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 Senate 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 FEDERAL GOVERNMENT IN TOBACCO-RELATED LITIGATION.

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

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

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

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

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

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

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

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

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

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

(6) Individuals 65 years of age or older represent 12 percent of the population of the United States but consume more than ⅓ of all prescription drugs consumed in the United States.

(7) Exclusive of health care-related premiums, prescription drugs account for almost ⅓ of the health care costs and expenditures of elderly individuals.

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

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

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

(11) While 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

possible, with drugs used in fighting tobacco-related illnesses given a first priority.

(17) Most Americans want the medicare program to cover the costs of prescription drugs.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds recovered under any tobacco-related litigation commenced by the Federal Government should be used first for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to fund a medicare prescription drug benefit.

Mr. GRAHAM. Mr. President, this resolution—''The Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999''—urges the Administration to set aside funds from any Federal tobacco-related litigation for the primary purpose of strengthening the solvency of the Medicare Trust Fund and second to help pay for a Medicare prescription drug benefit.

In the President's January 19, 1999 State of the Union Address he announced that the Justice Department was preparing a litigation plan to take tobacco companies to court and that the funds recovered from such an effort would be used to strengthen the Medicare program.

The details of the Justice Department's litigation plan are still not known at this time. However, the United States Senate should be on record as to how any funds recovered should be spent.

It is my belief that our first priority must be to shore up the Medicare Trust Fund which, by the most recent estimates of the Congressional Budget Office, shows the program going into insolvency in 2010.

The second use of these funds should then go to help defray the costs of a Medicare prescription drug benefit.

While this resolution states clearly as to how these funds ought to be spent, a few things must be made clear:

1. This resolution must not impede our efforts to address the immediate need among seniors for access to affordable prescription drugs. We must do something now and must not use this resolution as an excuse not to act now.

2. The funding mechanism for this benefit is not a tax, is not a payroll increase, is not a premium increase and does not tap into the ''surplus''.

Some of you might ask the question, ''Why should we look to the tobacco industry to fund a Medicare prescription drug benefit?''

The answer to this question is clear. Tobacco companies produce a product that is responsible for millions of deaths and billions of dollars worth of tobacco-related illness in this country. Taxpayers should not be forced to pay for what the tobacco industry is primarily responsible for.

Medicare alone is estimated to incur more than $10 billion in expenses for the treatment of tobacco-related illness every year. This figure reflects what Medicare covers. What this figure does not reflect is the amount of money paid out of the pockets of beneficiaries for all the outpatient prescription drugs needed for the treatment of tobacco-related illness that Medicare does not cover. The types of drugs I am referring to include:

Zyban—The only prescription drug available to assist smokers in quitting. This would be a key element in a smoking cessation and broader prevention strategy.

Bronchodilators—used in the treatment of emphysema.

Nitroglycerin—used in the treatment of angina pectoris (reduction in blood flow to the heart).

Cholestyramine and Colestipol—used in the treatment of high cholesterol.

Calcium Channel Blockers/Diuretics/Beta Blockers/Vasodilators—used in the treatment of high blood pressure.

The use of tobacco products and the cost of treatment is draining the Medicare program. But it is costing Medicare beneficiaries their lives.

According to the American Cancer Society, individuals who smoke have double the heart attack risk of nonsmokers. Cigarette smoking is the biggest risk factor for sudden cardiac death. And smokers who have a heart attack are more likely to die and die suddenly (within an hour) than are non-smokers.

These are real costs that real people face every day.

Combine these sobering facts with the overwhelming desire among nearly all our colleagues, the Nation's leading policy experts, and most importantly, beneficiaries of the program, that prescription drugs must be included in any reform of the Medicare program. The need for prescription drugs is undeniable. Just listen to some of the facts:

80 percent of retired persons take a prescription drug every day.

Annual drug expenditures for the average Medicare beneficiary are approximately $600.

While individuals 65 or older represent 12 percent of the U.S. population, they consume more than one-third of all prescription drugs.

Excluding the cost of premiums, drugs account for almost one-third of the elderly's health costs and expenditures.

Approximately 10 percent of Medicare beneficiaries account for nearly half of all drug spending among the elderly.

By 2007, the Health Care Financing Administration projects that drug costs will make up over 8 percent of total health care spending (in 1996 this figure was 6 percent).

Combine this need with the fact that in a recent study published in the journal Health Affairs, approximately one third of all Medicare beneficiaries have no prescription drug coverage at all.

And the two-thirds of Medicare beneficiaries that reportedly do have coverage (through supplemental programs such as Medigap or employee-based retirement health plans) have coverage that is not uniform, often limited, and frequently very expensive.

A recent study conducted by the League of Women Voters and the Kaiser Family Foundation, in which over 6,500 of current and future Medicare beneficiaries were interviewed on their views of reforming the Medicare program, found that after fraud, waste, and abuse, the number one concern for beneficiaries is access to affordable prescription drugs.

Advances in biotechnology and genetic engineering have brought about a true revolution in the care and treatment of patients. What once seemed science fiction in 1965 is today's scientific reality.

In today's, and tomorrow's, health care system, prescription drugs are an integral part of every health care professional's medical arsenal.

But these advances in technology have come at a price. A price that, for many seniors, is not affordable. Or even worse, forces them to make decisions nobody should face.

