickery to hoodwink the world will come to no good end. The wages of sin is death." Vice Premier Qian has insisted that there can be no negotiations with Chen or his envoys unless he accepts the principle that Taiwan is part of China and commits to negotiating only over the modalities of reunification.

The quandary China finds itself now in is typified by the Beijing waiter, quoted in a recent Washington Post article, who commented as he watched news of the Taiwan elections, "their lives are better than ours, economically and politically. They have more freedom. They can elect their leaders."

One of the first actions by the Taiwanese political parties was to reform its political structure by reducing the role of the National Assembly sending another powerful signal to the Mainland where its hand-picked, 2,978 strong, National People's Congress delegate just met for stage-managed debates.

China's leaders have been struggling to earn the degree of legitimacy through economic reform alone and through the continued use of force to suppress dissent that Taiwan's leaders have earned at the ballot box through the exercise of free speech and free trade. No longer can China's leaders look across the Straits and see a mirror of themselves in Taiwan's former exiled rulers.

Instead they see an example of a political system which evolved in a few short years from totalitarian rule to a democracy. Martial law rule ended in Taiwan in 1987. A new legislature was elected in 1992. There were presidential elections in 1996, local elections in 1997 and 1998, and a second presidential election in 2000.

China's Deputy Chief of Mission in Washington Liu Xiaoming described Taiwan's presidential election as "a local election in an area of China." Yet, even if his description is accepted, it demonstrates how far the rest of China has to go: in China, a germinating democracy has not progressed beyond the stage of local village elections. Municipal or national elections have yet to be held.

As President Clinton so succinctly observed, "the election provides a fresh opportunity for both sides to reach out and resolve their differences through dialogue."

Ironically, it is China, which had urged Taiwan to adopt direct trade, postal, and telecommunications links while Taiwan under President Lee rejected such direct ties, that now rejects President-elect Chen's offers to institute direct contacts.

There apparently is the perception even inside China that their policy needs to be changed. One official was quoted over the weekend as saying, "we are painting ourselves into a corner. We are tough when we should be soft and passive when we should be taking the initiative."

Yet, even as Taiwan has grown apart from China, it has also grown closer. It has invested \$24 billion in China and China now accounts for 23 percent of all Taiwanese exports. Taiwan's and China's economic progress have become mutually self-sustaining.

As a result, we should not be painting China into a corner now. As it attempts to come to terms with the new realities in Taiwan, we should be taking steps to welcome China into a greater, more responsible role in the international system. A critical step in that regard is granting China Permanent Normal Trade Relations (PNTR). This critical vote in the U.S. Congress promises to open up China's markets to greater competition and more goods from the West. PNTR does not mean that China will be a democracy, nor does it mean instant benefits for the American economy, but it is a step towards integrating China into the new world community.

Shortly after China joins the World Trade Organization, Taiwan will join. This is the third new reality with which American policymakers must contend. Taiwan has changed. It is not the single-party dictatorship which it was when the Taiwan Relations Act or the three communiques were promulgated. It is a vibrant democracy with a strong economy. It has long clamored to be allowed to play a more active role in the world community by providing assistance to international aid organizations or in UN Specialized Agencies. Can a new role be found for the Taiwan of today in tomorrow's world? Finding one may well be the key if China and Taiwan are to resolve their differences and achieve conciliation.

## VETERANS

Mr. BURNS. Mr. President, I rise today to add my name as a co-sponsor of Senate Bill 1810, "Veterans Claims and Appeals Procedures Clarification and Improvement Act."

Recent court decisions have made it more difficult for veterans to get their rightful assistance from the Veterans Administration, VA, and to develop their claims. This bill will clearly lay out the rules of how the VA will assist veterans with these claims. This bill will remove many of the barriers now standing in the way of veterans gathering information from many different sources to make their claim "well-grounded."

Right now, many veterans who have filed claims with the Department of Veterans Affairs must wait for months and, in some cases, even years for the claims to be decided. This creates a hardship on our veterans who have served our country with pride. In my state of Montana, I have seen veterans wait five to 10 years for their claim and the necessary appeals to make it through this bureaucratic system. Over the past few years, I have seen my veterans' casework increase due to veterans having problems in obtaining information that the VA previously provided.

My President, can you imagine a homeless veteran finding out that they must call this federal agency or write to this private hospital to obtain his or her own information for a claim? Often, many veterans just give up when they face these many bureaucratic obstacles. They fall through the cracks of a system that is fast becoming a legal nightmare and a system that was supposed to be there for them when they came home. Why? It is because the Department of Veterans Affairs has ceased being helpful to the veterans in the development of their claims.

We must honor our commitment to our veterans and ensure the VA is being as helpful as possible to all veterans. This bill will do just that. I urge my colleagues to support this bill and bring an end to the nightmare that America's veterans are having with the present system.

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, April 6, 2000, the Federal debt stood at \$5,762,301,865,002.06 (Five trillion, seven hundred sixty-two billion, three hundred one million, eight hundred sixty-five thousand, two dollars and six cents).

One year ago, April 6, 1999, the Federal debt stood at \$5,665,194,000,000 (Five trillion, six hundred sixty-five billion, one hundred ninety-four million).

Five years ago, April 6, 1995, the Federal debt stood at \$4,872,968,000,000 (Four trillion, eight hundred seventy-two billion, nine hundred sixty-eight million).

Ten years ago, April 6, 1990, the Federal debt stood at \$3,092,513,000,000 (Three trillion, ninety-two billion, five hundred thirteen million) which reflects a doubling of the debt—an increase of almost \$3 trillion—\$2,669,788,865,002.06 (Two trillion, six hundred sixty-nine billion, seven hundred eighty-eight million, eight hundred sixty-five thousand, two dollars and six cents) during the past 10 years.

## ADDITIONAL STATEMENTS

### TRIBUTE TO THE HONORABLE VINCENT A. BIFFERATO

• Mr. BIDEN. On March 31st, hundreds of people gathered in a lobby of the courthouse in Wilmington, Delaware. The focal point of the dignified but unassuming room is an information desk, with a big board behind it that's used to post the daily schedule for Delaware's Superior Court. It is, quite literally, where the Court meets the public, and it was the ideal—and perhaps the only—place for this particular occasion, a reception honoring Judge Vincent A. Bifferato as he retired following 32 years on Superior Court, a total of 36 years of public service.

"Biff," as Judge Bifferato is universally known outside of the courtroom, is not the type for a country-club send-off. Part of it is roots. His father, born in Italy and never having had an education himself, always said he knew his son would go to college, and got to see his son sworn in as a member of the Delaware Bar. Biff remembers his father on that day, sitting in the front row, crying; "To him," Biff says, "it was the American dream."

And Biff knew, as his life since he became a lawyer has proved, that there is a second chapter to any true American dream story. It's the chapter written after you get there, the story of what you do with power and status once you've got them. And the truth is, it's the part of the story that matters most.

What Biff has done in his position as a judge is to combine the forceful exercise of authority and the vigorous application of the law with an uncommon sense of compassion for and responsibility to the people he was there to serve. He had never forgotten what drew him to public service in the first place—the opportunity to help people who need government, people who need someone on their side in order to have a chance. And he has never let those of us around him forget it either, always reminding colleagues and students—and anyone else who might need to be reminded—of our particular obligation to the least powerful of our fellow citizens.

Biff's concern for how people treat each other is, in fact, the hallmark of his character. In his courtroom, small-town lawyers from one-person firms knew they stood on equal footing with heavy-hitters from the big city. Litigants and witnesses were treated with

fairness and respect. Decorum and civility were not ideals but practiced standards.

Biff initiated a monthly forum for lawyers because he saw that solo practitioners and young attorneys from small firms were not getting the mentoring they needed, and also, as he said, that "[t]here was a need for people to be nice to each other." That effort to promote professionalism and ethics—one lawyer described it as a "blue-collar Inn of Court"—is now called the Judge Bifferato Superior Court Trial Practice Forum. And for his leadership in that undertaking and in countless others, formal and informal, Biff received the inaugural Distinguished Mentoring Award from the Delaware State Bar Association.

As Resident Judge for New Castle County, Biff also made it his mission to ensure that the courthouse staff was appreciated as it should be. His emphasis was never on hierarchy but always on the common effort, never on the power or prestige of his office but on the contribution of each person who helped make the justice system work. It was the Court's staff Biff talked about most at his retirement reception, concluding simply, "I love them all."

"Love" is a word heard often in relation to Vincent A. Bifferato. It was striking how often it was used at his retirement. Alongside words more expected at such occasions, like respect and esteem, "love" for Judge Biff was expressed by almost every speaker, including the Governor, the Mayor and the President Judge of the Court. No amount of ability, no standard of professionalism earns that kind of affection; it is, rather, a response to this man's grace of spirit, to the warmth and sincerity he brings to relationships, to the openness of his heart.

That heart was on generous loan to the Superior Court and to the people of Delaware, but it belongs, first and always, to Biff's family—to his wife, Marie, to his children and grandchildren, to his sister and to his mother, who was there, sitting in the front row, 37 years after that first swearing-in ceremony. She had always been proud of him, she said, long before any of his public accomplishments and contributions, because he was always "a nice, young boy."

Biff remarked at his send-off that it was "a hell of a tribute for just doing your job." But it was, of course, much more a tribute to who he is, a "nice, young boy" who made the most of his opportunities and then sought relentlessly to open opportunity for others; a leader who not only recognizes but genuinely feels his common humanity with those in need of help; a man who fulfilled and enriched his father's dream—for his family and for all of us.

Biff will have a successor but never a replacement. As he begins to write the next chapter of his life, he has our immeasurable thanks and, indeed, our love.●

#### QUINCY MINE HOIST ASSOCIATION HONORS MR. BURTON H. BOYUM

● Mr. ABRAHAM. Mr. President, I rise today to recognize Mr. Burton H. Boyum, who on April 13, 2000, is being honored by the Board of Directors of the Quincy Mine Hoist Association. Mr. Boyum is being recognized for his many contributions to the history and preservation of the iron and copper mining heritage in Michigan's Upper Peninsula.

Mr. Boyum was born in Minnesota in 1919. In 1941, he came to the Upper Peninsula, and from that time until his retirement in 1984, he served Cleveland Cliffs International as a Mining Engineer. Mr. Boyum is considered the foremost expert on the geology, mineralogy, and mining heritage of the Upper Peninsula. He has published two books and two historical videos on the subject, and has also provided many fortunate citizens with free tours of the area.

