law, the report of the Reserve Forces Policy Board for fiscal year 1994; to the Committee on Armed Services.

EC–536. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report on savings associations for calendar year 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–537. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation entitled ''The U.S. Mint Managerial Staffing Act of 1995''; to the Committee on Banking, Housing, and Urban Affairs.

EC–538. A communication from the Secretary of Housing and Urban Development's Designee to the Federal Housing Finance Board, transmitting, pursuant to law, the report of salary rates for calendar year 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–539. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled ''Maritime Security Act of 1995''; to the Committee on Commerce, Science, and Transportation.

EC–540. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to amend the guarantee fee provisions of the Federal Ship Mortgage Insurance program in the Merchant Marine Act, 1936, as amended; to the Committee on Commerce, Science, and Transportation.

EC–541. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled ''The Maritime Administration Authorization Act for fiscal year 1996''; to the Committee on Commerce, Science, and Transportation.

EC–542. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report entitled ''Tanker Safety and Liability''; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 219. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes (Rept. No. 104–15).

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 464. A bill to make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.

S. 532. A bill to clarify the rules governing venue, and for other purposes.

S. 533. A bill to clarify the rules governing removal of cases to Federal court, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

J. Don Foster, of Alabama, to be United States Attorney for the Southern District of Alabama for the term of 4 years.

Martin James Burke, of New York, to be United States Marshal for the Southern District of New York for the term of 4 years.

Charles B. Kornmann, of South Dakota, to be United States District Judge for the District of South Dakota.

Karen Nelson Moore, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Janet Bond Arterton, of Connecticut, to be United States District Judge for the District of Connecticut.

Willis B. Hunt, Jr., of Georgia, to be United States District Judge for the Northern District of Georgia.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COATS (for himself, Mr. GRAMS, Mr. CRAIG, Mr. LOTT, Mr. BROWN, Mr. MCCAIN, Mr. KYL, Mr. INHOFE, Mrs. HUTCHISON, and Mr. GRAMM):

S. 568. A bill to provide a tax credit for families, to provide certain tax incentives to encourage investment and increase savings, and to place limitations on the growth of spending; to the Committee on Finance.

By Mr. HARKIN:

S. 569. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to combat waste, fraud, and abuse in the medicare program, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have 30 days to report or be discharged.

By Mr. GORTON:

S. 570. A bill to authorize the Secretary of Energy to enter into privatization arrangements for activities carried out in connection with defense nuclear facilities, and for other purposes; to the Committee on Armed Services.

By Mrs. BOXER (for herself, Mr. PRYOR, Mr. GRASSLEY, Mr. KOHL, Mr. BRADLEY, Mr. DORGAN, Mr. AKAKA, Mr. HOLLINGS, Mr. ROTH, Mr. HARKIN, Mr. REID, Mr. LIEBERMAN, Mr. BAUCUS, Mr. ABRAHAM, Mr. SIMON, and Mr. ROBB):

S. 571. A bill to amend title 10, United States Code, to terminate entitlement of pay and allowances for members of the Armed Forces who are sentenced to confinement and a punitive discharge or dismissal, and for other purposes; to the Committee on Armed Services.

By Mr. COATS:

S. 572. A bill to expand the authority for the export of devices, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. PRYOR:

S. 573. A bill to reduce spending in fiscal year 1996, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions, that if one Committee reports the other Committee have thirty days to report or be discharged.

By Mr. MOYNIHAN (for himself, Mr. COCHRAN, and Mr. SIMPSON):

S. 574. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 150th anniversary of the founding of the Smithsonian Institution; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. STEVENS (for himself, Mr. MURKOWSKI, Mr. JOHNSTON, and Mr. BREAUX):

S. 575. A bill to provide Outer Continental Shelf Impact Assistance to State and local governments, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD:

S. 576. A bill to prohibit the provision of certain trade assistance to United States subsidiaries of foreign corporations that lack effective prohibitions on bribery; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself, Mr. BURNS, Mr. DOLE, and Mr. DASCHLE:

S. Res. 88. A resolution honoring the 92d birthday of Mike Mansfield, and for other purposes; considered and agreed to.

By Mr. FEINGOLD:

S. Res. 89. A resolution regarding bribery in international business transactions and the discrimination against United States exports that results from such bribery; to the Committee on Foreign Relations.

By Mr. DOLE (for himself and Mr. DASCHLE):

S. Res. 90. A resolution to authorize testimony by a Senate employee; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COATS (for himself, Mr. GRAMS, Mr. CRAIG, Mr. LOTT, Mr. BROWN, Mr. MCCAIN, Mr. KYL, Mr. INHOFE, Mr. GRAMM, and Mrs. HUTCHISON):

S. 568. A bill to provide a tax credit for families, to provide certain tax incentives to encourage investment and increase savings, and to place limitations on the growth of spending; to the Committee on Finance.

THE FAMILY INVESTMENT RETIREMENT SAVINGS AND TAX FAIRNESS ACT

Mr. COATS. Mr. President, this morning we rise to introduce legislation to put the American family first. Mr. President, I send to the desk legislation which will do just that and will explain its content.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. COATS. Thank you, Mr. President.

Our colleagues on the other side of the Capitol already have begun to take action on many of the reforms that I have laid out in this legislation. But now it is time for the Senate to deliver on a promise and give family tax relief to hard-working, overtaxed middle Americans.

Over that past few years Americans have heard a lot of talk about tax relief but they have yet to see Washington act on their promises. Today, Mr. President, we signal our intent to not just talk about, but to act upon tax relief for our citizens, especially our families.

This legislation is a blueprint that shows that deficit reduction and tax relief can go hand-in-hand. These goals are not mutually exclusive if Congress is willing to make the hard choices necessary to put our fiscal house in order. We clearly need to restore fiscal integrity and economic soundness to the budget process. We need the kind of change that will force Congress to act differently by rewriting the ground rules of the game. For too long we have chosen to take the easy road by putting off or ignoring the frugal spending path that over and over we have laid out but failed to adhere to.

This legislation we introduce today includes a real sequester provision so that if Congress once again cannot make the hard spending choices they will be made anyway. The Family, Investment, Retirement, Savings and Tax Fairness Act—families first—charts a different course and reorders our spending priorities.

Last year's election proves that the American people are fed up with the status quo—they want action. Action taken to eliminate the deficit and the ever growing debt that we are burdening our children with and action to relieve them of the taxes that are stifling their quality of life and leaving them with less and less in every pay check.

Families first recognizes three central principles.

First, American families are overtaxed. High taxes rob families of the resources needed to care for children.