Decisions about purchasing drugs or paying the rent. Or skipping doses of a prescription or reducing the dosage to make it last longer—decisions that can often have serious health consequences.

What good are the best drugs in the world if nobody can afford them or they bankrupt people trying to do the right thing?

This is where this resolution makes a difference. This resolution says that we ought to find a way to pay for prescription drugs. To pay for them in a manner that is fiscally responsible.

As I noted earlier, this resolution does not guarantee a Medicare prescription drug benefit since it is contingent upon a successful litigation effort by the Justice Department.

And, the size and scope of a benefit funded by such a recovery would be dependent on the size of the recovery.

To give my colleagues a sense of the potential size of a successful litigation effort, and using the recent State tobacco settlement as a benchmark, we could expect a Federal lawsuit that could match or exceed the $206 billion settlement of the States.

So this is no small undertaking and has the potential to have far reaching, positive consequences for the Medicare program.

This resolution would also prioritize the types of prescription drugs that ought to be funded. First priority would go to funding drugs used in the treatment of tobacco-related illness. If additional funds are available, the range of drugs could then be expanded.

I want to re-iterate that this resolution should not be used to take this distinguished body off the hook for addressing the immediate need among seniors for affordable prescription drugs.

We must continue to work to find a way to handle this problem now. Our resolution, if adopted, would provide momentum for this effort and for the Justice Department's litigation efforts.

Finally, this resolution has the support of the nation's largest senior membership organization, the American Association of Retired Persons.

I urge my colleagues to support this resolution.

Mr. President, last week, we had very heated debate on the question of whether the Federal Government should designate a portion of the tobacco settlements received by the 50 individual States and require them to use those designated funds for certain specific purposes. By more than a 2-to-1 margin, the Senate rejected that proposal.

There were a number of reasons why the Senate rejected that proposal. I think they were strong and compelling reasons. They included the fact that the States had initiated these litigations against the tobacco industry without the assistance of the Federal Government, that the States were acting responsibly in utilizing the tobacco funds; and I believe a persuasive reason was the fact that the Federal Government announced its intention to initiate its own litigation against the tobacco industry for its loss of revenue through programs such as Medicare to tobacco-related diseases.

This amendment builds upon that debate of last week. It builds, also, upon a statement that was made by the President in his January 19 State of the Union Address in which the President stated that the Justice Department was preparing a litigation plan to take tobacco companies to court, and that the funds recovered from that effort would be used to strengthen the Medicare program. The details of the Justice Department litigation plan are still unknown at this time. However, I think it is appropriate that the Senate should be on record as to how these funds, when recovered, should be utilized.

It is my belief that the first priority must be to strengthen the Medicare system, and that the most appropriate method of achieving that objective is to provide that the first call of any recovery from a Federal tobacco litigation would be to replace those funds in the Medicare trust fund that have been excessively expended in order to treat tobacco-related afflictions.

Second is that those funds should be used to commence a Medicare prescription drug benefit. Why is it appropriate that the second call for these funds should be to fund a prescription medication benefit? These reasons include that a substantial amount of the expenditures for tobacco-related diseases end up having a pharmacological cost, and some of the most used and most expensive medications are those which are related to the treatment through prescription medication of tobacco-related diseases. Zyban, for instance, is the only prescription drug available to assist smokers in quitting their addiction. Other drugs that relate to bronchitis, used for treatment in emphysema, nitroglycerin, and used for treatment of angina pectoris, a disease frequently associated with tobacco use, are examples of the types of prescription medications that are utilized in large part because of a tobacco affliction. The use of tobacco products is costing Medicare by draining its resources. But it is costing the Medicare beneficiaries potentially their lives.

According to the American Cancer Society, individuals who smoke have double the heart attack risk of nonsmokers. Therefore, they are more likely to require the medication associated with heart disease. Cigarette smoking is the biggest risk factor for sudden cardiac death. Smokers who had a heart attack are more likely to die, and die suddenly, than nonsmokers. These are real costs, these are real people whose lives are at stake.

Mr. President, just listen to some of the facts in terms of the use by our Medicare beneficiary population of prescription medication—medication which today is not covered by the Medicare program. Eighty percent of retired persons take at least one prescribed drug every day.

Annual drug expenditures for the average Medicare beneficiary is $600. While individuals 65 or older represent only 12 percent of the United States population, they consume more than one-third of all prescription drugs. Excluding the cost of premiums, drugs account for almost one-third of the elderly's health costs and expenditures. Approximately 10 percent of Medicare beneficiary accounts for nearly half of all drug spending among the elderly.

By the year 2007, the Health Care Finance Administration projects that drug costs will make up over eight percent of total health care spending. This compares to 6 percent as recently as 1996.

Mr. President, these are all reasons why it is appropriate that as the Federal Government commences its litigation to recover the cost that the Federal Government has expended through programs such as Medicare, that the first use of these funds should be to strengthen Medicare, and the second use should be to commence the funding of a prescription drug benefit.

This proposal is receiving the strong support of groups which represent the interests of older Americans. The AARP has officially endorsed the concept of utilizing recoveries from the to be litigation by the Federal Government for purposes of strengthening Medicare and then providing for a prescription drug benefit.

The American Association of Retired Persons is a strong voice in support of this proposal.

Mr. President, I urge that my colleagues give their support in adopting this amendment.

Mr. President, I ask uanimous consent to have printed in the RECORD a letter from the American Association of Retired Persons.