In his time there, Mr. Boyum has been an active member of many groups that help to preserve not only the history, but also the pure natural beauty, of Michigan's Upper Peninsula. What is important to note, I believe, is not only Mr. Boyum's involvement in these organizations, but his leadership within them. In 1957, he served as Chairman of the U.P. Section of the American Institute of Mining Engineers, and worked to preserve the World's largest steam hoist. He is the only serving member of the Board of the Quincy Mine Hoist Association who took part in its foundation in 1961, and thus has played a pivotal role in making the Association the premier preserved mine site in the State of Michigan. He hosted the first Michigan State Historical Society Annual Meeting in Marquette. He organized the first Marquette County Historical Society county-wide conference. He led the charge in forming the Michigan Iron Industry Museum; the Marquette Range Iron Mining Heritage Theme Park; the National Ski Hall of Fame, located in Ishpeming, Michigan; and the Great Lakes Olympic Training Center, located in Marquette, Michigan. And in 1996, under President Boyum's leadership, the Quincy Mine Hoist Association built the first Cog Railroad in the Midwest.

In 1998, due to his incredible efforts for the organization, Mr. Boyum was named the Quincy Mine Hoist Association's first Chairman of the Board. He was also recognized in perpetuity by his peers, who created the Burton H. Boyum Award in his honor. On behalf of the entire Senate, I extend a much deserved thank you to Mr. Boyum for all of his incredible work.●

#### KELLOGG-HUBBARD LIBRARY

● Mr. LEAHY. Mr. President, Montpelier, Vermont is a very special city. It is our state's capital, but it is also one with a great sense of community. Much

of that community pride comes from the Kellogg-Hubbard Library.

The happiest memories of my childhood in Montpelier revolve around my family and the Children's Library in the Kellogg-Hubbard Library.

I ask that an article I wrote for our local newspaper, *The Times Argus*, about the Kellogg-Hubbard Library, its children's wing and its former librarian, Mrs. Holbrook, be printed in the RECORD.

[From the *Times Argus*, June 13, 1996]

#### MONTPELIER BOY REALIZES MISS HOLBROOK WAS RIGHT

(By Patrick Leahy)

The 100th anniversary of the Kellogg-Hubbard Library triggers memories for all of us who have lived in Montpelier. And they are great memories.

While I was growing up, Montpelier did not have television. We children did not have the advantage of cable TV with 10 channels giving us the opportunity to buy things we didn't need and would never use or another 10 offering blessings or redemptions for an adequate contribution.

Deprived as we were, we made do with the Lone Ranger and Inner Sanctum on the radio and Saturday's serials at the Strand Theater on Main Street. For a few minutes on Saturday afternoon, we could watch Hopalong Cassidy, Tarzan, Flash Gordon, Jungle Jim or Batman face death-defying predicaments that would guarantee you would be back the next Saturday, 14 cents in hand, to see how they survived (and I recall they always did).

Having exhausted radio, Saturday matinees, the latest comic books (I had a favorite) and childhood games and chores, we were left to our own imagination.

That was the best part.

We were a generation who let the genies of our imagination out of the bottle by reading. Then, as now, reading was one of my greatest pleasures.

My parents had owned the Waterbury Record Weekly newspaper and then started the Leahy Press in Montpelier, which they ran until selling it at their retirement. The Leahy family was at home with the printed word and I learned to read early in life.

At 5 years old I went down the stairs of the Kellogg-Hubbard Children's Library, and the years that followed provided some of the most important experiences of my life.

In the '40s and '50s, the Kellogg-Hubbard was blessed with a white-haired children's librarian named Miss Holbrook. Her vocation in life had to be to help children read and to make reading enjoyable. She succeeded more than even she might have dreamed.

She had the key to unlocking our imagination.

With my parents' encouragement, the Kellogg-Hubbard was a regular stop every afternoon as I left school. On any day I had two or three books checked out. My sister Mary, brother John and I read constantly.

In my years as U.S. senator, it seems I never traveled so far or experienced so much as I did as a child in Montpelier with daily visits to the library. With Miss Holbrook's encouragement I had read most of Dickens and Robert Louis Stevenson in the early part of grade school.

To this day, I remember sitting in our home at 136 State St. reading *Treasure Island* on a Saturday afternoon filled with summer storms. I knew I heard the tap, tap, tap of the blind man's stick coming down State Street and I remember the great relief of seeing my mother and father returning from visiting my grandparents in South Ryegate.

Miss Holbrook was right. A good and an active imagination creates its own reality.

In my profession, I read computer messages, briefing papers, constituent letters, legislation and briefings, the Congressional Record—and an occasional book for pleasure—in all, the equivalent of a full-length book each day.

Interesting as all this is, and owing much of my life to those earlier experiences at the library, the truest reading pleasure was then. I worry that so many children today miss what our libraries offer.

During the past few years I have had many of my photographs published. DC Comics and Warner Brothers have also asked me to write for Batman or do voice-overs on their TV series. In each case, I have asked them to send my payment to the Kellogg-Hubbard Library to buy books for the Children's Library.

It is my way of saying: "Thank you, Miss Holbrook."•

#### RECOGNITION OF YMCA HEALTHY KIDS DAY

• Mr. GRAMS. Mr. President, I rise today to recognize the YMCA organization and Ys across America as they celebrate Healthy Kids Day this April 8.

Every year on Healthy Kids Day, Ys focus their attention on children as they organize and provide an opportunity for the whole family to spend time together while improving their health. Last year, more than 1,200 YMCAs participated in Healthy Kids Day events. In Minnesota, some 100 Ys have developed their own activities for this year's Healthy Kids Day to serve their local needs. From cookouts to mentoring programs, this Saturday is for the children's benefit as well as their families.

Of course, the good work of the nation's YMCAs extends beyond Healthy Kids Day and into every day of the year. YMCAs promote healthy living habits and provide Americans of all ages with the tools to develop good character, empathizing respect and responsibility. Ys are for people of all faiths, races, abilities, and incomes. No one is turned away for inability to pay, as YMCA is the largest not-for-profit community service organization in America. The strength of America's YMCAs is in the people they bring together.

More than half of YMCA members are under the age of 18. Ys involve more than 8 million children in programs to help them build lasting habits of good health, including regular exercise, healthy eating and avoidance of substance abuse. YMCA volunteers and staff act as role models for these children to expose them to all facets of life. Local Ys allow kids to have a place to call their own, and the programs they take part in allow them to develop a community with their peers.

Instead of taking a cookie-cutter approach to community service, YMCAs adjust their programs to fit the needs of their local communities. Whether through day camps, the Black Achievers Program, swimming lessons, family literacy programs, job training, transitional housing, or any number of other

important efforts, the nation's YMCAs are reaching out to our communities and offering individualized service.

Not merely an American institution, YMCAs stretch around the globe, serving more than 30 million people in 120 countries and helping to foster strong kids, families and communities worldwide.

Mr. President, this April 8 will build on that impressive record of service. I commend those involved in this year's celebration of YMCA Healthy Kids Day for their tireless efforts and wish continued success to every YMCA for making a difference in not only a child's life, but the lives of people of all ages.●

#### TRIBUTE TO NATIVE HAWAIIAN MASTER ARTIST ROCKY KA'IOLIOKAHIHIKOLU'EHU JENSEN

• Mr. AKAKA. Mr. President, I rise to pay tribute to a Native Hawaiian Master Artist Rocky Ka'ioliokahihi-kolo'Ehu Jensen. Ka'ioliokahihi-kolo'Ehu, "The black-hawk-striving-towards-the-source-child-of-the-Ehu," is the descendant of High Chief Iwikauikau; Hawaiian warrior chiefs from the islands of Hawai'i (Keli'iwaiho'ikeone); Kaua'i (Kahihikolo); Moloka'i (Keka'alauniu); and O'ahu (Ka'io); and Kahuna (Shaman) from Ko'olaupoko, O'ahu (Mamaki) and Manoa, O'ahu (Papanu'umealani). Rocky is one of Hawai'i's brightest local talents who has dedicated his life to the perpetuation of Hawaiian culture through his powerful artistry. He is recognized by our State Foundation on Culture and the Arts as a master sculptor and is talented in other media as well.

Born in Honolulu on April 8, 1944, Rocky Jensen absorbed cultural traditions from his grandparents with whom he spent his summers. His artistic talents were recognized at an early age when he won his first art scholarship from the Honolulu Academy of Arts at the age of nine. He was educated in Hawai'i and the mainland where he graduated from junior college. This talented artist continued his post-secondary education in Hawai'i and was tutored by renown artists. He has in turn lectured, conducted seminars, advised and served as a consultant on Hawaiian issues, and written magazine and newspaper articles on Hawaiian history and art. He continues to do so.

Rocky Jensen has held numerous exhibitions in leading museums of the world, including several first such as the organizing Hale Naua III, the first native art society and the first contemporary native Hawaiian are exhibit at Honolulu Hale as well as the Bishop Museum. He has been recognized in American Artists of Renown: 1981-1982, Crafts of America (1987-1989), and the California Art Review: 1990.

Rocky Jensen's better known works include his 1970 illustration of "twenty men" for "Men of Ancient Hawai'i," in which he set a precedent for proper his-

torical attire and artifacts. To this day, this illustration stands as testimony to meticulous research and artistry. More recently, Rocky has been acclaimed for Na Lehua Helele'i, a memorial which honors pre-contact Hawaiian warriors. Lehua greets visitors at the entrance of the U.S. Army Museum of Hawaii at Fort DeRussy, the most visited Army Museum.

Na Lehua Helele'i, "the scattered lehua blossoms," an ancient Hawaiian phrase that equates the red petals with the blood of fallen warriors, is one of his major works and perhaps his most heroic, sculptured with great force and expression. Lehua, a memorial to pre-contact Hawaiian warriors, consists of five eight-foot-tall images of Ku, the god of war, carved out of native ohia logs and ensconced in a semi-circle fronting the museum. Each image is similar but depicts the different faces of Ku, his benign, healing qualities as well as warlike aspects. Na Lehua Helele'i was a twenty-year labor of love and commitment at great personal sacrifice. Since its unveiling a year ago, some have proclaimed it to be one of the best works in the state.