Second, the private sector, not government creates jobs. We must reduce the cost of capital and encourage productive investment by reducing the tax on growth. We will find new jobs in a growing economy, not in a growing government.

Third, the American people want deficit reduction upfront—obviously the President did not hear that message. His fiscal year 1996 budget just keeps reinventing the same spending cuts that will take place some time in the future. Is this any kind of leadership when the Nation's debt now stands at over $4.7 trillion? That is over $18,500 for every man, woman, and child in this Nation. This is a carefully planned, meticulously documented theft from our children.

Specifically, the families first bill does the following:

First, it provides relief to American families with children through a tax credit of $500 per child;

Second, it provides incentives for businesses to create jobs, including a reduced capital gains tax rate, a neutral cost recovery plan for capital investments, and expanded IRA's;

Third, it repeals the retirement earnings test on older Americans;

Fourth, it places a 2 percent cap on the growth of Federal spending;

Fifth, it creates a commission, modeled after the Base Closure Commission, to identify the legislative changes needed to meet the cap. If Congress fails to approve the commission's plan by a date certain, the cap would be enforced by sequester, holding Social Security harmless.

The bill is not only entirely paid for by the spending cap—our plan cuts the deficit by half in 5-years, eliminating it altogether in less than 10 years.

I would like to take a moment to discuss the family tax credit component of this plan which addresses an inequity that has been developing for decades.

Families are finding it more and more difficult to bear the financial costs of raising children. According to Family Economics Review, the average American family it faces costs of between $4,000 and $5,000 per year, per child.

This is because, over the last several decades, tax burdens have been radically redistributed, not from poor to rich or rich to poor, but directly on families with children.

The facts are these. Adjusting for inflation, single people and married couples with no children pay about the same percentage of their income in taxes as they did at the end of World War II. In 1948, the typical family of four paid just 3 percent of its income to the Federal Government in direct taxes. In 1992, the equivalent family paid nearly 24.5 percent of its income to the Federal Government. This is an increase of over 717 percent. It is time to restore fairness in the Tax Code.

The reason is simple. The personal exemption—the way the Tax Code adjusts for family size—has been eroded by inflation and neglect. The exemption that once protected families with children has fallen significantly in the last six decades. Currently, the personal exemption is $2,450 if this had kept pace with inflation the personal exemption would be over $7,000.

Many households now have two working parents who spend greater amounts of time away from their children out of simple necessity. Rising healthcare and education costs in particular place the family under great financial pressure.

This tax burden translates into less time that families can spend together. Families have 40 percent less time to spend together today than they did 25 years ago. Families are clearly working harder, longer, for less.

A $500-per-child tax credit would give a family of four over $80 a month extra for groceries, school clothes for the kids, or savings for education, et cetera. Our bill will reduce the tax burden, allowing families to keep more of their hard earned dollars. It will empower families to make their own choices and rely less on government; 50 million children are eligible for this credit. In my own State of Indiana, 1.1 million children are eligible, enabling Hoosier families to keep $555 million of their hard earned money each year.

Advocating family tax relief, President Clinton said, ‘‘$400, people say it's not very much money. I think it is a lot of money. It is enough for a mortgage payment. It is enough for clothes for the kids, and enough to have a big, short-term impact on the economy.’’

No change is more urgent for average families than tax reform. Increased taxation on families with children is a tool of the bully, picking on the weak. For larger families it has meant a recession in both good times and bad, a recession that never seems to end. But for decades families have suffered quietly.

There are many programs like the earned income tax credit designed specifically to help impoverished families—as there should be. This commitment is constant and important. But we must not forget that it is middle income families who have not only been forgotten, but given extra financial burdens. It is time to target this group for relief—as we have done in the past for others. Over 85 percent of the family tax relief provided by this credit goes to Americans with family incomes of less than $75,000. This relief is not a handout. It is a matter of simple justice. It is a return to tax fairness.

This plan tackles the two great threats to the American family—the budget deficit and the ever growing tax burden. In addition, it recognizes that only a growing economy will provide jobs. It recognizes that high taxes bleed an economy of its productive power. They strip individuals of incentive and devalue their work.

For too long we have dismissed their needs to answer the calls of other interests. I hope my colleagues will join us in this fight for the American family. We must give them the tax relief they deserve.

KEY FACTS ON TAX CREDIT

Fifty million children eligible for the credit.

It eliminates the total tax burden for families making less than $23,000.

Some 4.7 million families would have their tax liability eliminated.

Mr. President, over the past few years Americans have heard a lot of campaign promises and a lot of talk about tax relief, but they have yet to see Washington act on these promises.

Today, Mr. President, in sending this legislation to the desk for consideration, we signal our intent to not just talk about tax relief but to act upon it for our citizens, and especially for our families.

I am pleased that this morning my new Senate colleague, Senator Grams from Minnesota, who joined with me in the last Congress as a Member of the House of Representatives in sponsoring this legislation, has joined us and will be joining me in advancing this legislation before this body.

Already our colleagues on the other side of the Capitol have begun to take action on many of the reforms that are laid out in this legislation. Now it is time for the Senate to deliver on a promise made by so many to give family tax relief to the hard-working, overtaxed, middle-income Americans.

This legislation is a blueprint that shows that deficit reduction, which surely we must engage in, and tax relief can go hand in hand. These goals are not mutually exclusive, if we are willing to make the hard choices necessary to put our fiscal house in order but in doing so recognizing the impact on the average American family today and their need for substantive relief and deal with the burdens and expenses of raising children in today's society.

Our efforts are incorporated in legislation with the acronym FIRST. FIRST stands for family, investment, retirement savings, and tax fairness. It combines efforts to address a glaring deficiency in our Tax Code, a deficiency that robs middle-income Americans of hard-earned dollars to spend as they see fit and as they see the need to raise their children, to pay the mortgage, to rent the apartment, to make the car payments, to buy the clothes, to save for the education, to meet the needs, the ever-growing needs, of their ever-growing children.

It combines that relief with real, meaningful incentives for the business enterprises of America, to expand, to accumulate capital and to create the jobs which those children will be seeking as soon as they finish their education. And it adds to that relief for our senior citizens who are able and want to keep working beyond retirement age but whose income is severely eroded by the offsets that are required under the current law. We lift the earnings requirement so that those seniors that are willing and are able to continue working beyond retirement can do so without penalty.

There are incentives for contributions to an IRA, an IRA designed to help with those burdens and those expenses of providing for education and providing for the purchase of a home and other needs.

It does so with the recognition that we have to pay real attention to the ever-growing debt burden which is saddling this generation, and particularly future generations, with a debt and an interest cost that they may be unable to pay and that will surely limit their opportunities in the future.