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

AARP,
Washington, DC, March 24, 1999.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: Thank you for the opportunity to review the ''Affordable Prescription Drugs for Seniors Resolution'' that you plan to offer during the Senate's debate of the FY 2000 Budget Resolution. I want to commend you for your leadership in calling the Congress's attention to the issue of the high cost of prescription drugs and the difficulties older Americans have because outpatient prescription drugs are not included in Medicare's benefit package.

Since Medicare was created over 30 years ago, prescription drugs have become more and more central to the delivery of high quality health care. As a result most health insurance plans for workers cover prescription drugs. Medicare, however, does not. A huge challenge before us is to find an affordable way to provide prescription drug coverage to Medicare beneficiaries in whatever health care plan they choose.

Your resolution presents a way to help finance a prescription drug benefit through earmarking a portion of funds recovered from any tobacco-related federal litigation. AARP views this idea as a constructive effort to address a very serious problem for millions of Medicare beneficiaries. For years, the Medicare program has borne the cost of caring for people with tobacco-related illnesses. It, therefore, seems fair and reasonable that this health insurance program get a share of funds recovered from a Justice Department lawsuit to fund a needed benefit. However, as you point out, your proposal is contingent upon successful federal litigation.

Providing Medicare beneficiaries with a prescription drug benefit is an important issue for AARP and we are pleased that your resolution begins to address this. We look forward to working with you and other Members of Congress on a bipartisan basis to investigate approaches for providing a Medicare prescription drug benefits and to address the high cost of prescription drugs. Please feel free to contact me or have your staff contact Tricia Smith or Mila Becker of our Federal Affairs Health Team at (202) 434–3770.

Sincerely,

HORACE B. DEETS,
Executive Director.

AMENDMENT NO. 165

(Purpose: To express the sense of the Senate that the Congress and the President should offset inappropriate emergency funding from fiscal year 1999 in fiscal year 1999.)

Mr. GRAHAM. Mr. President, I send an amendment to the desk, which is cosponsored by Senators SNOWE and FEINGOLD.

The PRESIDING OFFICER (Mr. CRAPO). The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida (Mr. GRAHAM), for himself, and Mr. FEINGOLD, and Ms. SNOWE, proposes an amendment numbered 165.

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 end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON OFFSETTING INAPPROPRIATE EMERGENCY SPENDING.

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

(1) some emergency expenditures made at the end of the 105th Congress for fiscal year 1999 were inappropriately deemed as emergencies; and

(2) Congress and the President should identify these inappropriate expenditures and fully pay for these expenditures during the fiscal year in which they will be incurred.

Mr. GRAHAM. Mr. President, we learned last year that five years of fiscal austerity and economic growth had transformed a $290 billion deficit into the first budget surplus in more than a generation.

I am dedicated to strengthening the nation's long-term economic prospects through prudent fiscal policy.

This discipline helped to create favorable economic, fiscal, demographic and political conditions 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 as well as undermine our potential for future economic growth.

But that success did not give the Congress license to return to the free-spending ways of the past—especially since 100 percent of the surplus was the result of surpluses in the Social Security Trust Fund.

We owe it to our children and grandchildren to save this money until Social Security's long-term solvency is assured.

Unfortunately, Mr. President, the last legislative action of the last Congress made a mockery of our promises to be fiscally disciplined.

In the waning hours of last fall's budget negotiations, we passed a $532 billion Omnibus Appropriations Bill.

Included in that was $21.4 billion in so-called ''emergency'' spending.

Since that $21.4 billion could be approved without offsets, that funding came right out of the surplus—reducing it from $80 billion to $59 billion.

That action would have been more palatable had all of the supposedly ''emergency'' funds been allocated for true emergencies.

But while some of the $21.4 billion was used to fund what had traditionally been accepted as emergencies—necessary expenditures for sudden, urgent or unforeseen temporary needs—much of it was not.

For example, the Y2K computer problem received $3.35 billion.

And $100 million went to a new visitors center at the Capitol.

These projects might be worthy. They might be mandatory.

But to label them ''emergency'' threatens to undermine efforts to safeguard the surplus of Social Security.

Even worse, this budgetary slight of hand was also used to increase funding for projects that had been funded in the regular appropriations process.

For example, after previously allocating $270.5 billion for defense, Congress provided an additional $8.3 billion in ''emergency'' defense spending in the Omnibus Appropriations Bill.

And that's not all.

Because these pseudo-emergency spending provisions were included in an Omnibus Appropriations Conference Report, they could not be removed without sending the entire funding package down to defeat.

Members of both Houses were left with an unpalatable choice: shut down the government, or steal from our children's and grandchildren's Social Security surplus.

Mr. President, that's not a choice. It's a national disgrace.

It is vital that we institute an emergency spending process that responds quickly to true emergencies without opening the door to misuse.

We must establish procedural safeguards to deter future Congresses from misusing the emergency spending process.

We should not attach any emergency spending to non-emergency legislation or designate emergency spending measures that do not meet the definition of an emergency.

Mr. President, in February I was pleased to join Senator OLYMPIA SNOWE of Maine in introducing legislation that will protect our newly won budget surplus from false, emergency budgetary alarms.

We proposed three reforms.

First, to create a point of order, similar to the Byrd Rule, that prevents non-emergency items from being included in emergency spending.