Mr. President, I salute the talent and generosity of Native Hawaiian Master Artist Rocky Ka'ioliokahihi-kolo'Ehu Jensen. To Lucia, wife and partner, mahalo from the bottom of my heart for sharing Rocky with us. And, taking advantage of a fortuitous and joyful coincidence, happy birthday, Rocky, and many, many more years of outstanding artistry. I also want to take this opportunity to wish you and Lucia every success as you launch Makaku or "inner Eye," your studio/school.●

#### THE 85TH ANNIVERSARY OF MONROE COUNTY AMERICAN RED CROSS

• Mr. ABRAHAM. Mr. President, I rise today to recognize the 85th Anniversary of the Monroe County Chapter of the American Red Cross. Since April 30, 1915, this chapter has faithfully served the citizens of Monroe County, Michigan, providing aid and comfort in times when it is needed most.

The Monroe County Chapter was founded by several prominent citizens of the community, many of whom were members of the National American Red Cross. During that first year, the founders conducted a membership drive, recruited an anti-tuberculosis visiting nurse, provided funds to aid the starving in Mexico and began a Red Cross Christmas Stamp campaign. These activities were just the beginning of an 85-year tradition of services that have carried the generosity of Monroe County's residents to people in need in all parts of the world.

In addition to its emergency disaster relief efforts to residents countywide, the Monroe County Chapter has demonstrated remarkable adaptability, enabling it to continue to meet both changing local and global needs. Since the inception of the chapter's annual

blood drive, Monroe County donors have generously given over 4,000 units of blood each year. The chapter offers courses in cardiopulmonary resuscitation, first aid, water safety, baby-sitting and HIV/AIDS education, and remains the primary link between U.S. armed forces personnel and their families in Monroe County.

Mr. President, as I was preparing this statement I was reminded once again of the essential role the American Red Cross plays in our communities. Born from the mythic efforts of Clara Barton during the Civil War, the organization currently has more than 1.3 million volunteers working under its banner, providing disaster relief services for victims of more than 66,000 disasters per year. More importantly, the American Red Cross still holds firm to the principles it was founded upon. The mission remains to prevent and alleviate human suffering wherever it may be found. That is why, when things are at their worst, it continues to be the American Red Cross and its volunteers that are there to make them better.

Mr. President, I applaud the Monroe County Chapter of the American Red Cross on eighty-five years of successful service to the Monroe Community, and I extend a much deserved thank you to the many staff and volunteers whose efforts throughout the years have made this event possible. On behalf of the entire Senate, I wish them continued success in the future.●

#### MICHAEL DOBMEIER

● Mr. CONRAD. Mr. President, I rise to pay tribute to Michael Dobmeier and to recognize him as a member of a distinguished group of North Dakotans who have demonstrated extraordinary leadership in their military careers and civilian life.

Michael was recently elected National Commander of the million-member Disabled American Veterans, a group with a historic tradition of advocating responsible legislation to assist disabled veterans, their families and survivors. Speaking of the DAV recently Michael said, "I soon discovered the critical role the DAV serves in the lives of disabled veterans and their families in my community and communities nationwide." I wholeheartedly agree with this statement and attest to the fact that Michael has exemplified through his many significant achievements the great importance of the Disabled American Veterans.

Michael Dobmeier is a native of Grand Forks, North Dakota. After graduating from high-school, he enlisted in the navy in 1969. Following boot camp in San Diego, he trained as an engine man in Great Lakes, Illinois, attended Submarine School in New London, Connecticut, and, later Diver's School in San Diego.

While serving off the coast of Washington in April 1972 aboard the U.S.S. *Trigger*, Michael was severely burned when an engine crankcase oil heater

exploded. It sprayed him with flaming oil and caused him 2nd and 3rd degree burns over more than 30% of his body.

Following this accident, Michael received a military discharge and joined the Grand Forks' Disabled American Veterans Chapter 2. Since then, he has held almost every local, state, and national leadership position in the organization and has held all chapter and department leadership positions. At the 1994 DAV National Convention, Michael was chosen to serve on the National Executive and Finance Committee, was elected 4th and 3rd Junior Vice Commander consecutively at the 1995 and 1996 DAV National Conventions, and at the 1997 National Convention was elected 1st Junior Vice Commander. In 1998, Michael was elected Senior Vice Commander at the National Convention in Las Vegas, Nevada. He was also the president of the North Dakota Veterans Home Foundation and was chosen the 1985 DAV Outstanding Member of the Department of North Dakota.

Michael Dobmeier resides in Grand Forks with his wife Sandra Jo and their two children. As owner and President of Dobmeier, Inc., an independent insurance company, Michael has also found success in the business world.

I am proud to honor Michael Dobmeier as a person who has served his country with distinction and accepted the challenges and risks associated with this service. As Michael recently stated, "taking risks means moving forward while others are waiting for better times, while others are waiting for proven results, and while others are waiting for applause for their past performance. The greatest risk of all, however, is to take no risks . . . make no changes." We thank Mr. Dobmeier today for taking those risks. The world is truly a better place because of him.●

#### INTERNATIONAL ASTRONOMY DAY

● Mr. GRAMS. Mr. President, I rise today in recognition of International Astronomy Day. This event seeks "to promote the forerunner of all scientific endeavors and to provide information, resources, and encouragement in all facets of astronomy."

Astronomy has played a central role in human history and development. It was somewhere around 4000 B.C. when the first astronomical observations were recorded, and what has followed has been nothing short of amazing. In 240 B.C., Eratosthenes of Cyrene used the stars to calculate the circumference of the earth. Astronomy as we know it today certainly owes Galileo a debt of gratitude for being the first to use a telescope to view the stars, bringing an end to naked-eye astronomy and advancing the science of optics. More recent astronomers include Edwin P. Hubble and Jocelyn Bell. The collective work of the world's astronomers has brought the heavens closer, while offering us great insights into our own life on Earth.

To continue these advances of science, it is vital that we encourage our nation's youth to pursue careers in the fields of astronomy, astrophysics, and mathematics. I look upon the success of the NASA space camps and how they have encouraged our youth to pursue careers in the sciences. Since 1989, NASA has administered the "Space Grant" program to enhance aerospace research and education in the United States. This program is an effective partnership among universities, the aerospace industry, and federal, state, and local government that assists in the recruitment and training of professionals in aerospace science, engineering, and technology.

In my home state, the Minnesota Space Grant Consortium is comprised of 13 academic institutions along with the Minnesota Department of Transportation, Honeywell, Boeing, and three community-based entities: The Bakken, Science Museum of Minnesota, and SciMathMN. The 13 academic institutions are: Augsburg College, Bemidji State University, Bethel College, Carleton College, College of St. Catherine, Fond du Lac Community College, Leech Lake Tribal College, Macalester College, Normandale Community College, Southwest State University, University of Minnesota-Duluth, University of Minnesota-Twin Cities, and the University of St. Thomas.

For the last several years, this consortium of local talents has worked effectively to promote aerospace science through fellowships and scholarships, the development of new courses in Physics and Geology, the establishment of a new Space Studies minor among the members, and public lectures relating to space science and engineering.

The scientists, engineers, administrators, and astronauts of NASA have guided this nation to the forefront of aeronautical expertise. I am proud that Minnesotans have been central to NASA's achievements throughout its history. My state has a well-deserved reputation as a high-technology giant, making our job creators a perfect match with NASA, and the space agency has come to depend upon Minnesota ingenuity and expertise. Dozens of Minnesota firms currently work under NASA's space shuttle program; I was honored to witness their accomplishments first-hand in 1997 when I toured NASA's Florida facilities and viewed the launch of the space shuttle Columbia.

None of these achievements would have been possible without modern astronomy, and our astronomers will no doubt be at the center of space research for years to come. In Minnesota, we are fortunate to have many groups that are determined to keep the interest in astronomy high for all generations. I would like to draw your attention to the Minnesota Astronomical Society, whose members are active in the growing movement to generate interest in astronomy. I commend them

for their enthusiasm and their success in turning our attention to the skies.

Mr. President, I would be remiss if I neglected to note the great work being done at the University of Minnesota Department of Astronomy. Department Head Leonard Kuhi directs a staff of more than 30 scientists and professors busy working on a wide variety of research projects that are at the cutting edge of astronomic research. These include projects in space physics, cosmology, computational astrophysics, and others.

We in Minnesota also have the distinct pleasure and privilege of being home to the great Minneapolis Planetarium, a top-rate facility that provides an avenue of discovery for everyone who comes to visit. The Minneapolis Planetarium offers visitors a wide variety of programs for all to enjoy.

I again recognize International Astronomy Day and commend all those in my state—the backyard astronomy clubs that offer many their first glimpse into the cosmos; the planetariums, observatories, and museums that bring the richness of space down to Earth for all; and the Minnesota organizations and companies that are putting our fascination with space to practical use—who are helping to keep the interest in astronomy running high.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by 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.)

#### MESSAGE FROM THE HOUSE

At 10:18 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1776. An act to expand homeownership in the United States.

##### MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1776. An act to expand homeownership in the United States; to the Committee on Banking, Housing, and Urban Affairs.

#### 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-8401. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 105-34, Section 1417, Related to the Use of Additional Ameliorating Material in Certain Wines" (RIN1512-AB78), received April 3, 2000; to the Committee on Finance.

EC-8402. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 105-33, Section 9302, Relating to Tobacco Importation Restrictions, Markings, Minimum Manufacturing Requirements, and Penalty Provisions" (RIN1512-AB99), received April 3, 2000; to the Committee on Finance.

EC-8403. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 105-33, Section 9302, Relating to the Imposition of Permit Requirements on the Manufacture of Roll-Your-Own Tobacco" (RIN1512-AB92), received April 3, 2000; to the Committee on Finance.

EC-8404. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments" (RIN1512-AC07), received April 3, 2000; to the Committee on Finance.

EC-8405. A communication from the Chairperson, National Commission on Libraries and Information Science transmitting, pursuant to law, a report entitled "Preliminary Assessment of the Proposed Closure of the National Technical Information Service (NTIS)"; to the Committee on Commerce, Science, and Transportation.

#### REPORT OF COMMITTEE

The following reports of committee was submitted:

By Mr. HELMS, from the Committee on Foreign Relations, without amendment.

S. 2382. An original bill to authorize appropriations for technical assistance for fiscal year 2001, to promote trade anti-corruption measures, and for other purposes (Rept. No. 106-257).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. McCAIN:

S. 2381. A bill to amend title XI of the Social Security Act to include additional information in social security account statements; to the Committee on Finance.

By Mr. HELMS:

S. 2382. An original bill to authorize appropriations for technical assistance for fiscal year 2001, to promote trade anti-corruption measures, and for other purposes; placed on the calendar.

