

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 17, 19, 20, and 22.

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

Mr. CRAPO. I further ask unanimous consent the nominations be confirmed, the motions to consider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

## DEPARTMENT OF STATE

William Lacy Swing, of North Carolina, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Robert A. Seiple, of Washington, to be Ambassador at Large for International Religious Freedom.

The following-named Career Member of the Senior Foreign Service, Class of Career Minister, for the personal rank of Career Ambassador in recognition of especially distinguished service over a sustained period:

Mary A. Ryan, of Texas

## FOREIGN SERVICE

The following-named Career Member of the Senior Foreign Service of the Department of Agriculture for promotion in the Senior Foreign Service to the classes indicated: Career Member of the Senior Foreign Service of the United States of America, Class of Career Minister:

Warren J. Child

Career Members of the Senior Foreign Service of the United States of America, Class of Minister-Counselor:

Mary E. Revelt

John H. Wyss

The following-named Career Members of the Foreign Service of the Department of Agriculture for promotion into the Senior Foreign Service to the class indicated: Career Members of the Senior Foreign Service of the United States of America, Class of Counselor:

Weyland M. Beeghly

Larry M. Senger

Randolph H. Zeitner

The following-named Career Member of the Foreign Service for promotion into the Senior Foreign Service, and for appointment as Consular Officer and Secretary in the Diplomatic Service, as indicated: Career Member of the Senior Foreign Service of the United States of America, Class of Counselor:

Danny J. Sheesley

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR THURSDAY, MARCH  
25, 1999

Mr. CRAPO. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 9 a.m. on Thursday, March 25. I further ask that on Thursday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of S. Con. Res. 20, the concurrent budget resolution.

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

## PROGRAM

Mr. CRAPO. For the information of all Senators, the Senate will reconvene on Thursday at 9 a.m. and immediately resume consideration of the budget resolution, with 10 hours remaining for consideration. Members should once again expect a busy day of debate and votes on remaining amendments to the budget bill, with a possibility of completing action on this legislation by late Thursday night. The cooperation of all Members will again be necessary in order to ensure a smooth and orderly process during the budget debate. The leader would also like to announce that if the Senate completes action on the budget resolution Thursday night, there would be no rollcall votes on Friday.

## ORDER FOR ADJOURNMENT

Mr. CRAPO. Mr. President, I now ask unanimous consent that the Senate resume consideration of the budget resolution to allow the consideration of two amendments to be offered by Senator GRAHAM, and following his remarks, the Senate stand in adjournment under the previous order.

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

CONCURRENT RESOLUTION ON  
THE BUDGET FOR FISCAL YEAR  
2000

The Senate continued with the consideration of the bill.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I have two amendments that I will submit. First is in the form of a sense-of-the-Senate amendment.

## AMENDMENT NO. 164

(Purpose: To express the sense of the Senate that funds recovered from any Federal tobacco-related litigation should be set-aside for the purpose of first strengthening the Medicare trust fund and second to fund a Medicare prescription drug benefit)

Mr. GRAHAM. 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 Florida [Mr. GRAHAM] proposes an amendment numbered 164.

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. —. SENSE OF THE SENATE CONCERNING  
RECOVERY OF FUNDS BY THE FED-  
ERAL GOVERNMENT IN TOBACCO-  
RELATED LITIGATION.

(a) SHORT TITLE.—This section may be cited as the "Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999".

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

(1) The President, in his January 19, 1999 State of the Union address—

(A) announced that the Department of Justice would develop a litigation plan for the Federal Government against the tobacco industry;

(B) indicated that any funds recovered through such litigation would be used to strengthen the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(C) urged Congress to pass legislation to include a prescription drug benefit in the medicare program.

(2) The traditional medicare program does not include most outpatient prescription drugs as part of its benefit package.

(3) Prescription drugs are a central element in improving quality of life and in routine health maintenance.

(4) Prescription drugs are a key component to early health care intervention strategies for the elderly.

(5) Eighty percent of retired individuals take at least 1 prescription drug every day.

(6) Individuals 65 years of age or older represent 12 percent of the population of the United States but consume more than 1/3 of all prescription drugs consumed in the United States.

(7) Exclusive of health care-related premiums, prescription drugs account for almost 1/2 of the health care costs and expenditures of elderly individuals.

(8) Approximately 10 percent of all medicare beneficiaries account for nearly 50 percent of all prescription drug spending by the elderly.

(9) Research and development on new generations of pharmaceuticals represent new opportunities for healthier, longer lives for our Nation's elderly.

(10) Prescription drugs are among the key tools in every health care professional's medical arsenal to help combat and prevent the onset, recurrence, or debilitating effects of illness and disease.

(11) While Federal litigation against tobacco companies will take time to develop and execute, Congress should continue to work to address the immediate need among the elderly for access to affordable prescription drugs.

(12) Treatment of tobacco-related illness is estimated to cost the medicare program approximately \$10,000,000,000 every year.

(13) In 1998, 50 States reached a settlement with the tobacco industry for tobacco-related illness in the amount of \$206,000,000,000.

(14) Recoveries from Federal tobacco-related litigation, if successful, will likely be comparable to or exceed the dollar amount recovered by the States under the 1998 settlement.

(15) In the event Federal tobacco-related litigation is undertaken and is successful, funds recovered under such litigation should first be used for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to finance a medicare prescription drug benefit.

(16) The scope of any medicare prescription drug benefit should be as comprehensive as