This will enable members to challenge the validity of any individual item that is designated an emergency without defeating the entire emergency spending bill.

Second, to require a 60-vote supermajority in the Senate for passage of any bill that contains emergency spending, whether it is designated an ''emergency'' spending bill or not.

This will encourage Congress to either pay for supplemental appropriations or make sure they represent a true emergency.

And third, to make all proposed emergency spending subject to a 60-vote point of order in the Senate.

This rule will help to prevent non-emergency items from ever being included in emergency legislation.

But even if passed, our legislation will not be the total cure for Congress' budding addiction to emergency spending.

In the short term, it is vital that we immediately replenish the surplus with the funds that were ''borrowed'' last fall.

On the day after passage of the Omnibus Appropriations Act—October 21, 1998—I wrote the President and asked that the federal government commit itself to restoring funding the the non-traditional ''emergency'' items during this fiscal year.

I did not receive a response.

So in January, I again wrote to the President and made the same request for a commitment to fiscal discipline.

Once again, I have not received a response.

And on January 18, 1999, Roll Call published an opinion piece of mine in which I asked the President to address this subject in his State of the Union address.

He did not.

Fortunately, the United States Constitution says that the Congress need not wait for the President.

We can—and must—take the steps necessary to restore the budget surplus to its previous levels.

And we must do that now, before the urge to spend the surplus becomes a full-fledged addiction.

To that end, tonight I am introducing a Sense of the Senate Resolution that starts the process of rectifying last fall's budgetary process.

Its message is simple: Congress and the President should restore those funds that were inappropriately deemed as emergencies and taken from the budget surplus.

Mr. President, as we debate the first post-deficit Budget Resolution in more than a quarter-century, it is vital that the American people know that we will maintain the fiscal discipline that has helped to produce our favorable economic climate.

Fiscal responsibility means taking responsibility for our mistakes—and ensuring that we do not misuse our emergency spending powers.

The next Congress that leaves the door wide open to raids on the surplus will be the one that passes on more debt—and a less secure Social Security system—to our children and grandchildren.

Mr. President, we have heard much today—and I particularly commend you and Senator GRAMS of Minnesota for the amendment that you just offered—on the subject of locking up the non-Social Security surplus in excess of that which is currently anticipated. We have considered several proposals throughout the day today. I anticipate other proposals of a similar nature will be considered tomorrow. I believe there is a strong resolve among the Members of the Senate to protect both the Social Security surplus and the non-Social Security surplus and to use it for appropriate purposes.

I might say personally that I believe the first use of the money should be to reduce the enormous national debt that we have accumulated over the last 30 years, and I will advocate that be the priority purpose. Unless we first direct our attention to protecting the surplus itself, there won't be anything left, no matter how tightly it is contained in a lockbox to be used for any of these desirable ends. So our first goal must be to focus on how can we protect the surplus itself, and then see that the surplus is used for appropriate purposes.

Recently, Senator OLYMPIA SNOWE and myself introduced legislation which was intended to close one of the loopholes which you, Mr. President, have just alluded to. That was a major source of leakage of the surplus as recently as October of last year. That was the inappropriate use of the so-called ''emergency appropriations account.'' Certainly there are emergencies. We have a policy that where there are emergencies defined as being ''unexpected events,'' particularly of a scale that is beyond the capacity of a local community to appropriately respond without Federal assistance, that for those true emergencies we do not require that there be an offset in spending, or a tax increase to pay for them. The problem is that last October an appropriate public policy for true emergencies was stretched out of recognition by having many other items which had never in the past been thought of as emergencies included in that emergency account, and suddenly over $21 billion was expended. It was expended in a way, Mr. President, because it was included in a conference committee report that was not subject to amendment that was no way to excise, to apply a scalpel to cut out those inappropriate items.

The amendment that we are offering in the form of a sense of a Senate would commit this Senate to first analyst those items in that $21 billion emergency expenditure that is outside the traditional definition of an emergency, and we would commit ourselves in this fiscal year and in the next two fiscal years when expenditures of those funds are provided for pursuant to our action in October to find offsets. That is, we would not continue to treat them as emergencies. Just because we made a serious error last fall, we are not committed to continuing to repeat that error this year, next year, and two years from now.

Let me just illustrate with this graph why I think focusing on protecting the surplus is so critical.

In 1998, we had a total Social Security surplus of the $99 billion. The first thing that came off the top of that $99 billion was that we had a $27 billion deficit in the non-Social Security account. The first use of the Social Security surplus in 1998 was to pay the deficit, and the rest of the budget. Then in addition to that, in 1998, we designated $3 billion as emergency outlays, which meant that we didn't have to either find new taxes to pay for them, or cut spending someplace else to replace these emergency expenditures. They came out of the surplus. What started out as a $99 billion surplus ended up as a $69 billion surplus. So effectively, $30 billion that should have gone to protect the Social Security fund was drained away to pay for deficit elsewhere in the Federal Government, and for emergency accounts.

In 1999, we start with a Social Security surplus of $127 billion. Again, the first call on that was to pay the deficit in the rest of the Federal Government, which, fortunately, has significantly shrunk from $27 billion year before to $3 billion in the year 1999. But what ballooned was the emergency account. This is where that October raid on the surplus showed up in our 1999 account with a $13 billion hit against the Social Security surplus.

Last year we lost $16 billion that should have gone to protect the solvency of the Social Security fund and was used to fund other Federal deficits, emergencies, a significant proportion of which were emergencies in name only.