#### 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 (for himself and Mr. DASCHLE):

S. Res. 283. A resolution to direct the Senate Legal Counsel to intervene in the name of the Senate Committee on Appropriations and the Senate Committee on the Judiciary in *United States of America v. Northwest Airlines Corporation, et al.*; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 284. A resolution to authorize testimony, document production, and legal representation in *United States of America v. George Patrick Calhoun*; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 662

At the request of Mr. L. CHAFEE, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 1017

At the request of Mr. MACK, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1036

At the request of Mr. KOHL, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1036, a bill to amend parts A and D of title IV of the Social Security Act to give States the option to pass through directly to a family receiving assistance under the temporary assistance to needy families program all child support collected by the State and the option to disregard any child support that the family receives in determining a family's eligibility for, or amount of, assistance under that program.

S. 1364

At the request of Mr. BAYH, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1364, a bill to amend title IV of the Social Security Act to increase public awareness regarding the benefits of lasting and stable marriages and community involvement in the promotion of marriage and fatherhood issues, to provide greater flexibility in the Welfare-to-Work grant program for long-term welfare recipients and low income custodial and noncustodial parents, and for other purposes.



S. 1452

At the request of Mr. SHELBY, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1452, a bill to modernize the requirements under the National Manufactured Housing Construction and Safety Standards of 1974 and to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes.

S. 1755

At the request of Mr. BROWNBACK, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1755, a bill to amend the Communications Act of 1934 to regulate interstate commerce in the use of mobile telephones.

S. 1762

At the request of Mr. COVERDELL, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1762, a bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resources projects previously funded by the Secretary under such Act or related laws.

S. 1810

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1810, a bill to amend title 38, United States Code, to clarify and improve veterans' claims and appellate procedures.

S. 2060

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2060, a bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes.

S. 2068

At the request of Mr. GREGG, the names of the Senator from Nevada (Mr. BRYAN) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2070

At the request of Mr. FITZGERALD, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2070, a bill to improve safety standards for child restraints in motor vehicles.

S. 2092

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 2092, a bill to amend title 18, United States Code, to modify authorities re-

lating to the use of pen registers and trap and trace devices, to modify provisions relating to fraud and related activities in connection with computers, and for other purposes.

S. 2246

At the request of Mr. BOND, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2246, a bill to amend the Internal Revenue Code of 1986 to clarify that certain small businesses are permitted to use the cash method of accounting even if they use merchandise or inventory.

S. 2277

At the request of Mr. ROTH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2277, a bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

S. 2299

At the request of Mr. L. CHAFEE, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 2299, a bill to amend title XIX of the Social Security Act to continue State Medicaid disproportionate share hospital (DSH) allotments for fiscal year 2001 at the levels for fiscal year 2000.

S. 2323

At the request of Mr. MCCONNELL, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 2323, a bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

S. 2336

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2336, a bill to authorize funding for networking and information technology research and development at the Department of Energy for fiscal years 2001 through 2005, and for other purposes.

S. 2353

At the request of Mr. AKAKA, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2353, a bill to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III.

S. 2367

At the request of Mr. ABRAHAM, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 2367, a bill to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under the Act.

S. CON. RES. 84

At the request of Mr. WARNER, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding the naming of aircraft carrier CVN-77, the last vessel of the historic "Nimitz" class of aircraft carriers, as the U.S.S. *Lexington*.

S. CON. RES. 98

At the request of Mr. DEWINE, the names of the Senator from Colorado (Mr. CAMPBELL), the Senator from Illinois (Mr. DURBIN), the Senator from Colorado (Mr. ALLARD), the Senator from Maine (Ms. COLLINS), the Senator from Michigan (Mr. ABRAHAM), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Louisiana (Mr. BREAUX), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Oregon (Mr. WYDEN), the Senator from Kansas (Mr. ROBERTS), the Senator from Maine (Ms. SNOWE), the Senator from Arizona (Mr. MCCAIN), the Senator from Oregon (Mr. SMITH), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Tennessee (Mr. THOMPSON), the Senator from California (Mrs. FEINSTEIN), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Con. Res. 98, a concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

AMENDMENT NO. 2933

At the request of Mr. DOMENICI, his name was added as a cosponsor of Amendment No. 2933 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

AMENDMENT NO. 2939

At the request of Mr. FEINGOLD, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. DODD, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. REED, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. JOHNSON, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent

resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. WELLSTONE, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. HARKIN, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. SCHUMER, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. KENNEDY, the names of the Senator from Maryland (Mr. SARBANES), the Senator from Vermont (Mr. JEFFORDS), the Senator from Maine (Ms. COLLINS) and the Senator from Rhode Island (Mr. L. CHAFEE), were added as cosponsors of amendment No. 2939 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2941

At the request of Mr. KOHL, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of amendment No. 2941 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2954

At the request of Mr. KERRY, his name was added as a cosponsor of

amendment No. 2954 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. ROBB, his name was added as a cosponsor of amendment No. 2954 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2956

At the request of Mr. REID, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 2956 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2961

At the request of Mr. FITZGERALD, the names of the Senator from Wyoming (Mr. THOMAS), the Senator from Nebraska (Mr. HAGEL), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Texas (Mrs. HUTCHISON), the Senator from North Carolina (Mr. HELMS), the Senator from Kansas (Mr. BROWNBACK), the Senator from Alabama (Mr. SESSIONS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Colorado (Mr. ALLARD) and the Senator from Mississippi (Mr. LOTT) were added as cosponsors of amendment No. 2961 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2962

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 2962 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2965

At the request of Mr. ROBB, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2965 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2966

At the request of Mr. GRAHAM, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of amendment No. 2966 proposed to S. Con. Res. 101, an original

concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 2966 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2971

At the request of Mr. DORGAN, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of amendment No. 2971 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2974

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2974 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2975

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2975 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2976

At the request of Mr. BAYH, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of amendment No. 2976 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

#### AMENDMENT NO. 2983

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 2983 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 2983 intended to be proposed to S. Con. Res. 101, an

original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 2984

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of amendment No. 2984 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. JEFFORDS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of amendment No. 2984 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 2990

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 2990 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3000

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 3000 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3003

At the request of Mr. STEVENS, the names of the Senator from Alaska (Mr. MURKOWSKI), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 3003 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. ROBB, his name was added as a cosponsor of amendment No. 3003 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3014

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 3014 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3016

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 3016 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3018

At the request of Mr. BOND, the names of the Senator from South Carolina (Mr. THURMOND) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 3018 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3022

At the request of Mr. HATCH, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of amendment No. 3022 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3023

At the request of Mr. HATCH, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Michigan (Mr. ABRAHAM), the Senator from California (Mrs. FEINSTEIN) and the Senator from Arizona (Mr. KYL) were added as cosponsors of amendment No. 3023 intended to be proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3037

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 3037 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3058

At the request of Mr. SANTORUM, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of amendment No. 3058 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. ROBB, his name was added as a cosponsor of amendment No. 3058 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget

for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

## AMENDMENT NO. 3073

At the request of Mr. JEFFORDS, his name was added as a cosponsor of amendment No. 3073 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

**SENATE RESOLUTION 283—TO DIRECT THE SENATE LEGAL COUNSEL TO INTERVENE IN THE NAME OF THE SENATE COMMITTEE ON APPROPRIATIONS AND THE SENATE COMMITTEE ON THE JUDICIARY IN UNITED STATES OF AMERICA V. NORTHWEST AIRLINES CORPORATION, ET AL.**

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

## S. RES. 283

Whereas, in the case of *United States v. Northwest Airlines Corporation, et al.*, Misc. No. 99-424, pending in the United States District Court for the District of Columbia, defendant Northwest Airlines, by seeking to compel the production of documents of the United States General Accounting Office, has placed in issue the privileges of the United States Senate under the Speech or Debate Clause, Art. I, sec. 6, cl. 1, of the United States Constitution;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288f(a), the Senate may direct its counsel to intervene in the name of a committee of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it.

*Resolved*, That the Senate Legal Counsel is directed to intervene in the name of the Senate Committee on Appropriations and the Senate Committee on the Judiciary in the case of *United States v. Northwest Airlines Corporation, et al.*, to protect the Senate's privileges under the Speech or Debate Clause of the Constitution.

**SENATE RESOLUTION 284—TO AUTHORIZE TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION IN UNITED STATES OF AMERICA V. GEORGE PATRICK CALHOON**

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

## S. RES. 284

Whereas, in the case of *United States of America v. George Patrick Calhoon*, Cr. Ho. H-99-111, pending in the United States District Court for the Southern District of Texas, testimony has been requested from Court Koenning and Patrick McCartney, employees in the office of Senator Phil Gramm;

Whereas, pursuant to sections 703(a) and 704(a)(2), of the Ethics in Government Act of

1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Court Koenning, Patrick McCartney, and any other employee of Senator Gramm's office from whom testimony may be required, are authorized to testify and produce documents in the case of *United States of America v. George Patrick Calhoun*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Court Koenning, Patrick McCartney, and any other employee of Senator Gramm's office in connection with the testimony and document production authorized in section one of this resolution.

#### AMENDMENTS SUBMITTED

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2001

#### CRAIG (AND OTHERS) AMENDMENT NO. 3074

Mr. CRAIG (for himself, Mr. MURKOWSKI, Mr. HUTCHINSON, Mr. DEWINE, and Mr. ABRAHAM) proposed an amendment to amendment No. 2934 proposed by Mr. JOHNSON to the concurrent resolution (S. Con. Res. 101) setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000; as follows:

On page 4, line 4, increase the amount by \$1.  
On page 4, line 5, increase the amount by \$1.  
On page 4, line 6, increase the amount by \$1.  
On page 4, line 7, increase the amount by \$1.  
On page 4, line 8, increase the amount by \$1.  
On page 4, line 13, increase the amount by \$1.  
On page 4, line 14, increase the amount by \$1.  
On page 4, line 15, increase the amount by \$1.  
On page 4, line 16, increase the amount by \$1.  
On page 4, line 17, increase the amount by \$1.  
On page 4, line 22, increase the amount by \$1.  
On page 4, line 23, increase the amount by \$1.  
On page 4, line 24, increase the amount by \$1.  
On page 4, line 25, increase the amount by \$1.  
On page 5, line 1, increase the amount by \$1.