Deficit reduction is a serious effort that must be undertaken by this Congress and not future Congresses. So we are trying to reconcile two very important goals, and we think we have done that in this first legislation, because combined with these incentives for family relief and for business growth and for help for our seniors, combined with this is an effort to rein in the costs—excessive costs—of the spending of this Congress and of this Government, by placing a cap on the overall rate of growth.

I want to stress that phrase ''rate of growth.'' Those who say that we need to drastically slash this and that, and take money away from this program or that program, are not recognizing the reality that if we simply limit the rate of growth of Government spending, we can free up money to provide significant deficit reduction, put us on a path to a balanced budget and, at the same time, reorder our priorities and direct funds into areas where they are needed the most.

Our job as elected representatives is to wisely, efficiently, and effectively spend the taxpayers' hard-earned dollars and make sure that those dollars spent at the Federal level are spent in a way that gives us the best results. We have been pointing to a whole number of programs that are marginal at best and, clearly, as we look at limiting the rate of growth of the Federal Government, we will need to look at our priorities.

There are some programs that probably are not performing the service that was intended and they ought to be flat out eliminated. They no longer are needed or are not doing the job. Other programs have marginal benefit but do not rank high in the priority list. I suggest that those programs need to be reduced in the amount of expenditures and amount of budget they are given each year. Some may be 1 or 2 years, some may be 5, 10, some 30—who knows. We need to look at the effectiveness of those programs and reduce that spending. Others ought to be frozen. They are providing an effective service, but we cannot afford to continue increasing them at the past rate, so let us freeze at the current level.

Yes, Mr. President, there are probably some programs that ought to be increased because they are meeting necessary needs for Americans. They go to important programs and they deserve an increase. With the first bill, we are saying let us put an overall cap on the rate of growth at about 2 percent, and in doing so let us back it up with a spending commission that will recommend cuts and provide the mechanism, as we have done in base closing, to ensure that Congress lives up to its promise. If we do that, as I said, we can balance the budget over a number of outyears—roughly 8 years—we can balance the budget. We can also reprioritize our spending in the areas that I have talked about—family relief, investment in new jobs, help for our seniors, and some other important programs.

The core of this program is the family relief. Families today are struggling to meet ever-rising tax demands. American families are overtaxed, and they rob our families of the resources needed to care for children.

In 1948, a typical family of four paid just 3 percent of its income to the Federal Government in direct taxes. In 1992, the equivalent family paid nearly 24½ percent of its income to the Federal Government—an increase of over 717 percent. At times, special-interest deductions have been granted to all types of special interests in our country under our Tax Code. But the most special of all special interests—the family—has been shorted. These other deductions have been at the families' expense. They are struggling to keep up.

Personal exemption has not kept pace. Today, it is $2,450 per dependent. If it had kept pace with inflation, it would be well over $7,000. Today, families have 40 percent less time to spend with their children, partly because they are out working trying to make ends meet. They are clearly working harder, longer, for less.

The $500 per child tax credit for children under 18 will provide real relief for families struggling to meet the needs of their family and to pay the bills. It is the central part of the package that we are introducing. Over 85 percent of this family tax relief provided by this credit will go to American families with incomes of less than $75,000. The relief is not a handout. It is a matter of simple fairness and simple justice. It is a return to tax fairness under the code.

Surely, Mr. President, as we look at how we spend the taxpayers' dollars, as we look at how we reprioritize our spending—and that is the exercise we are going through here in this Congress—surely there will be room, or there should be room, for families. Surely, we can find a way to direct our expenditure of Federal dollars to help struggling families. And we are not giving them the money back. We are saying we are going to allow you to keep more of your hard-earned dollars; you are going to be able to send less of your paycheck to Washington, and you are going to be able to make the decisions which are in the best interests of your children and your family. Surely, in all of our debate as to where we spend the taxpayers' dollars and how we spend the taxpayers' dollars, we can make room for the family.

Mr. President, I am pleased that Senator GRAMS and I are joined by a number of our colleagues as original cosponsors. I ask unanimous consent that Senators GRAMS, CRAIG, LOTT, BROWN, MCCAIN, KYL, and INHOFE be added as original cosponsors.

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

Mr. COATS. I also note, Mr. President, that last year, as part of the Republican alternative budget, every Republican Senator voted for that Republican alternative budget which, unfortunately, failed. We did not have enough votes to gain a majority. But the core of that alternative Republican budget was this first bill and the family tax relief, which is the heart of that.

So I anticipate that most of our colleagues, if not all, will join Senator GRAMS and I. I am so pleased to have him join us in the U.S. Senate. He will be carrying the ball with all of us, advancing what I think is an extraordinarily important concept and idea.

We have terrific support in the House of Representatives. Just 2 days ago, the Ways and Means Committee reported out a bill with many of these features, the central part of that bill. So it is now time for the Senate, Mr. President, to act on its promises, to fulfill its commitment, and to put families at the centerpiece of the actions that we take this year.

With that, Mr. President, I yield my time and yield whatever time the Senator from Minnesota wishes to consume.

How much time remains?

The PRESIDING OFFICER. We have 20 minutes remaining.

Mr. COATS. I yield to the Senator from Minnesota.

Mr. GRAMS. Mr. President, I am pleased to join the distinguished Senators from Indiana and Idaho this morning, and a number of the other Senators who will be joining us later this morning, to talk about this very important issue—tax cuts—and to help continue the leadership on this most important issue.

I am proud to be a coauthor of this very important legislation, families first.

Mr. President, today we begin a debate that has been too long in coming. The American people are in desperate need of relief from their own Government, a Government that thinks it can spend our money better than we can spend our money. It has spent the last four decades just trying to prove that point.

In 1947, Americans paid just 22 percent of their personal income in the form of taxes—all taxes—to Federal, State, and local governments, including property taxes and the like.

Today, 40 years and hundreds of tax increases later, nearly 50 cents of every dollar earned by middle-class Americans goes to the Government to feed Government priorities. ''We will solve all of our problems,'' says Washington, ''if you will just send us more of your money.'' So we do, year after year. We have reached the point now where most families pay more tax dollars to the Federal Government than they spend for food, clothing, transportation, insurance, and recreation combined.

The 1993 Clinton tax bill did not help, either. As the largest tax increase in American history, it hit middle-class Americans right where it hurts the most—in their wallets.

Mr. President, the bottom line is taxes are just too high. The tax burden falls too heavily on the middle class. And, Mr. President, the result is that more and more Americans are being forced out of the working class and being forced into the welfare class.