We have already started to ''cook the cake'' for the year 2000 where we are projecting a non-Social Security deficit of $5 billion.

I was pleased with some of the remarks that our Presiding Officer made earlier this evening in which he indicated that maybe when the next estimate of our national fiscal position based on the strength of the economy is made we will in fact not face this $5 billion deficit in fiscal year 2000. I hope his prophesy comes to be.

But we also have already added $5 billion by the emergency, so-called emergency, expenditures of October of 1998, to the year 2000 fiscal year. So, with a $138 billion Social Security surplus, we are going to be reducing it by $10 billion to pay off deficits elsewhere and these emergency accounts.

So the amendment we are offering states that we commit ourselves that we will first closely scrutinize those items which were listed as an emergency in October of 1998, and for those that do not meet the test of being a true emergency, that we will commit ourselves to find appropriate offsets to pay for those emergencies and not use them as a further raid against the Social Security system and against the surplus which is to provide for its solvency.

Mr. President, I anticipate that not only on this legislation but on other legislation which will be presented by the budget and the Governmental Affairs Committee, we will be considering some fundamental changes in the way in which we deal with emergency appropriations so we will not ever repeat the larceny against the Social Security trust fund and against the surpluses which support it that occurred late at night in October of 1998.

I urge my colleagues to take the first step towards overcoming the indignity that we committed to the Social Security system last October by committing ourselves to restore to the Social Security surplus those expenditures which were inappropriately listed as emergencies.

I urge the adoption of this amendment when it comes before the Senate tomorrow.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENTS. NOS. 166 THROUGH 175

Mr. LAUTENBERG. Mr. President, I send the following amendments to the desk. I ask that they all be considered as offered and laid aside and that related statements be printed in the RECORD at the appropriate place.

The amendments are as follows: One from Senator LAUTENBERG, one from Senator SCHUMER, two from Senator FEINSTEIN, one from Senator HARRY REID of Nevada, two from Senator MURRAY, one from Senator HOLLINGS, and two from Senator BOXER.

I ask, as I earlier said, they be considered as offered and laid aside.

The PRESIDING OFFICER. Without objection, the Senator's request for consideration of the amendments which were just read is agreed to. The amendments will then be laid aside.

The amendments are as follows:

AMENDMENT NO. 166

(Purpose: To express the sense of the Senate on saving Social Security and Medicare, reducing the public debt, and targeting tax relief to middle-income working families.)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SAVING SOCIAL SECURITY AND MEDICARE, REDUCING THE PUBLIC DEBT, AND TARGETING TAX RELIEF TO MIDDLE-INCOME WORKING FAMILIES.

It is the sense of the Senate that the provisions of this resolution assume that—

(1) Congress should adopt a budget that—

(A) reserves the entire off-budget surplus for Social Security each year; and

(B) over 15 years, like the President's budget, reserves—

(i) 77 percent, or $3,600,000,000 of the total surplus for Social Security and Medicare;

(ii) 23 percent, or $1,000,000,000 of the surplus for—

(I) investments in key domestic priorities such as education, the environment, and law enforcement;

(II) investments in military readiness; and

(III) pro-savings tax cuts for working families;

(2) any tax cuts or spending increases should not be enacted before the solvency of Social Security is assured and Medicare solvency is extended twelve years;

(3) the 77 percent or $3,600,0000,000 of the total surplus for Social Security and Medicare should be used to reduce the publicly held debt; and

(4) any tax cuts should be targeted to provide tax relief to middle-income working families and should not provide disproportionate tax relief to people with the highest incomes.

Mr. LAUTENBERG. Mr. President, earlier we considered an amendment that asked the Senate to endorse every line in the President's budget.

This amendment asks the Senate to endorse only the general principles of that budget and its proposals for using projected budget surpluses.

The President's budget calls for no net increase in spending and no net tax cut until we have acted to reform Social Security. It is vital that we make Social Security our top priority so that the program will still be strong when our children and grandchildren are ready to retire.

The amendment I have now proposed would address what many describe as the President's other budget, his framework for using projected budget surpluses once we have taken care of Social Security.

This amendment lays out the President's overall principles, which are designed to prepare our Nation for the next century.

The amendment says that Congress should reserve the entire off-budget surplus for Social Security and, over 15 years, allocate: 77 percent or $3.6 trillion of the total surplus for Social Security and Medicare; and 23 percent of the surplus, or $1 trillion, for investments in key domestic priorities, such as education, the environment, and law enforcement; investments in military readiness, and pro-savings tax cuts for working families.

The amendment also says that tax cuts or spending increases should not be enacted before the solvency of Social Security is assured and Medicare solvency is extended 12 years.

In addition, the amendment states that the 77 percent or $3.6 trillion of the total surplus for Social Security and Medicare should be used to reduce publicly held debt. That would provide great dividends for our economy. Reducing the future debt burden and future interest costs would essentially provide a tax cut for our children.

And, finally, the amendment says that any tax cuts should be targeted to provide tax relief to middle-income working families and should not provide disproportionate tax relief to people with the highest incomes.

Mr. President, this framework emphasizes saving for the future. It's fiscally responsible. It would help protect Social Security and Medicare. And it calls for tax relief and investments where they are most needed.

The amendment does not endorse every dot and comma of the President's budget. But it would endorse the overall priorities of that proposal.