On page 5, line 7, increase the amount by \$1.  
On page 5, line 8, increase the amount by \$1.  
On page 5, line 9, increase the amount by \$1.  
On page 5, line 10, increase the amount by \$1.  
On page 5, line 11, increase the amount by \$1.  
On page 23, line 7, increase the amount by \$500,000,000.  
On page 23, line 8, increase the amount by \$430,000,000.  
On page 23, line 11, increase the amount by \$500,000,000.  
On page 23, line 12, increase the amount by \$485,000,000.  
On page 23, line 15, increase the amount by \$500,000,000.  
On page 23, line 16, increase the amount by \$497,000,000.  
On page 23, line 19, increase the amount by \$500,000,000.  
On page 23, line 20, increase the amount by \$498,000,000.  
On page 23, line 23, increase the amount by \$500,000,000.  
On page 23, line 24, increase the amount by \$498,000,000.  
On page 29, line 3, decrease the amount by \$0.  
On page 29, line 4, decrease the amount by \$0.

At the end add the following:  
Notwithstanding any other provision of this resolution the appropriate levels for function 920 are as follows:

For fiscal year 2001:  
(A) New budget authority, —\$60,431,000,000.  
(B) Outlays, —\$48,461,000,000.  
For fiscal year 2002:  
(A) New budget authority, —\$60,229,000,000.  
(B) Outlays, —\$71,796,000,000.  
For fiscal year 2003:  
(A) New budget authority, —\$500,000,000.  
(B) Outlays, —\$5,287,000,000.  
For fiscal year 2004:  
(A) New budget authority, —\$500,000,000.  
(B) Outlays, —\$7,268,000,000.  
For fiscal year 2005:  
(A) New budget authority, —\$500,000,000.  
(B) Outlays, —\$6,570,000,000.

#### SEC. . SENSE OF SENATE REGARDING MEDICAL CARE FOR VETERANS.

It is the sense of the Senate that—  
(1) the provisions of this resolution assume that if the Congressional Budget Office determines there is an on-budget surplus for fiscal year 2001, \$500,000,000 of that surplus will be restored to the programs cut by this amendment; and  
(2) the assumptions underlying this resolution assume that none of the offsets made by this amendment will come from defense or veterans and should, to the extent possible, come from administrative functions.

#### VOINOVICH (AND GREGG) AMENDMENT NO. 3075

Mr. VOINOVICH (for himself and Mr. GREGG) proposed an amendment to amendment No. 2984 proposed by Mr. JEFFORDS to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of the amendment add the following:  
Notwithstanding any other provisions of this resolution, the following numbers shall apply:  
On page 4, line 4, decrease the amount by \$1.  
On page 4, line 5, decrease the amount by \$1.  
On page 4, line 6, decrease the amount by \$1.

On page 4, line 7, decrease the amount by \$1.  
On page 4, line 8, decrease the amount by \$1.  
On page 4, line 13, increase the amount by \$1.  
On page 4, line 14, increase the amount by \$1.  
On page 4, line 15, increase the amount by \$1.  
On page 4, line 16, increase the amount by \$1.  
On page 4, line 17, increase the amount by \$1.  
On page 4, line 22, increase the amount by \$1.  
On page 4, line 23, increase the amount by \$1.  
On page 4, line 24, increase the amount by \$1.  
On page 4, line 25, increase the amount by \$1.  
On page 5, line 1, increase the amount by \$1.  
On page 5, line 7, increase the amount by \$1.  
On page 5, line 8, increase the amount by \$1.  
On page 5, line 9, increase the amount by \$1.  
On page 5, line 10, increase the amount by \$1.  
On page 5, line 11, increase the amount by \$1.  
On page 18, line 7, increase the amount by \$1.  
On page 18, line 8, increase the amount by \$1.  
On page 18, line 11, increase the amount by \$1.  
On page 18, line 12, increase the amount by \$1.  
On page 18, line 15, increase the amount by \$1.  
On page 18, line 16, increase the amount by \$1.  
On page 18, line 19, increase the amount by \$1.  
On page 18, line 20, increase the amount by \$1.  
On page 18, line 23, increase the amount by \$1.  
On page 18, line 24, increase the amount by \$1.  
On page 29, line 3, decrease the amount by \$1.  
On page 29, line 4, decrease the amount by \$1.

At the end, add the following:  
(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that Congress' first priority should be to fully fund the programs described under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) at the originally promised level of 40% before Federal funds are appropriated for new education programs.

#### DOMENICI AMENDMENT NO. 3076

Mr. DOMENICI proposed an amendment to amendment No. 2994 proposed by Mr. SPECTER to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 22, increase the amount by \$1,600,000,000.  
On page 5, line 7, increase the amount by \$1,600,000,000.  
On page 5, line 15, increase the amount by \$1.  
On page 19, line 7, increase the amount by \$1,600,000,000.  
On page 19, line 8, increase the amount by \$1,600,000,000.  
On page 27, line 7, decrease the amount by \$1,600,000,000.

On page 27, line 8, decrease the amount by \$1,600,000,000.

On page 42, line 5, increase the amount by \$1.

On page 42, line 6, increase the amount by \$1.

On page 43, line 14, increase the amount by \$1.

On page 43, line 15, increase the amount by \$1.

#### CRAIG AMENDMENT NO. 3077

Mr. CRAIG proposed an amendment to amendment No. 2954 proposed by Mr. DURBIN to the concurrent resolution, S. Con. Res. 101, *supra*; as follows:

At the end of the amendment, add the following:

On page 4, line 4, increase the amount by \$1.

On page 4, line 5, increase the amount by \$1.

On page 4, line 6, increase the amount by \$1.

On page 4, line 7, increase the amount by \$1.

On page 4, line 13, increase the amount by \$1.

On page 4, line 14, increase the amount by \$1.

On page 4, line 15, increase the amount by \$1.

On page 4, line 16, increase the amount by \$1.

On page 29, line 4, decrease the amount by \$1.

On page 29, line 4, decrease the amount by \$1.

At the end, add the following:

Notwithstanding any other provision of this resolution, the appropriate levels for function 920 are as follows:

Fiscal year 2001:

(A) New budget authority, \$60,214,890,000.

(B) Outlays, —\$48,152,341,000.

Fiscal year 2002:

(A) New budget authority, —\$59,729,000,000.

(B) Outlays, \$71,395,399,000.

Fiscal year 2003:

(A) New budget authority, \$0.

(B) Outlays, —\$858,925,000.

Fiscal year 2004:

(A) New budget authority, \$0.

(B) Outlays, —\$6,779,225,000.

Fiscal year 2005:

(A) New budget authority, \$0.

(B) Outlays, —\$6,072,000,000.

#### SEC. . SENSE OF THE SENATE REGARDING ENFORCEMENT OF FEDERAL FIREARMS LAWS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Clinton Administration has failed to adequately enforce Federal firearms laws. Between 1992 and 1998, Triggerlock gun prosecutions—prosecutions of defendants who use a firearm in the commission of a felony—dropped nearly 50 percent, from 7,045 to approximately 3,800.

(2) The decline in Federal firearms prosecutions was not due to a lack of adequate resources. During the period when Federal firearms prosecutions decreased nearly 50 percent, the overall budget of the Department of Justice increased 54 percent.

(3) It is a Federal crime to possess a firearm on school grounds under section 922(q) of title 18, United States Code. The Clinton Department of Justice prosecuted only 8 cases under this provision of law during 1998, even though more than 6,000 students brought firearms to school that year. The Clinton Administration prosecuted only 5 such cases during 1997.

(4) It is a Federal crime to transfer a firearm to a juvenile under section 922(x) of title

18, United States Code. The Clinton Department of Justice prosecuted only 6 cases under this provision of law during 1998 and only 5 during 1997.

(5) It is a Federal crime to transfer or possess a semiautomatic assault weapon under section 922(v) of title 18, United States Code. The Clinton Department of Justice prosecuted only 4 cases under this provision of law during 1998 and only 4 during 1997.

(6) It is a Federal crime for any person “who has been adjudicated as a mental defective or who has been committed to a mental institution” to possess or purchase a firearm under section 922(g) of title 18, United States Code. Despite this Federal law, mental health adjudications are not placed on the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

(7) It is a Federal crime for any person knowingly to make any false statement in the attempted purchase of a firearm under section 922(a)(6) of title 18, United States Code. It is also a Federal crime for convicted felons to possess or purchase a firearm under section 922(g) of title 18, United States Code.

(8) More than 500,000 convicted felons and other prohibited purchasers have been prevented from buying firearms from licensed dealers since the Brady Handgun Violence Prevention Act was enacted. When these felons attempted to purchase a firearm, they violated section 922(a)(6) of title 18, United States Code, by making a false statement under oath that they were not disqualified from purchasing a firearm. Nonetheless, of the more than 500,000 violations, only approximately 200 of the felons have been referred to the Department of Justice for prosecution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this concurrent resolution on the budget assume that Federal funds will be used for an effective law enforcement strategy requiring a commitment to enforcing existing Federal firearms laws by—

(1) designating not less than 1 Assistant United States Attorney in each district to prosecute Federal firearms violations and thereby expand Project Exile nationally;

(2) upgrading the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) by encouraging States to place mental health adjudications on that system and by improving the overall speed and efficiency of that system; and

(3) providing incentive grants to States to encourage States to impose mandatory minimum sentences for firearm offenses based on section 924(c) of title 18, United States Code, and to prosecute those offenses in State court.

#### NICKLES AMENDMENT NO. 3078

Mr. NICKLES proposed an amendment to amendment No. 295, proposed by Mr. KENNEDY to the concurrent resolution, S. Con. Res. 101, *supra*; as follows:

In the amendment strike all after the first word and insert the following:

#### SENSE OF THE SENATE.

(B) It is the sense of the Senate that the functional totals underlying this resolution on the budget assume that the minimum wage should be increased as provided for in amendment #2547, the Domenici and others amendment to S. 625, the Bankruptcy Reform legislation.

#### KENNEDY AMENDMENT NO. 3079

Mr. REID (for Mr. KENNEDY) proposed an amendment to amendment No. 2951 proposed by Mr. KENNEDY to the concurrent resolution, S. Con. Res. 101, *supra*; as follows:

At the end of the amendment add the following:

#### SEC. . SENSE OF THE SENATE CONCERNING THE MINIMUM WAGE.

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation to amend the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to increase the Federal minimum wage by \$1.00 over 1 year with a \$0.50 increase effective May 2, 2000 and another \$0.50 increase effective on May 2, 2001.

#### JOINT RESOLUTION ENCOURAGING FREE AND FAIR ELECTIONS AND RESPECT FOR DEMOCRACY IN PERU

#### COVERDELL AMENDMENTS NOS. 3080–3081

Mr. MURKOWSKI (for Mr. COVERDELL) proposed two amendments to the joint resolution (S. J. Res. 43) expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru; as follows:

##### AMENDMENT No. 3080

On page 2, beginning on line 7, strike the word “modify” and all through the word “Peru” on line 9, and insert the following: “review and modify as appropriate its political, economic, and military relations with Peru”.