But with their ballots last November, Americans called for tax relief. With the change in leadership in Washington, Congress is now finally in a position to deliver on that request.

Mr. President, we are taking the first step today with the introduction of the families first act—legislation calling for a $500 per child tax credit.

The $500 per child tax credit is relief for middle-class America.

And I would just like to show one of the few charts that we have out here this morning and talk about what this means.

In my home State of Minnesota, families first, if enacted, would provide nearly $500 million every year in tax relief to families across the State of Minnesota—$500 million into the pockets of families and individuals who will decide best on how to spend on those important needs such as food, clothing, shelter, education, or health care. They will make those decisions rather than some bureaucrat 1,100 miles away from Minnesota in Washington.

If you look at the home State of Senator DAN COATS in Indiana and what this would mean, it would mean for Indiana residents over $550 million a year in tax relief—$550 million every year. You add this total, and for all States it would be a $25 billion-a-year tax cut that would go into the pockets of families to decide how to spend. It would take that decisionmaking process out of Washington and put it down where it really belongs, and that is with the individuals who know best how to handle the problems that their families are facing.

As this chart clearly shows, our plan would return, as I said, $25 billion every year to families nationwide. And that includes from $418 million in Alabama every year to $61 million for the State of Wyoming residents. Again, $500 million a year would be dedicated to families in my home State of Minnesota.

Fully more than 90 percent of the tax relief would go to working Americans making annual salaries of $60,000 or less. So this is a plan that is targeted. More than 90 percent of the tax relief goes right to the burden the individuals that have felt the burden the most over the last 30 years, and that is families making $60,000 or less.

Most importantly, our $500 per child tax credit would let 53 million working families keep more of their own hard-earned tax dollars. And $500 per child adds up to a lot more than just some pocket change.

I think, if you pick up the phone and ask many of the constituents in your districts if $500 or $1,000 for two children or $1,500 for three children would not make a big difference in their finances every year, for middle-income taxpayers, it may mean health insurance for their families where there was not any before, or maybe a better education for their children when before there were no other options. To lower income Americans, it may mean not having to pay any taxes at all.

Mr. President, there is widespread support also for the $500 per child tax credit among Americans in every income range, in every age bracket, among those with children and those without. These are the people who feel the pain every April 15 when they pay their taxes and who think it is time for the Government to feel a little bit of that pain instead.

But how can a government grappling with a $4.8 trillion national debt afford tax relief of any kind?

Well, the families first bill, which became the centerpiece of the budget plans offered last year by both Senate and House Republicans, pays for the tax credit by cutting Government spending. Every single dollar in tax relief is offset by another dollar in spending cuts.

I just want to refer again to the charts for the support that we have nationwide for a tax cut proposal. If you look at this one chart and you look at the different age groups, 18 to 25, 76 percent would approve of a tax cut. In the age group 26 to 40, 77 percent said, yes, let us have a tax cut. From 41 to 55, over 56 percent, and so on; 62 percent for 55 to 65; and, 65 and older, 58 percent said, yes, they would favor tax relief.

And if you look at income levels, people below $20,000, said, yes, they would like to have some more tax relief. And in all income groups it is either in the 60 or 70 percent range that say yes. So this is overwhelming support nationwide by every age group, every income group that really believes we are being taxed too much.

And by putting the Federal Government on a strict diet by capping the growth of Federal spending at 2 percent, we can balance the budget by the year 2002, including the tax cuts. Our bill proves that we can afford tax relief at the same time that we begin to restore some fiscal sanity to Washington.

During the debate ahead, we will hear calls to water down the $500 per child tax credit. We will be asked to means test it or to even lower the dollar amount. Some will want to limit the ages of the children eligible, or duck out on real relief by substituting an increase in the personal deduction. Some may oppose tax relief completely.

But that is not what the Americans were promised last year, or what the voters mandated in November. If we backtrack now, we will have to face an American public that is tired of being led on by politicians who promise one thing and then never deliver.

We have to hold firm on behalf of every American taxpayer and deliver the tax relief that we promised.

I want to commend our colleagues on the House Ways and Means Committee, who this week kept the covenant they made with the voters in the Contract With America and passed the $500 per-child tax credit. This was a victory for the taxpayers and a clear signal to the American people that they have not been forgotten by this Congress.

Mr. President, I am proud that Senator COATS and our Senate colleagues—

what we call the 500 club—will be following up on the House's good work and fighting for the promises made in November: the promises of lower taxes, smaller government, stronger families.

Those are the principles embodied by the $500 tax credit—the principles that will once again put families first.

I would like to now yield some time to my good friend and colleague from Arizona.

Mr. KYL. I thank the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I am pleased to be an original cosponsor of the families first legislation that our colleague, Senator ROD GRAMS, is introducing today. This important legislation would provide badly needed tax relief for American families. It would repeal the Social Security earnings limitation. It would cut capital gains taxes and provide other pro-growth economic incentives, while still putting the budget on track to balance by the year 2002. It does so by cutting spending.

Balancing the budget does not mean that taxes have to be increased. Nor does it preclude consideration of tax cuts. The problem is not that the Federal Government is collecting too little in tax revenue. The Government is simply spending too much.

As a result of the tax increase Congress approved in 1990, Americans paid over $20 billion in new taxes. They paid another $35 billion as a result of President Clinton's tax increase in 1993. Taxes increased, but so did Federal spending. It climbed from $1.2 trillion in 1990 to about $1.5 trillion this year, and it will rise to $1.6 trillion next year. That is a 33 percent increase in spending in just 6 years. Taxes—which are already too high—will never be high enough to satisfy Congress' appetite for spending.

Since 1948, the average American family with children has seen its Federal tax bill rise from about 3 percent of income to about 24.5 percent today. Combined with State and local taxes, that burden rises to a staggering 37.6 percent.

Senior citizens have been hit hard by tax increases as well. The earnings limitation is bad enough, but combined with the 1993 Clinton tax increase on Social Security benefits, the marginal rate now experienced by some seniors amounts to 88 percent, twice the rate paid by millionaires. That is not taxation. It is confiscation.

Mr. President, the American people know what it means to balance a budget—to struggle to make ends meet—and they know better than the Government how to provide for themselves and their children. Parents just want a chance to keep more of what they earn to put food on the table, a roof over their heads, and their kids through school. The $500 per child tax credit in the families first bill is no panacea, but it is an important step in the right direction.

In fact, about 35 million families across the nation would be eligible for the bill's $500 per child tax credit. Among those who would benefit the most are 4.7 million low-income families who would see their entire Federal tax burden eliminated—4.7 million families.