I hope my colleagues will support it.

AMENDMENT NO. 167

(Purpose: To express the sense of the Senate tha the COPS Program should be reauthorized)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON REAUTHORIZING THE COPS PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) as of December 1998, the Community Oriented Policing Services (COPS) Program had awarded grants for the hiring or redeployment to the nation's streets of more than 92,000 police officers and sheriff's deputies;

(2) according to the United States Bureau of Justice Statistics, the Nation's violent crime rate declined almost 7 percent during 1997 and has fallen more than 21 percent since 1993; and

(3) enhanced community policing has significantly contributed to this decline in the violent crime rate.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the Community Oriented Policing Services (COPS) Program should be reauthorized in order to provide continued Federal funding for the hiring, deployment, and retention of community law enforcement officers.

AMENDMENT NO. 168

(Purpose: To express the sense of the Senate regarding school construction grants, and reducing school sizes and class sizes)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide 50–50 matching grants to build new schools, and to reduce school sizes and class sizes, so that—

(A)(i) kindergarten through grade 5 schools serve not more than 500 students;

(ii) grade 6 through grade 8 schools serve not more than 750 students; and

(iii) grade 9 through grade 12 schools serve not more than 1,500 students; and

(B)(i) kindergarten through grade 6 classes have not more than 20 students per teacher; and

(ii) grade 7 through grade 12 classes have not more than 28 students per teacher; and

(2) to enable students to meet academic achievement standards, and to enable school districts to provide remedial education and terminate the practice of social promotion.

AMENDMENT NO. 169

(Purpose: To express the sense of the Senate on the social promotion of elementary and secondary school students)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON SOCIAL PROMOTION.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide remedial educational and other instructional interventions to assist public elementary and secondary school students in meeting achievement levels; and

(2) to terminate practices which advance students from one grade to the next who do not meet State achievement standards in the core academic curriculum.

AMENDMENT NO. 170

(Purpose: To express the sense of the Senate regarding social security ''notch babies'')

At the appropriate place, insert:

SEC. ___. SENSE OF THE SENATE REGARDING SOCIAL SECURITY NOTCH BABIES.

(a) FINDINGS.—The Senate finds that—

(1) the Social Security Amendments of 1977 (Public Law 95–216) substantially altered the way social security benefits are computed;

(2) those amendments resulted in disparate benefits depending upon the year in which a worker becomes eligible for benefits; and

(3) those individuals born between the years 1917 and 1926, and who are commonly referred to as ''notch babies'' receive benefits that are lower than those retirees who were born before or after those years.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that the Congress should allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over 4 years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977.

Mr. REID. Mr. President, the Social Security notch causes 11 million Americans born between the years 1917–1926 to receive less in Social Security benefits than Americans born outside the notch years.

The notch inequity is a direct result of changes made by Congress in 1977 to the Social Security benefits formula.

It is important that we restore the confidence of the notch victims and show them that we in Congress will accept responsibility for any error that was made.

While we must save Social Security for the future, we have an obligation to those who receive less than individuals who were fortunate enough to have been born just days before or after the notch period.

Many notch babies, through no fault of their own, receive more than $200 less per month than their neighbors.

It is time for us to right this wrong. I recently introduced legislation—the Notch Fairness Act of 1999—that proposes using any projected budget surplus to pay a lump sum benefit to notch babies.

While we have a surplus, let's fix the notch problem once and for all and restore the confidence of the millions of notch babies across this land.

Government has an obligation to be fair. I don't think we have been in the case of the notch babies.

Please join my efforts to correct the inequity created by the Social Security notch.

AMENDMENT NO. 171

(Purpose: To ensure that the President's after school initiative if fully funded for fiscal year 2000)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON FUNDING FOR AFTER SCHOOL EDUCATION.

(a) FINDINGS.—The Senate finds the following:

(1) The demand for after school education is very high. In fiscal year 1998 the Department of Education's after school grant program was the most competitive in the Department's history. Nearly 2,000 school districts applied for over $540,000,000.

(2) After school programs help to fight juvenile crime. Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3:00 p.m. and 6:00 p.m. After school programs have been shown to reduce juvenile crime, sometimes by up to 75 percent according to the National Association of Police Athletic and Activity Leagues.

(3) After school programs can improve educational achievement. They ensure children have safe and positive learning environments in the after school hours. In the Sacramento START after school program 75 percent of the students showed an increase in their grades.

(4) After school programs have widespread support. Over 90 percent of the American people support such programs. Over 450 of the nation's leading police chiefs, sheriffs, and prosecutors, along with presidents of the Fraternal Order of Police, and the International Union of Police Associations support government funding of after school programs. And many of our nation's governors endorse increasing the number of after school programs through a Federal of State partnership.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress will provide $600,000,000 for the President's after school initiative in fiscal year 2000.