##### AMENDMENT No. 3081

In the preamble, in the second whereas clause, insert “, including the Organization of American States, the National Democratic Institute, and the Carter Center,” after “Whereas independent election monitors”.

#### MUHAMMAD ALI BOXING REFORM ACT

#### REID (AND OTHERS) AMENDMENT NO. 3082

Mr. MURKOWSKI (for Mr. REID (for himself, Mr. BRYAN, and Mr. MCCAIN)) proposed an amendment to the bill (H.R. 1832) to reform unfair and anti-competitive practices in the professional boxing industry; as follows:

On page 6, between lines 17 and 18, insert the following:

“(C) PROTECTION FROM COERCIVE CONTRACTS WITH BROADCASTERS.—Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) to “promoter” shall be considered a reference to “commercial broadcaster”.

On page 17, after line 24, insert the following:

(1) in paragraph (9) by inserting after “match.” the following: “The term ‘promoter’ does not include a hotel, casino, resort, or other commercial establishment

hosting or sponsoring a professional boxing match unless—

“(A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and

“(B) there is no other person primarily responsible for organizing, promoting, and producing the match.”;

On page 18, line 1, strike “(1)” and insert “(2)”.

On page 18, line 4, strike “(2)” and insert “(3)”.

## NOTICE OF HEARING

### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. 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 Water and Power.

The hearing will take place on Tuesday, April 18, 2000 at 10:00 a.m. in the Bonneville Auditorium at the Bonneville Lock and Dam in Cascade Locks, Oregon.

The purpose of this hearing is to review how pending Federal decisions could affect the operations of the Federal Columbia River hydropower system.

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 Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate 364 Dirksen Senate Office Building, Washington, D.C. 20510-6150.

For further information, please call Trici Heninger or Howard Useem, at (202) 224-7875.

## DEMOCRACY IN PERU

Mr. MURKOWSKI. Mr. President, I now ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 478, S.J. Res. 43.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 43) expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

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

Mr. MURKOWSKI. I ask consent that an amendment to the resolution, which is at the desk, be agreed to.

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

The amendment (No. 3080) was agreed to, as follows:

On page 2, beginning on line 7, strike the word “modify” and all through the word “Peru” on line 9, and insert the following: “review and modify as appropriate its political, economic, and military relations with Peru”.

Mr. LEAHY. Mr. President, I want to especially thank Senator COVERDELL, the resolution’s chief sponsor, and Senator HELMS, Senator DEWINE, Senator CHAFEE, and Senator MCCONNELL for their leadership and support.

This is an extremely timely resolution which should send a clear message to the Peruvian Government and the Peruvian people that the United States cares deeply about the future of democracy in that country. It is my fervent hope that next week’s presidential election in Peru is free and fair, but all indications from independent monitoring groups are that President Fujimori and his supporters have used every possible means to manipulate the electoral process. If the election is not deemed to be free and fair by independent observers, this resolution calls on the administration to review U.S. policy toward Peru and modify our political, economic and military relations accordingly.

We have changed slightly the resolved clause in the resolution from the language that was originally introduced on March 28. Originally, the resolution stated that the U.S. should modify its relations with Peru, “including its support for international financial institution loans to Peru,” if the election is deemed to have been unfair. That language has been replaced with language calling on the U.S. to modify our “political, economic and military relations” with Peru.

However, I want to emphasize that the phrase “economic relations” includes loans from the international financial institutions. I want to be sure that there is no misunderstanding or suggestion that by changing this language we have precluded the administration from modifying U.S. support for international loans, if the election is deemed to have been unfair and such action would be appropriate.

I agreed to this change, both to include the phrase “military relations” since our military relations should also be reexamined and modified if appropriate, but also with the understanding that the phrase “economic relations” includes the entire spectrum of economic assistance, both from the United States directly and through the international financial institutions.

Mr. MURKOWSKI. I further ask unanimous consent an amendment to the preamble, which is at the desk, be agreed to, and the preamble, as amended, be agreed to, the joint resolution be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed in the RECORD.

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

The amendment (No. 3081) was agreed to, as follows:

In the preamble, in the second whereas clause, insert “, including the Organization of American States, the National Democratic Institute, and the Carter Center,” after “Whereas independent election monitors”.

The joint resolution (S.J. Res. 43), as amended, was read the third time and passed, as follows:

### S.J. RES. 43

Whereas presidential and congressional elections are scheduled to occur in Peru on April 9, 2000;

Whereas independent election monitors, including the Organization of American States, the National Democratic Institute, and the Carter Center, have expressed grave doubts about the fairness of the electoral process due to the Peruvian Government’s control of key official electoral agencies, systematic restrictions on freedom of the press, manipulation of the judicial processes to stifle independent reporting on radio, television, and newspaper outlets, and harassment and intimidation of opposition politicians, which have greatly limited the ability of opposing candidates to campaign freely; and

Whereas the absence of free and fair elections in Peru would constitute a major setback for the Peruvian people and for democracy in the hemisphere, could result in instability in Peru, and could jeopardize United States antinarcotics objectives in Peru and the region: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That it is the sense of Congress that the President of the United States should promptly convey to the President of Peru that if the April 9, 2000, elections are not deemed by the international community to have been free and fair, the United States will review and modify as appropriate its political, economic, and military relations with Peru, and will work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

## DIRECTING SENATE LEGAL COUNSEL

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 283, submitted earlier by Senator LOTT and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 283) to direct the Senate Legal Counsel to intervene in the name of the Senate Committee on Appropriations and the Senate Committee on the Judiciary in United States of America v. Northwest Airlines Corporation, et al.

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

Mr. LOTT. Mr. President, Northwest Airlines, one of the defendants in a civil antitrust action brought by the Department of Justice on behalf of the United States in the U.S. District Court for the Eastern District of Michigan, has subpoenaed the General Accounting Office to produce documents that GAO collected or generated in the course of its preparation of testimony or reports for several Senate committees, including the Committee on Appropriations Subcommittee on Transportation and the Committee on the Judiciary Subcommittee on Antitrust, Business Rights, and Competition.

GAO advised Northwest’s counsel that the documents sought were unavailable because they are protected by



both the Speech or Debate Clause of the Constitution, which is Congress's legislative privilege, and GAO's own deliberative process privilege. Northwest Airlines has chosen to contest GAO's assertion of privilege by moving in the U.S. District Court for the District of Columbia to compel GAO to produce the documents.

The records that Northwest Airlines is seeking were records that GAO, which is an investigative agency of Congress, collected or created while preparing testimony or reports in response to requests from committees and subcommittees of the Senate. Northwest has not given GAO, the Senate, or the Court any explanation for why it may defeat the privileges inhering in GAO internal work product and deliberative documents, including drafts of proposed testimony, to defend itself in this antitrust action. None of these internal records at issue in this matter has been provided to Northwest's adversary, the Justice Department. Nor are the final reports issued by GAO or GAO's congressional testimony at issue in this matter, as all parties to the litigation, including Northwest Airlines, have been given full access to these materials.

GAO is opposing Northwest's motion to compel, invoking its deliberative process privilege. But the legislative privilege that is grounded on the Constitution's Speech or Debate Clause belongs to the Congress. In order to ensure congressional independence from the other branches of the government, the Constitution affords Congress with an absolute privilege from compelled questioning through the courts about the performance of its legislative responsibilities, such as the gathering of information and preparation of hearings, the conduct of administrative oversight, and the consideration of legislation.

The Senate has a strong interest in the ability of its committees to receive testimony and analysis from GAO, which serves as its investigative arm, without fear that entities whose activities are the subject of that testimony and analysis will be allowed to root around in GAO's internal work papers, drafts, and deliberative documents seeking something of possible help to them in unrelated litigation. That kind of intrusion into the legislation process is precisely what the Speech or Debate Clause was intended to foreclose.

Because the Speech or Debate Clause privilege belongs to the Congress and because it is the committee of Congress that are the direct beneficiaries of GAO's contributions to their legislative work, it is appropriate that the court hear directly from those Senate committees for which GAO was providing analysis how Northwest's attempt to compel production of GAO's internal work product threatens their autonomous performance of legislative duties entrusted to them under the Constitution. Accordingly, this resolution authorizes the Senate Legal Coun-

sel to intervene in this matter in the name of the Committee on the Judiciary and the Committee on Appropriations to assert the Speech or Debate Clause as protection against compelled questioning of GAO, through compelled production of GAO's internal work product when responding to requests from Congress.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 283) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 283

Whereas, in the case of United States v. Northwest Airlines Corporation, et al., Misc. No. 99-424, pending in the United States District Court for the District of Columbia, defendant Northwest Airlines, by seeking to compel the production of documents of the United States General Accounting Office, has placed in issue the privileges of the United States Senate under the Speech or Debate Clause, Art. I, sec. 6, cl. 1, of the United States Constitution; and

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288f(a), the Senate may direct its counsel to intervene in the name of a committee of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is directed to intervene in the name of the Senate Committee on Appropriations and the Senate Committee on the Judiciary in the case of United States v. Northwest Airlines Corporation, et al., to protect the Senate's privileges under the Speech or Debate Clause of the Constitution.

#### MUHAMMAD ALI BOXING REFORM ACT

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 421, H.R. 1832.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1832) to reform unfair and anti-competitive practices in the professional boxing industry.

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

#### AMENDMENT NO. 3082

(Purpose: To ensure that rules similar to the rules against coercive contracts between boxers and promoters apply to contracts between boxers and interstate broadcasters, and that casinos, hotels, resorts, etc., that are merely "associated" with a promoter are not subject to the rules applicable to promoters)

Mr. MURKOWSKI. Mr. President, Senators REID, BRYAN, and MCCAIN have an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI], for Mr. REID, for himself, Mr. BRYAN, and Mr. MCCAIN, proposes an amendment numbered 3082.

The amendment is as follows:

On page 6, between lines 17 and 18, insert the following:

"(c) PROTECTION FROM COERCIVE CONTRACTS WITH BROADCASTERS.—Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this section, any reference in subsection (a)(1)(B) to "promoter" shall be considered a reference to "commercial broadcaster".

On page 17, after line 24, insert the following:

(1) in paragraph (9) by inserting after "match" the following: "The term 'promoter' does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—

"(A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and

"(B) there is no other person primarily responsible for organizing, promoting, and producing the match.";

On page 18, line 1, strike "(1)" and insert "(2)".