As pointed out in a Heritage Foundation report last year, ''a $500 per child tax credit would give a family of four earning $18,000 per year a 33-percent tax cut, and a family earning $40,000 per year a 10-percent tax cut, while giving a family earning $200,000 per year a cut of only 1.5 percent.''

So the families first credit is fair. It targets relief to those who need it most—low- and middle-income families across the Nation. The bill also repeals the Social Security earnings limitation which is inherently unfair to people who need and deserve their full Social Security benefits and who also want to work. Not only should the earnings test be repealed, the Clinton tax increase on Social Security should be repealed as well.

I know there are those who will say that deficit reduction is more important than tax relief, and they may oppose the bill. I disagree. I have never understood how taking more money out of the pockets of the American people can make them better off. Taxing people too much makes them worse off, and it slows down the economy. If the goal is to maximize tax revenues, as opposed to tax rates, then tax relief is not inconsistent with the goal of deficit reduction. It is integral to the goal of reducing the deficit.

As my colleagues have heard me point out on a number of occasions, revenues to the Treasury have fluctuated around a relatively narrow band of 18 to 20 percent of gross national product for the last 40 years. That is despite tax increases and tax cuts, recessions and expansions, and economic policies pursued by Presidents of both parties.

Since revenue as a share of the gross domestic product is virtually constant, the only way to raise revenue is to enact policies that foster economic growth and opportunity. In other words, 18 to 20 percent of a larger GDP represents more revenue to the Treasury than 18 to 20 percent of a smaller GDP.

That is the basis for these Federal spending limits that I proposed in other legislation. It is the reason the tax cuts in the families first bill make good economic sense. Empower American families and they can do more for themselves and depend less on Government. Cut taxes and stimulate the economy and more people can go to work. There will actually be more economic activity to tax, more revenue to the Treasury, despite the lower tax rates.

Last fall, the American people sent a loud and clear message to Congress: It is time to end business as usual. They want less Government, not more. They want tax relief and lower Government spending. Let Congress help President Clinton keep the promise he made in putting people first, to grant additional tax relief to families and children. Let Congress pass the families first bill.

Mr. COATS. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER. There are 6 minutes remaining.

Mr. COATS. I yield 5 minutes to the Senator from Texas and reserve the last minute for the Senator from Minnesota.

Mrs. HUTCHISON. Thank you, Mr. President. I want to thank my colleague, Senator COATS, who sponsored this bill last year. I was a willing and hopefully helpful cosponsor. Now we have Senator GRAMS, a new freshman, who did sponsor it on the House side last year and has come in to cosponsor it this year.

This is a very important step that we must take. In 1930, we saw the beginning of the change in course in our country, the beginning of more Government, bigger Government, more spending, which also brought more encroachment on everyone's lives.

I think in 1994, the people of America said, ''No, stop. Stop the big Government growth. Stop the encroachment on our lives. Stop the arrogance in Washington, DC. Enough is enough.'' They said, ''We want to go back to self-help and self-reliance. We want to go back to the basics, and we want the American family to be the strength that it has been, the fabric of society that it has been, that has brought us to this strong and great America that we have.''

We have dissipated so much of the strength of our family through the dependence of Government. I remember the story of a woman who was in the grocery store line who said, ''I saw someone using food stamps, buying items of food that I had passed up because I was trying to save to buy something for my children, that I had to do as a little bit of an extra.''

It was that frustration that I think people felt when they went to the polls in 1994 and said, ''We do not think that's right.'' The people who are pulling the wagon, the people who are saying, ''We are saving our money to raise our families, and we are having a hard time doing it,'' wanted a change.

The families first legislation will bring about that change, and I have to say that I do admire the Ways and Means Committee and the chairman, BILL ARCHER, who did report a bill out that has many of the things in the families first bill that we are introducing today. Perhaps they will pass those in the House first.

I will be proud, then, to come in and take some of those items from our families first legislation that we are reintroducing today. The $500 per child tax credit is something that will help those families make ends meet, the ones who are having a hard time. After all, it is their money. It is their money that they have worked so hard to earn. Why should they not be able to keep it? Why should they not decide what is best for them, rather than having someone from Big Brother Government deciding what is best for them.

I think if the American people believe that they can manage their own resources better than the Federal Government, that we should humor them and let them keep their money. That is what the families first legislation will do.

I have been a proponent of increasing IRA's, because I think if we help people retire with security that that will be good for our country. It is self-help. It is allowing people to have that security in their old-age years by encouraging savings, which encourages investments, which encourages new jobs in this country, too.

I have introduced a bill to give homemakers IRA's, and if we can get this families first bill to the floor, I know that Senator COATS and Senator GRAMS are going to support my amendment to have homemakers added to IRA's because that is a very important issue. It is important to say that the work done inside the home is every bit as important, if not more important, than the work done outside the home, because that is what keeps this country strong—the families, where the families are together. If the homemaker is staying home and raising children, I think we should reward her efforts, just as much as anyone who is working outside the home.

I have seen my colleague, Senator COVERDELL, come in, and I want to make sure everyone has a chance to weigh in on this legislation. I will just say, Mr. President, that this is families first.

It is time to go back to basics, to appreciate how important the family unit is, that balancing the budget is for the future of our children and grandchildren. That is a commitment that I have, and all who are cosponsoring this legislation will work to try to make sure that we give to our children and grandchildren the same kind of strong America that we were able to grow up in and love. Thank you.

Mr. COATS. Mr. President, I ask unanimous consent to add Senator HUTCHISON as an original cosponsor of this legislation.

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

Mr. COATS. Mr. President, I yield the remaining time to Senator GRAMS.

Mr. GRAMS. Mr. President, I ask unanimous consent to have printed in the RECORD copies of the tables we have presented here.

There being no objection, the tables were ordered to be printed in the RECORD.