AMENDMENT NO. 172

(Purpose: To fully fund the Class Size Initiative, the amendment reduces the resolution's tax cut by ten billion dollars, leaving adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools)

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $2,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,586,777,000,000.
Fiscal year 2005: $1,650,486,000,000.
Fiscal year 2006: $1,683,892,000,000.
Fiscal year 2007: $1,736,436,000,000.
Fiscal year 2008: $1,805,797,000,000.
Fiscal year 2009: $1,865,515,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$7,358,000,000.
Fiscal year 2002: −$52,208,000,000.
Fiscal year 2003: −$30,811,000,000.
Fiscal year 2004: −$47,372,000,000.
Fiscal year 2005: −$60,412,000,000.
Fiscal year 2006: −$106,822,000,000.
Fiscal year 2007: −$134,964,000,000.
Fiscal year 2008: −$150,412,000,000.
Fiscal year 2009: −$177,195,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,794,000,000.
Fiscal year 2002: $1,489,177,000,000.
Fiscal year 2003: $1,562,248,000,000.
Fiscal year 2004: $1,614,578,000,000.
Fiscal year 2005: $1,668,643,000,000.
Fiscal year 2006: $1,697,402,000,000.
Fiscal year 2007: $1,752,567,000,000.
Fiscal year 2008: $1,813,739,000,000.
Fiscal year 2009: $1,873,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,583,878,000,000.
Fiscal year 2005: $1,640,655,000,000.
Fiscal year 2006: $1,669,062,000,000.
Fiscal year 2007: $1,716,673,000,000.
Fiscal year 2008: $1,780,977,000,000.
Fiscal year 2009: $1,840,699,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $68,049,000,000.
(B) Outlays, $65,430,000,000.
Fiscal year 2002:
(A) New budget authority, $68,995,000,000.
(B) Outlays, $66,947,000,000.
Fiscal year 2003:
(A) New budget authority, $75,069,000,000.
(B) Outlays, $70,023,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $74,262,000,000.
Fiscal year 2005:
(A) New budget authority, $80,264,000,000.
(B) Outlays, $78,118,000,000.
Fiscal year 2006:
(A) New budget authority, $78,229,000,000.
(B) Outlays, $79,643,000,000.
Fiscal year 2007:
(A) New budget authority, $79,133,000,000.
(B) Outlays, $78,909,000,000.
Fiscal year 2008:
(A) New budget authority, $80,144,000,000.
(B) Outlays, $79,389,000,000.
Fiscal year 2009:
(A) New budget authority, $80,051,000,000.
(B) Outlays, $79,059,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $137,750,000,000 for the period of fiscal years 2000 through 2004, and $767,552,000,000 for the period of fiscal years 2000 through 2009; and

AMENDMENT NO. 173

(Purpose: To express the sense of the Senate on women and Social Security reform)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON WOMEN AND SOCIAL SECURITY REFORM.

(a) FINDINGS.—The Senate finds that—

(1) without Social Security benefits, the elderly poverty rate among women would have been 52.2 percent, and among widows would have been 60.6 percent;

(2) women tend to live longer and tend to have lower lifetime earnings than men do;

(3) during their working years, women earn an average of 70 cents for every dollar men earn; and

(4) women spend an average of 11.5 years out of their careers to care for their families, and are more likely to work part-time than full-time.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) women face unique obstacles in ensuring retirement security and survivor and disability stability;

(2) Social Security plays an essential role in guaranteeing inflation-protected financial stability for women throughout their old age;

(3) the Congress and the Administration should act, as part of Social Security reform, to ensure that widows and other poor elderly women receive more adequate benefits that reduce their poverty rates and that women, under whatever approach is taken to reform Social Security, should receive no lesser a share of overall federally-funded retirement benefits than they receive today; and

(4) the sacrifice that women make to care for their family should be recognized during reform of Social Security and that women should not be penalized by taking an average of 11.5 years out of their careers to care for their family.

AMENDMENT NO. 174

(Purpose: To continue Federal spending at the current services baseline levels and pay down the Federal debt)

Strike Titles 1 and 2 of the resolution and insert the following:

TITLE I—LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2000 through 2009:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,442,647,000,000.
Fiscal year 2002: $1,508,276,000,000.
Fiscal year 2003: $1,563,318,000,000.
Fiscal year 2004: $1,634,149,000,000.
Fiscal year 2005: $1,710,896,000,000.
Fiscal year 2006: $1,790,713,000,000.
Fiscal year 2007: $1,871,400,000,000.
Fiscal year 2008: $1,956,209,000,000.
Fiscal year 2009: $2,045,710,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,424,759,000,000.
Fiscal year 2001: $1,451,764,000,000.
Fiscal year 2002: $1,481,268,000,000.
Fiscal year 2003: $1,544,059,000,000.
Fiscal year 2004: $1,597,397,000,000.
Fiscal year 2005: $1,655,402,000,000.
Fiscal year 2006: $1,705,251,000,000.
Fiscal year 2007: $1,770,344,000,000.
Fiscal year 2008: $1,840,865,000,000.
Fiscal year 2009: $1,910,187,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,406,584,000,000.
Fiscal year 2001: $1,431,899,000,000.
Fiscal year 2002: $1,449,260,000,000.
Fiscal year 2003: $1,512,261,000,000.
Fiscal year 2004: $1,566,600,000,000.
Fiscal year 2005: $1,631,828,000,000.
Fiscal year 2006: $1,674,724,000,000.
Fiscal year 2007: $1,737,435,000,000.
Fiscal year 2008: $1,810,214,000,000.
Fiscal year 2009: $1,880,338,000,000.