On page 18, line 4, strike "(2)" and insert "(3)".

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 3082) was agreed to.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and any statement relating to the bill be printed in the RECORD.

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

The bill (H.R. 1832), as amended, was read the third time and passed.

#### AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 284, submitted earlier by Senator LOTT and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 284) to authorize testimony, document production, and legal representation in United States of America v. George Patrick Calhoun.

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

Mr. LOTT. Mr. President, this resolution concerns a request for testimony

in a criminal action in the United States District Court for the Southern District of Texas. In a federal indictment, the defendant has been charged with threatening a public official in violation of federal law. The charge arises out of a threat telephoned to Senator PHIL GRAMM's office in Houston. At the request of the U.S. Attorney who is prosecuting this case, this resolution authorizes employees in Senator GRAMM's office who heard the threat to testify about the threat and produce documents at trial, with representation by the Senate Legal Counsel.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 284) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 284

Whereas, in the case of United States v. George Patrick Calhoun, Cr. No. H-99-111, pending in the United States District Court for the Southern District of Texas, testimony has been requested from Court Koenning and Patrick McCartney, employees in the office of Senator Phil Gramm;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Court Koenning, Patrick McCartney, and any other employee of Senator Gramm's office from whom testimony may be required, are authorized to testify and produce documents in the case of United States v. George Patrick Calhoun, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Court Koenning, Patrick McCartney, and any other employee of Senator Gramm's office in connection with the testimony and document production authorized in section 1 of this resolution.

#### ORDERS FOR MONDAY, APRIL 10, 2000

Mr. MURKOWSKI. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 12 noon on Monday, April 10, 2000. I further ask consent that on Monday, immediately following the prayer, the

Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the following exceptions:

Senator DURBIN, or his designee, 12 noon to 1 o'clock; Senator MURKOWSKI, 1 o'clock to 1:30; Senator THOMAS, or his designee, 1:30 to 2 o'clock; Senator BROWBACK, 30 minutes; and Senator CRAIG, 30 minutes.

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

#### PROGRAM

Mr. MURKOWSKI. For the information of all Senators, the Senate will convene at 12 noon on Monday and will be in a period of morning business throughout the day, with some debate on the gas tax repeal legislation. Cloture was filed on the gas tax legislation today, and that vote has been scheduled to occur on Tuesday at 2:25 p.m. That cloture vote will be the first vote of next week. Also, during next week's session, we expect to begin consideration of the marriage tax penalty legislation.

#### ADJOURNMENT UNTIL MONDAY, APRIL 10, 2000

Mr. MURKOWSKI. Mr. President, I see no other Senator wishing to be recognized. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

It has been a relatively long and busy day. Let me wish the Presiding Officer and the collective professional staff a happy weekend.

There being no objection, the Senate, at 3:45 p.m., adjourned until Monday, April 10, 2000, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate April 7, 2000:

##### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

CRAIG B. ALLEN, OF WISCONSIN  
CARMINE G. D'ALOISIO, OF MARYLAND  
JOHN J. FORGARASI, OF TEXAS  
BARRY I. FRIEDMAN, OF NEW YORK  
DANIEL E. HARRIS, OF MARYLAND

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF COMMERCE

C. FRANKLIN FOSTER, OF VIRGINIA  
MICHAEL W. LIKALA, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHAEL T. HARVEY, OF TEXAS  
JANINA ANNE JARUZELSKI, OF NEW JERSEY

##### DEPARTMENT OF COMMERCE

CYNTHIA A. GRIFFIN, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

VATHANI RAJARATNAM AMIRTHANAYAGAM, OF NEW YORK  
MICHAEL LESTER HENNING, OF NEW YORK  
MAUREEN A. SHAUKEET, OF VIRGINIA  
ELYSSA T. TRAN, OF TEXAS

##### DEPARTMENT OF COMMERCE

PATRICIA M. GONZALEZ, OF TEXAS  
EDWIN KEITH KIRKHAM, OF MAINE  
MITCHELL GREGORY LARSEN, OF CALIFORNIA  
JULIA M. RAUNER-GUERRERO, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF COMMERCE AND STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CHRISTINA JEANNE AGOR, OF NEW YORK  
JEFFREY JONATHAN ANDERSON, OF PENNSYLVANIA  
SUSAN ANMAHAN, OF VIRGINIA  
KEVIN ANDREW AUSTIN, OF VIRGINIA  
WILLIAM M. AYALA, OF CALIFORNIA  
BRADFORD JOSEPH BELL, OF PENNSYLVANIA  
SONIA BISWAS, OF THE DISTRICT OF COLUMBIA  
RAYMOND E. BLACKARD, OF TEXAS  
THOMAS E. BOTTS, OF VIRGINIA  
NANCY BARICKMAN BRANNAMAN, OF IOWA  
BELINDA L. BRODIE, OF VIRGINIA  
NATHANIEL S. CLIFFORD, OF VIRGINIA  
CELESTE A. CONNORS, OF HAWAII  
JAMES T. CROW, OF ARIZONA  
HAROLD G. CUNNINGHAM, OF VIRGINIA  
JENNIFER D. DAVIS, OF GEORGIA  
LINDA DERPARSEGHIAN, OF VIRGINIA  
ANN ELIZABETH DONICK, OF NEW YORK  
DAWN MARIE J. DORE, OF VIRGINIA  
SATUKI T. DOUGHERTY, OF VIRGINIA  
JAY DOUGLAS DYKHOUSE, OF MICHIGAN  
JOHN BRADLEY EMERY, OF MASSACHUSETTS  
ANTHONY ENES, OF VIRGINIA  
JASON FIELD, OF WASHINGTON  
LISA L. NYDIA FITZNER, OF MARYLAND  
MARC WILLIAM FUNGARD, OF PENNSYLVANIA  
MICHAEL GOLDMAN, OF WASHINGTON  
MICHAEL C. GONZALES, OF THE DISTRICT OF COLUMBIA  
MOLLY ANN GOWER, OF MARYLAND  
CHARLES J. GREEN, OF MARYLAND  
PAT GRIEL, OF VIRGINIA  
STEVEN C. HANNA, OF VIRGINIA  
RIAN HARKER HARRIS, OF VIRGINIA  
THOMAS R. HASTINGS, OF MARYLAND  
SCOTT E. HEMBROUGH, OF THE DISTRICT OF COLUMBIA  
ANDREA L. HILDEBRAND, OF VIRGINIA  
REBECCA L. HOLINGTON, OF MICHIGAN  
ANTHONY R. HOLISADAY, OF VIRGINIA  
KEITH HUGHES, OF NEW YORK  
JENNIFER LYNN IMREDEY, OF MARYLAND  
JOSEPH F. INSANA, OF VIRGINIA  
JEFFREY R. IZZO, OF NEW YORK  
MICHAEL D. JAMES, OF VIRGINIA  
L. ELAINE JONES, OF OHIO  
SCOTT ENGLE JONES, OF TENNESSEE  
JEANNETTE M. JURICIC, OF ILLINOIS  
EUNJOO KENSINGER, OF VIRGINIA  
LESLEY A. KERCHVAL, OF VIRGINIA  
KENNETH A. KERO, OF THE DISTRICT OF COLUMBIA  
WILLIAM KLEIN, OF CALIFORNIA  
DONALD J. KLUEBA, OF VIRGINIA  
BARBARA LANKFORD, OF MARYLAND  
NORA H. LEE, OF VIRGINIA  
MICHELLE M. LEONARD, OF VIRGINIA  
KURT E. LICHTFUSS, OF MARYLAND  
CHRISTOPHER ANTHONY LINGEMAN, OF MARYLAND  
JEFFREY K. LISS, OF VIRGINIA  
ANDREW ROBERT LORENZ, OF MINNESOTA  
ALISON VICTORIA MAHER, OF FLORIDA  
MARCOS CHRISTIAN MANDOJANA, OF TENNESSEE  
PAMFILO MARQUEZ, OF CALIFORNIA  
ANN MARIE ECKERT MCBRIDE, OF VIRGINIA  
KATHLEEN ANNE MCGOWAN, OF TEXAS  
CRYSTAL KATHRYN MERIWETHER, OF MINNESOTA  
EDWARD PETER MESSMER, OF VIRGINIA  
GAYLE ANN MILLER, OF CALIFORNIA  
PATRICK F. MILLER, OF VIRGINIA  
LINDSAY ELIZABETH MORAN, OF MARYLAND  
NARITH MICHAEL MUONG, OF VIRGINIA  
DENNIS BLAINE NELSON, OF PENNSYLVANIA  
ELIZABETH T. NELSON, OF PENNSYLVANIA  
MICHAEL ANTHONY NEWBILL, OF THE DISTRICT OF COLUMBIA  
ROBERT C. NEWSOME, OF WEST VIRGINIA  
DAVID ALLAN OSGOOD, OF OREGON  
J. MARK PASCALE, OF VIRGINIA  
JAMES E. PERLEY, OF VIRGINIA  
ANH-HAO THI PHAN, OF VIRGINIA  
KRISTEN L. PISANI, OF NEW YORK  
CAMILLE CAMPBELL PURVIS, OF TEXAS  
LINDA J. REID, OF VIRGINIA  
ANGELO O. RICHARDSON, OF VIRGINIA  
TRACY ELIZABETH ROBERTS, OF MISSOURI

DOROTHY BROWNING ROGERS, OF PENNSYLVANIA  
 MATTHEW SCOTT ROSENSTOCK, OF PENNSYLVANIA  
 DAVID JAMES ROVINSKY, OF PENNSYLVANIA  
 RALPH HENRY RUSSOMANDO, OF VIRGINIA  
 ROBERT PATRICK SANDERS, OF CALIFORNIA  
 MICHAEL J. SCHREUDER, OF MICHIGAN  
 PETER S. SHERMAN, OF VIRGINIA  
 STEVEN M. SHERMAN, OF VIRGINIA  
 STEPHEN C. SIMPSON, OF FLORIDA  
 REGGIE SINGH, OF MARYLAND  
 MARSHA SINKEVICH, OF VIRGINIA  
 KEVIN D. SKILIN, OF PENNSYLVANIA  
 LAWRENCE LOUIS SOSNOWICH, OF MARYLAND  
 ANDREW J. SPARACO, OF VIRGINIA  
 JUDES E. STELLINGWERF, OF COLORADO  
 RAKESH SURAMPUDI, OF GEORGIA  
 SHERRY ZALIKA SYKES, OF FLORIDA  
 MICHAEL P. TAYLOR, OF WEST VIRGINIA  
 LENORA R. THOMPSON, OF VIRGINIA  
 DAVID BRYANT TULLOCH, OF CALIFORNIA  
 LISA K. VOMOCIL, OF MARYLAND  
 ANNE M. VON LUHRT, OF VIRGINIA  
 TYLER PATRICK WARREN, OF THE DISTRICT OF COLUMBIA  
 LISSA CLAIRE WELDON, OF MINNESOTA  
 DEREK H. WESTFALL, OF TEXAS  
 ELIZABETH S. WHARTON, OF VIRGINIA  
 CHRISTINE A. WHITE, OF MARYLAND  
 KIRSTEN WIVEL, OF MARYLAND  
 DEREK S. WORKMAN, OF MINNESOTA  
 ERIC T. YOUNG, OF VIRGINIA