[Chart 1]

$500 PER-CHILD TAX CREDIT RETURNS MONEY TO THE TAXPAYER

State	Number of children eligible	Amount State could receive annually
Alabama	836,486	$418,243,000
Alaska	134,962	67,481,000
Arizona	744,524	372,262,000
Arkansas	524,241	262,120,500
California	6,625,012	3,312,506,000
Colorado	737,544	368,772,000
Connecticut	723,674	361,837,000
Delaware	172,017	86,008,500
District of Columbia	81,195	40,597,500
Florida	2,233,271	1,116,635,000
Georgia	1,226,073	613,036,500
Hawaii	295,346	147,673,000
Idaho	263,945	131,972,500
Illinois	2,501,462	1,250,731,000
Indiana	1,110,887	555,443,500
Iowa	641,094	320,547,000
Kansas	651,174	325,587,000
Kentucky	648,121	324,060,500
Louisiana	868,702	434,351,000
Maine	223,255	111,627,500
Maryland	1,038,365	519,182,500
Massachusetts	1,110,453	555,226,500
Michigan	1,866,891	933,445,500
Minnesota	946,639	473,319,500
Mississippi	540,359	270,179,500
Missouri	981,008	490,504,000
Montana	197,938	98,969,000
Nebraska	427,724	213,862,000
Nevada	247,958	123,979,000
New Hampshire	246,361	123,180,500
New Jersey	1,522,756	761,378,000
New Mexico	321,854	160,927,000
New York	3,575,251	1,787,625,500
North Carolina	1,359,138	679,569,000
North Dakota	146,786	73,393,000
Ohio	2,392,172	1,196,086,000
Oklahoma	644,733	322,366,500
Oregon	607,615	303,807,500
Pennsylvania	2,507,260	1,253,630,000
Rhode Island	159,461	79,730,500
South Carolina	777,909	388,954,500
South Dakota	158,309	79,154,500
Tennessee	829,778	414,889,000
Texas	3,628,180	1,814,090,000
Utah	473,448	236,724,000
Vermont	116,058	58,029,000
Virginia	1,286,275	643,137,500
Washington	1,141,341	570,670,500
West Virginia	346,642	173,321,000
Wisconsin	1,175,695	587,847,500
Wyoming	122,668	61,334,000

DOLLARS RETURNED TO EACH STATE BY A $500 PER-CHILD TAX CREDIT

[Source: US Census, 1992 Current Population Survey]

State	Number of families in each State	Number of families with children in each State	Number of children eligible for a $500 tax credit	Amount each State could receive annually from $500 per-child tax credit
Alabama	984,846	607,775	836,486	$418,243,000
Alaska	131,801	83,770	134,962	67,481,000
Arizona	901,059	472,805	744,524	372,262,000
Arkansas	572,309	366,520	524,241	262,120,500
California	6,864,996	4,444,459	6,625,012	3,312,506,000
Colorado	832,055	493,148	737,544	368,772,000
Connecticut	835,801	466,951	723,674	361,837,000
Delaware	181,252	105,034	172,017	86,008,500
District of Columbia	101,346	63,940	81,195	40,597,500
Florida	3,410,974	1,698,710	2,233,271	1,116,635,500
Georgia	1,555,254	909,966	1,226,073	613,036,500
Hawaii	293,296	167,417	295,346	147,673,000
Idaho	251,430	151,431	263,945	131,972,500
Illinois	2,873,440	1,622,908	2,501,462	1,250,731,000
Indiana	1,454,936	851,840	1,110,887	555,443,500
Iowa	683,268	383,031	641,094	320,547,000
Kansas	637,247	393,479	651,174	325,587,000
Kentucky	901,634	536,468	648,121	324,060,500
Louisiana	996,911	646,684	868,702	434,351,000
Maine	298,512	156,799	223,255	111,627,500
Maryland	1,194,734	675,067	1,038,365	519,182,500
Massachusetts	1,437,080	750,685	1,110,453	555,226,500
Michigan	2,254,735	1,273,610	1,866,891	933,445,500
Minnesota	1,043,603	570,424	946,639	473,319,500
Mississippi	572,963	425,312	540,359	270,179,500
Missouri	1,256,963	697,847	981,008	490,504,000
Montana	205,770	124,551	197,938	98,969,000
Nebraska	414,899	237,460	427,724	213,862,000
Nevada	313,332	168,220	247,958	123,979,000
New Hampshire	307,359	158,319	246,361	123,180,500
New Jersey	1,893,615	1,006,496	1,522,756	761,378,000
New Mexico	365,776	239,867	321,854	160,927,000
New York	4,138,706	2,494,133	3,575,251	1,787,625,500
North Carolina	1,663,710	940,231	1,359,138	679,569,000
North Dakota	146,146	87,390	146,786	73,393,000
Ohio	2,650,194	1,577,405	2,392,172	1,196,086,000
Oklahoma	782,007	456,751	644,733	322,366,500
Oregon	745,406	422,519	607,615	303,807,500
Pennsylvania	3,057,172	1,568,632	2,507,260	1,253,630,000
Rhode Island	240,767	111,470	159,461	79,730,500
South Carolina	891,157	569,749	777,909	388,954,500
South Dakota	173,385	96,221	158,309	79,154,500
Tennessee	1,242,636	637,780	829,778	414,889,000
Texas	3,964,267	2,582,258	3,626,180	1,814,090,000
Utah	390,211	249,945	473,448	236,724,000
Vermont	142,093	81,163	116,058	58,029,000
Virginia	1,528,524	859,620	1,286,275	643,137,500
Washington	1,252,277	737,136	1,141,341	570,670,500
West Virginia	452,953	266,844	346,642	173,321,000
Wisconsin	1,252,892	722,639	1,175,695	587,847,500
Wyoming	117,117	69,514	122,668	61,334,000

Mr. GRAMS. Mr. President, these charts show strong support from every age and income group across the country, their support for a tax cut, and also for some information, how much it would mean to each.

I say to the good Senator from Texas who just spoke, for families in Texas alone, it would be over $1.8 billion a year in tax relief.

Mr. President, I am pleased to join the distinguished Senators from Indiana and Idaho, who I thank for their early and continued leadership on this most important issue.

I thank my distinguished colleague from Indiana, and I am proud to be a coauthor of this important legislation to put families first.

Mr. President, today we begin a debate that has been too long in coming.

The American people are in desperate need of relief from their own Government—a Government that thinks it can spend our money better than we can, and has spent the last four decades trying to prove it.

In 1947, Americans paid just 22 percent of their personal income in the form of taxes.

Today, 40 years and hundreds of tax increases later, nearly 50 cents of every dollar earned by middle-class Americans goes to the Government, to feed the Government's priorities.

''We'll solve all your problems,'' says Washington, ''if you'll just send us more money.''

So we do; year after year.

We've now reached the point where most families pay more tax dollars to the Federal Government than they spend for food, clothing, transportation, insurance, and recreation combined.

The 1993 Clinton tax bill didn't help, either. As the largest tax increase in American history, it hit middle-class Americans right where it hurt the most—their wallets.

Mr. President, taxes are too high.

The tax burden falls too heavily on the middle class.

And, Mr. President, the result is that more and more Americans are being forced out of the working class and into the welfare class.

But with their ballots in November, Americans called for tax relief. With the change in leadership in Washington, Congress is finally in a position to deliver.