(4) DEFICITS OR SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the deficits or surpluses are as follows:

Fiscal year 2000: −$4,605,000,000.
Fiscal year 2001: $10,748,000,000.
Fiscal year 2002: $59,016,000,000.
Fiscal year 2003: $51,057,000,000.
Fiscal year 2004: $67,549,000,000.
Fiscal year 2005: $79,068,000,000.
Fiscal year 2006: $115,989,000,000.
Fiscal year 2007: $133,965,000,000.
Fiscal year 2008: $145,995,000,000.
Fiscal year 2009: $165,372,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,637,600,000,000.
Fiscal year 2001: $5,710,300,000,000.
Fiscal year 2002: $5,739,700,000,000.
Fiscal year 2003: $5,776,200,000,000.
Fiscal year 2004: $5,792,400,000,000.
Fiscal year 2005: $5,794,100,000,000.
Fiscal year 2006: $5,755,600,000,000.
Fiscal year 2007: $5,696,200,000,000.
Fiscal year 2008: $5,615,400,000,000.
Fiscal year 2009: $5,510,500,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2000: $3,511,700,000,000.
Fiscal year 2001: $3,371,900,000,000.
Fiscal year 2002: $3,175,600,000,000.
Fiscal year 2003: $2,979,400,000,000.
Fiscal year 2004: $2,756,200,000,000.
Fiscal year 2005: $2,507,700,000,000.
Fiscal year 2006: $2,211,700,000,000.
Fiscal year 2007: $1,886,400,000,000.
Fiscal year 2008: $1,539,800,000,000.
Fiscal year 2009: $1,168,200,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $468,020,000,000.
Fiscal year 2001: $487,744,000,000.
Fiscal year 2002: $506,293,000,000.
Fiscal year 2003: $527,326,000,000.
Fiscal year 2004: $549,876,000,000.
Fiscal year 2005: $576,840,000,000.
Fiscal year 2006: $601,834,000,000.
Fiscal year 2007: $628,277,000,000.
Fiscal year 2008: $654,422,000,000.
Fiscal year 2009: $681,313,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $327,256,000,000.
Fiscal year 2001: $339,789,000,000.
Fiscal year 2002: $350,127,000,000.
Fiscal year 2003: $362,197,000,000.

Fiscal year 2004: $375,253,000,000.
Fiscal year 2005: $389,485,000,000.
Fiscal year 2006: $404,596,000,000.
Fiscal year 2007: $420,616,000,000.
Fiscal year 2008: $438,132,000,000.
Fiscal year 2009: $459,496,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal year 2000 through 2009 for each major functional category are at the CBO March Baseline On-Budget totals for BA and outlays, committee allocations and resolution aggregates.

AMENDMENT NO. 175

(Purpose: To ensure that the substantial majority of any income tax cuts go to middle and lower income taxpayers)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON TAX CUTS FOR LOWER AND MIDDLE INCOME TAXPAYERS.

It is the sense of the Senate that the levels in this resolution assume that Congress will not approve an across-the-board cut in income tax rates, or any other tax legislation, that would provide substantially more benefits to the top 10 percent of taxpayers than to the remaining 90 percent.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. If there is no further debate at this time, under the previous order, the Senate will stand adjourned until the hour of 9 a.m., Thursday, March 25, 1999.

Thereupon, the Senate, at 11:24 p.m., adjourned until Thursday, March 25, 1999, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 24, 1999:

THE JUDICIARY

WILLIAM HASKELL ALSUP, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE THELTON EUGENE HENDERSON, RETIRED.

J. RICH LEONARD, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA VICE W. EARL BRITT, RETIRED.

CARLOS MURGUIA, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE SAM A. CROW, RETIRED.

MARSHA J. PECHMAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE WILLIAM L. DWYER, RETIRED.

FOREIGN SERVICE

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES INFORMATION AGENCY FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER

BRIAN E. CARLSON, OF VIRGINIA
MARJORIE ANN RANSOM, OF THE DISTRICT OF COLUMBIA
E. ASHLEY WILLS, OF TEXAS

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR

ROBERT J. CALLAHAN, OF ILLINOIS
WILLIAM DARREL CAVNESS, JR., OF GEORGIA
JEREMY F. CURTIN, OF MARYLAND
CHRISTIAN FILOSTRAT, OF NEW YORK
HELENA KANE FINN, OF NEW YORK
LINDA JEWELL, OF NEW JERSEY
WILLIAM P. KIEHL, OF PENNSYLVANIA
BARBARA C. MOORE, OF OREGON
PAMELA H. SMITH, OF THE DISTRICT OF COLUMBIA
CORNELIUS C. WALSH, OF VIRGINIA
LEONARDO M. WILLIAMS, OF VIRGINIA

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE 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:

DALE V. SLAGHT, OF NEW JERSEY

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

DAVID K. KATZ, OF CALIFORNIA
SAMUEL H. KIDDER, OF WASHINGTON

THE FOLLOWING NAMED CAREER MEMBERS OF THE FOREIGN SERVICE 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:

WILLIAM A. BREKKE, OF SOUTH DAKOTA
MICKEY R. FRISBY, OF OKLAHOMA
CAROL MURRAY KIM, OF VIRGINIA
AUGUST MAFFRY, OF VIRGINIA
ALAN R. TURLEY, OF CONNECTICUT
ERIC R. WEAVER, OF VIRGINIA

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24, 1999:

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

THE FOLLOWING NAMED CAREER MEMBERS 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, OF MARYLAND

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARY E. REVELT, OF FLORIDA
JOHN H. WYSS, OF TEXAS

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:

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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:

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