THE FOLLOWING-NAMED PERSON OF THE AGENCY INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED EFFECTIVE FEBRUARY 28, 1997:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

## DEPARTMENT OF STATE

HAROLD EDWARD ZAPPIA, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED, EFFECTIVE OCTOBER 11, 1998:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DEBORAH ANNE BOLTON, OF PENNSYLVANIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED, EFFECTIVE NOVEMBER 21, 1999:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

MICHAEL PATRICK GLOVER, OF TEXAS

## IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

*To be ensign*

JENNIFER L. ADAMS, 0000  
 KATHRYN R. ALBERTS, 0000  
 JASON C. ALEKSASAK, 0000  
 JENNIFER A. AMARAL, 0000  
 JONATHAN A. ANDRECHIK, 0000  
 SHAMEEN E. ANTHANIO, 0000  
 FREDDIE M. BACONG, JR., 0000  
 TIMOTHY G. BALUNIS, JR., 0000  
 KEVIN M. BARCLAGE, 0000  
 BRYAN M. BEGIN, 0000  
 CHRISTOPHER J. BELMONT, 0000  
 ANDREW R. BENDER, 0000  
 SCOTT W. BOBIN, 0000  
 ASHELEY M. BODKIN, 0000  
 DANIELLE A. BOUCHER, 0000  
 JOHN C. BOURCET, 0000  
 JASON T. BOYLE, 0000  
 PATRICIA J. BRADY, 0000  
 BRIAN P. BREGUETT, 0000  
 DANIEL J. BROADHURST, 0000

JOHN J. BURNS, 0000  
 CHRISTOPHER G. BURRUS, 0000  
 JEREMY P. BUTSCH, 0000  
 MARCUS A. CANADY, 0000  
 RONALD J. CAPUTO, JR., 0000  
 CATHERINE T. CARABINE, 0000  
 DAWN N. CASADY, 0000  
 MATTHEW M. CHONG, 0000  
 MICHAEL A. CINTRON, 0000  
 AUSTIN H. COHOON, 0000  
 ANGELA A. COOK, 0000  
 SARAH A. CORTEVILLE, 0000  
 JESSICA C. CRANDELL, 0000  
 KEVIN A. CRECY, 0000  
 DORIAN B. CURRY, 0000  
 HAI X. DANG, 0000  
 MICHAEL V. DANISH, 0000  
 JON N. DAVIGNON, 0000  
 TIMOTHY P. DEALY, 0000  
 RULA F. DEISHER, 0000  
 MATTHEW C. DERRENBACHER, 0000  
 JOYCE M. DIETRICH, 0000  
 JOHN C. DILUNA II, 0000  
 RICHARD B. DROSHE, 0000  
 TAD F. DROZDOWSKI, 0000  
 SAMUEL Z. EDWARDS, 0000  
 JOHN T. EGAN, 0000  
 MARK J. EYTCHESON, 0000  
 DAVID T. FEENEY, 0000  
 CHRISTOPHER W. FERTIG, 0000  
 MATHEW S. FINE, 0000  
 JOHN M. FIORENTINE, 0000  
 SANDRA Y. FOX, 0000  
 HSIINGYEN J. FU, 0000  
 KYLE S. GAHAN, 0000  
 JAMES C. GATZ II, 0000  
 ZACHARY N. GLASS, 0000  
 TROY P. GLENDY, 0000  
 EVANGELINE R. GORMLEY, 0000  
 THERESA M. GRANO, 0000  
 PEGGY M. GROSS, 0000  
 REBECCA S. HALEY, 0000  
 RYAN C. HAMEL, 0000  
 AMANDA D. HARDGRAVE, 0000  
 DAVID W. HATCHETT, JR., 0000  
 PRESTON S. HEINEN, 0000  
 MICHAEL P. HENNESSY, 0000  
 MATTHEW D. HERON, 0000  
 ANGELINA HIDALGO, 0000  
 KATE F. HIGGINS, 0000  
 AZIZA A. HILL, 0000  
 BRENDAN J. HILLEARY, 0000  
 JAY B. HOFBLICH, 0000  
 TIMOTHY C. HOLT, 0000  
 CATHERINE E. HUCHKO, 0000  
 SAMUEL J. JACKSON, 0000  
 GEORGE H. JOHNSON, 0000  
 NICHOLAS A. KALIN, 0000  
 SAMUEL P. KASTEN, 0000  
 PAUL M. KATCHEN, 0000  
 CHRISTOPHER M. KEEN, 0000  
 ELIZABETH E. KEMPTON, 0000  
 NATHAN P. KENDRICK, 0000  
 MELISSA A. KEPFER, 0000  
 DAVID M. KESSLER, 0000  
 SARA E. KIENOW, 0000  
 MARGARET E. KIEVIT, 0000  
 JONATHAN N. KIMURA, 0000  
 PAUL M. LALICATA, 0000  
 LIAM J. LARUE, 0000  
 JOHN M. LEACH, 0000  
 CHRISTINA A. LEAMAN, 0000  
 MICHAEL J. LEE, 0000  
 JOHN-DAVID A. LENTINE, 0000  
 CHRISTINE A. LEOPARDI, 0000  
 JUNE E. LESHNOVER, 0000  
 RACHEL L. LEWIS, 0000  
 PATRICK M. LINEBERRY, 0000  
 CAROLYN L. LYNCH, 0000  
 PATRICK J. LYSAGHT, 0000  
 SCOTT M. MACCUMBEE, 0000  
 GREGORY J. MADALENA, 0000  
 BRIAN J. MAGGI, 0000  
 JILLIAN C. MALZONE, 0000  
 MATTHEW C. MANOFSKY, 0000  
 TIMOTHY J. MARGITA, 0000  
 VANESSA MARTIN, 0000  
 MARK A. MCDONNELL, 0000  
 JENNIFER M. MCGAA, 0000

SHAWN C. MCMILLAN, 0000  
 BRIAN K. MCNAMARA, 0000  
 SCOTT R. MEDETIROS, 0000  
 JOSEPHINE K. MEEUSEN, 0000  
 CATHERINE L. MELLETTE, 0000  
 JUAN B. MENDEZ, 0000  
 MATTHEW A. MICHAELIS, 0000  
 KATIE A. MILBRANDT, 0000  
 ROBERT S. MOHR, 0000  
 PETER M. MORISSEAU, 0000  
 MEREDITH S. MORRISON, JR., 0000  
 JANE A. MUNCH, 0000  
 JONATHAN P. MURPHY, 0000  
 NICHOLAS E. NEELY, 0000  
 GINA M. NESE, 0000  
 MARSHALL E. NEWBERRY, 0000  
 SHEILA A. OSULLIVAN, 0000  
 JACLYN E. OBAR, 0000  
 KIRK G. OBERLANDER, 0000  
 CHRISTOPHER W. OGLE, 0000  
 MEDEA R. OMAR, 0000  
 NEIL ORLICH, 0000  
 AARON J. ORTENZIO, 0000  
 HEIDI PARK, 0000  
 BRIAN J. PRUITT, 0000  
 LIBBY J. RASMUSSEN, 0000  
 JEFFERY J. RASNAKE, 0000  
 TOBIAS C. REID, 0000  
 ROBERT E. RIMER, 0000  
 JILL C. ROBERTS, 0000  
 DANIEL P. ROGERS, 0000  
 JAMES E. ROSENBERG, 0000  
 JESSICA A. ROZZI-OCES, 0000  
 MARK A. RUSNAK, 0000  
 JENNIFER A. SADOWSKI, 0000  
 CARYN A. SANTOGATTA, 0000  
 ANDREW W. SCHROEDER, 0000  
 TYSON J. SCOFIELD, 0000  
 GARY R. SCOTT, 0000  
 KRISTEN L. SERUMGARD, 0000  
 ELIZABETH L. SEURYNCK, 0000  
 JAMES H. SILCOX III, 0000  
 NICHOLAS R. SIMMONS, 0000  
 ERIC D. SKOW, 0000  
 BRIAN A. SMICKLAS, 0000  
 JAMES J. SMITH, 0000  
 MARC H. SMITH, 0000  
 CAROLINE A. SNIPES, 0000  
 TIMOTHY C. SOMMELLA, 0000  
 JACOB A. SPINNLER, 0000  
 NICHOLAS R. SQUIRES, 0000  
 RICHARD W. STICKLEY, JR., 0000  
 MICHAEL R. STRUTHERS, 0000  
 STEPHANIE M. SUPKO, 0000  
 LEE C. SYNKOWSKI, 0000  
 MICHAEL A. TEIXEIRA, 0000  
 DONALD M. TERKANIAN, JR., 0000  
 BRIAN J. TESSON, 0000  
 ELIZABETH M. TOYCN, 0000  
 CHRISTOPHER A. TREIB, 0000  
 CHARTER B. TSCHIRGI, 0000  
 MARC R. VANZETTA, 0000  
 VELMA C. VINING, 0000  
 STEPHEN B. WALTERS, 0000  
 WILLIAM L. WHITEHEAD, 0000  
 BRIAN R. WILLSON, 0000  
 MICHAEL T. WOJCIECHOWSKI, 0000  
 JESSICA S. WORST, 0000  
 ANDREW W. WRIGHT, 0000  
 MADELEINE C. WRIGHT, 0000  
 SARAH J. WYNE, 0000  
 DAVE J. YADRIK, 0000  
 JASMINE J. YEOMAN, 0000  
 BRENT C. YEZEFSKI, 0000  
 JONATHAN C. YOUNG, 0000  
 GREGORY D. ZIKE, 0000

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5033:

*To be admiral*

ADM. VERNON E. CLARK, 0000