Mr. President, we are taking the first step today with the introduction of the families first act—legislation calling for a $500 per-child tax credit.

The $500 per-child tax credit is relief for middle-class America.

As this chart clearly shows, our plan would return $25 billion every year to families nationwide, from $418 million in Alabama to $61 million in Wyoming.

$500 million would be dedicated to families in my home State of Minnesota.

Fully 90 percent of the tax relief goes to working Americans making annual salaries of $60,000 or less.

Most importantly, our $500 per-child tax credit would let 53 million working families keep more of their own hard-earned tax dollars. And $500 per child adds up to a lot more than just pocket change.

For middle-income taxpayers, it may mean health insurance for their families, where there wasn't any before, or a better education for their children, when before there were no options.

For lower income Americans, it may mean not having to pay any taxes at all.

Mr. President, there is widespread support for the $500 per-child tax credit among Americans in every income range and every age bracket—among those with children and those without.

These are the people who feel the pain every April 15 when they pay their taxes and who think it's time for the government to feel a little of the pain instead.

But how can a government grappling with a $4.8 trillion national debt afford tax relief of any kind?

The families first bill, which became the centerpiece of the budget plans offered last year by both Senate and House Republicans, pays for the tax credit by cutting government spending.

Every single dollar in tax relief is offset by another dollar in spending cuts.

And by putting the Federal Government on a strict diet by capping the growth of Federal spending at 2 percent, we'll balance the budget by the year 2002.

Our bill proves that we can afford tax relief at the same time we're restoring fiscal sanity in Washington.

During the debate ahead, we'll hear calls to water down the $500 per-child tax credit.

We'll be asked to means test it or lower the dollar amount.

Some will want to limit the ages of the children eligible or duck out on real relief by substituting an increase in the personal deduction.

Some may oppose tax relief completely.

That's not what Americans were promised last year, or what the voters mandated in November.

If we backtrack now, we'll have to face an American public that is tired of being led on by politicians who promise one thing and never deliver.

We have to hold firm on behalf of every American taxpayer and deliver the tax relief we promised.

I want to commend our colleagues on the House Ways and Means Committee, who this week kept the covenant they made with the voters in the Contract With America and passed the $500 per-child tax credit.

This was a victory for the taxpayers and a clear signal to the American people that they have not been forgotten by this Congress.

Mr. President, I'm proud that Senator COATS and our Senate colleagues—what we call the 500 Club—will be following up on the House's good work and fighting for the promises made in November: the promises of lower taxes, smaller government, stronger families.

Those are the principles embodied by the $500 tax credit, the principles that will once again put families first.

I would like to close by saying how important I feel about tax cuts for Americans, and American families specifically. We promised, we campaigned, we talked about tax relief for American families across the country during the 1994 elections, and the Americans spoke loud and clear at the polls in November that they agreed, because they know how hard it hits them in the wallet every year.

My good friend from Wisconsin, the Senator from Wisconsin, is among those leading the charge on the Senate floor every day, talking about how we do not need tax cuts, how Government in Washington should continue to expect to receive these tax dollars, and that these Chambers can better make the decision on how to spend your money than you can spend it yourself.

In Wisconsin, that means about $590 million a year in tax relief, something the Senator from Wisconsin does not think is important to the residents of Wisconsin. I ask him to call some of his residents to see how important they feel any form of tax relief would be in 1995 for them.

I just wanted to wrap up again by thanking the Senator from Indiana and the other Senators who have spoken this morning on behalf of American taxpayers. I hope that we can rely on their support and the public support in making their calls and rallying behind this very, very, important issue of tax cuts and tax relief.

We are to a point now where we assume that every dollar that Americans make belongs to Government in some form and that we will decide through tax cuts or tax credits or tax breaks how much they are going to keep and how much Washington is going to get. I think, as the Senator from Indiana pointed out very succinctly, it is their money and this will allow them to keep more of their hard-earned tax money in their pockets.

So I wanted to thank the other Senators for helping this morning. I yield back my time.

By Mr. HARKIN:

S. 569. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to combat waste, fraud, and abuse in the Medicare Program, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

THE MEDICARE PROTECTION ACT OF 1995

• Mr. HARKIN. Mr. President, today I am introducing legislation, the Medicare Protection Act of 1995, which would save taxpayers and senior citizens over $16 billion by the end of the decade by curbing waste, fraud, and abuse in the Medicare Program. I hope that the Senate will consider this important legislation as we work to reduce the Federal budget deficit and to improve Medicare.

For 6 years, as chairman and now ranking Democrat of the Appropriations Subcommittee on Labor, Health and Human Services and Education, I have targeted fraud, waste, and abuse in the programs under our jurisdiction. I have given particular attention to exposing and eliminating waste and abuse in Medicare. In hearing after hearing, our subcommittee has uncovered examples of lost Medicare funds due to fraud and poor program oversight. While some of the problems we have uncovered are due to weaknesses in Medicare law, billions of dollars are lost every year due to inadequate audits and other program safeguard activities. At least $2 billion of unallowable and sometimes fraudulent medical charges will be improperly paid by Medicare this year alone.

The General Accounting Office [GAO], Office of Inspector General of the Department of Health and Human Services [HHSIG], and the Health Care Financing Administration [HCFA] have each documented the savings to the Medicare Program achieved through investments in program safeguard activities. They have testified that for every dollar spent on program safeguards, $13 to $16 are saved by stopping inappropriate Medicare payments. This is not some pie-in-the-sky-hoped-for return on investment, it is documented, and proven that this saves us significant sums. For the coming fiscal year, the administration estimates that the projected program safeguard investment will result in $6.16 billion in Medicare savings, a return on investment of 16 to 1.

Yet funding for these cost saving activities is inadequate. While Medicare is an uncapped entitlement program, the funds to effectively administer Medicare are funded through discretionary outlays. They must compete with other important programs like Head Start, job training, childhood immunizations, and college loans. Because we have a cap on overall discretionary spending, at a time when the number and size of Medicare claims is growing steadily, funding for audits and claims review have not kept up. This despite the fact that we know that for every dollar invested, Medicare saves from $13 to $16.

For several years now I have been working to correct this shortsighted budget policy. Based on recommendations by the GAO, I have pushed legislation like that I am introducing today. The Medicare Protection Act would allow us to adequately fund critical Medicare antifraud and abuse activities without cutting other critical programs. This legislation allows for a 10-percent increase in support for these activities annually through fiscal year 2000 without violating the discretionary spending ceilings. The 10-percent increase is pegged to the rate of growth in Medicare claims in recent years.

Mr. President, even assuming the most conservative estimates of savings—a 13-to-1 return on investment—the Medicare Protection Act would save taxpayers and Medicare beneficiaries $2 billion this year and over $16 billion through the end of the decade. At a time when some in Congress are proposing major reductions in Medicare that could directly impact senior citizens and critical health providers, this legislation is just common sense. I am certain that my colleagues would agree that we need to cut the fat before the bone. Let's make war on waste, not our senior citizens.

Mr. President, I will work with my colleagues on both sides of the aisle to try to gain approval of this common sense deficit reducing proposal. It is one change that we should be able—for which we should be able to achieve strong bipartisan support. So I commend this bill to my colleagues and urge that it be included in any package we consider to further reduce the Federal deficit.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare Protection Act of 1995''.

SEC. 2. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) ADJUSTMENTS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) MEDICARE ADMINISTRATIVE COSTS.—To the extent that appropriations are enacted that provide additional new budget authority (as compared with a base level of $1,609,671,000 for new budget authority) for the administration of the medicare program by sections 1816 and 1842(a) of title XVIII of the Social Security Act, the adjustment for that year shall be that amount, but shall not exceed—

''(i) for fiscal year 1995, $161,000,000 in new budget authority and $161,000,000 in outlays;

''(ii) for fiscal year 1996, $177,000,000 in new budget authority and $177,000,000 in outlays;

''(iii) for fiscal year 1997, $195,000,000 in new budget authority and $195,000,000 in outlays;

''(iv) for fiscal year 1998, $214,000,000 in new budget authority and $214,000,000 in outlays;

''(v) for fiscal year 1999, $236,000,000 in new budget authority and $236,000,000 in outlays;

''(vi) for fiscal year 2000, $259,000,000 in new budget authority and $259,000,000 in outlays; and

the prior-year outlays resulting from these appropriations of budget authority and additional adjustments equal to the sum of the maximum adjustments that could have been made in preceding fiscal years under this subparagraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 603(a) of the Congressional Budget Act of 1974 (2 U.S.C. 655b(a)) is amended by striking ''section 251(b)(2)(E)(i)'' and inserting ''section 251(b)(2)(F)(i)''.

(2) Section 606(d) of the Congressional Budget Act of 1974 (2 U.S.C. 665e(d)) is amended—

(A) in paragraph (1)(A) by striking ''section 251(b)(2)(E)(i)'' and inserting ''section 251(b)(2)(F)(i)''; and

(B) in paragraph (2), by inserting ''251(b)(2)(E),'' after ''251(b)(2)(D),''.●

By Mr. GORTON:

S. 570. A bill to authorize the Secretary of Energy to enter into privatization arrangements for activities carried out in connection with defense nuclear facilities, and for other purposes; to the Committee on Armed Services.

THE DEPARTMENT OF ENERGY PRIVATIZATION ACT OF 1995

● Mr. GORTON. Mr. President, today I am introducing a bill that dramatically changes how we clean nuclear waste sites across the Nation. Clearly we have a window to address these profound national problems. My bill does just that.

Mr. President, this legislation is designed to change how DOE manages the cleanup of its defense nuclear sites. This bill applies to all DOE nuclear defense sites, because the cleanup problems we are addressing are national concerns—not parochial.

The bill's strengths rest in addressing how DOE compensates performance. Today we are cornered into agreements based on cost plus scenarios. The taxpayer reimburses the contractor for all costs related to overhead, salaries and other out-of-pocket expenses. On top of that sum comes a bonus which is a percentage of those direct costs. That means that higher overheads mean bigger bonuses. My bill dictates the opposite: You don't do the job, you don't get paid. Period.

Mr. President, this bill makes good sense. I know that the American people are anxious for cleanup to happen at our nuclear defense sites. The people of Washington State are anxious too. This bill takes the DOE out of the managerial role and puts it into the role of client and consumer. It puts the burden of capital risk on investors eager to join the cleanup process, yet does not hold them responsible for a mess that is not theirs.

Under this bill, the Secretary of Energy will have the authority to enter into long-term contracting arrangements—30 years plus two 10-year renewals—for the treatment, management and disposition of nuclear waste and nuclear waste by-products.

The contractor's facility must be within a 25-mile radius of the DOE site. Community development and site-worker preference are key to this bill. The Secretary is instructed to give preference to those contractors who intend to reinvest in the communities where their work is conducted. The Secretary must also give preference to contractors whose bids include employment for local workers, or workers with previous site experience.

Indemnification and other legal protection is included to inoculate contractors from preexisting conditions that were not caused by the contractor. This bill places strict limits on contractor liability during cleanup, except in cases of negligence. This ensures that a contractor is not responsible for waste not created on their watch.

Through commercialization, the bill will encourage innovation in cleanup. By permitting the contractor to use technologies developed at the site for commercial use and resale even while cleanup is taking place, the legislation rewards success instead of stifling it. In the past, DOE has frowned on similar allowances, primarily because of the Government's desire to keep new technology ''in house.'' Instead, the bill grants contractors immediate patent rights to new technologies developed in the cleanup process.

Another important provision protects the contractor from subsequent rule changes by the Department of Energy or Congress that directly affect cleanup efforts. Language states that if the Department of Energy mandates new environmental regulations or laws which will adversely affect the cleanup schedule and performance, the contractor is entitled to renegotiate the contract without penalty. Likewise, if regulations are eased, the contractor is given the option of abiding by the rules in place, or opening discussions again to adjust for the less stringent requirements.

This legislation also allows the Secretary to lease federally owned land to contractors at a negotiable rate. By leasing the land, the Government permits the contractor to undertake non-DOE site related activities. For example, a contractor may retain a non-DOE client who wants to vitrify waste at the DOE site. With this legislation the contractor could open its facility to such an endeavor.

I urge that all of my colleagues, particularly those with similar interests in their States, support this bill and join as cosponsors.

Mr.President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PRIVATIZATION OF WASTE CLEANUP AND MODERNIZATION ACTIVITIES OF DEFENSE NUCLEAR FACILITIES.

(a) CONTRACT AUTHORITY.—Notwithstanding any other law, the Secretary of Energy may enter into 1 or more long-term contracts for the procurement, from a facility located within 25 miles of a current or former Department of Energy defense nuclear facility, of products and services that are determined by the Secretary to be necessary to support waste cleanup and modernization activities at such facilities, including the following services and related products:

(1) Waste remediation and environmental restoration, including treatment, storage, and disposal.

(2) Technical services.

(3) Energy production.

(4) Utility services.

(5) Effluent treatment.

(6) General storage.

(7) Fabrication and maintenance.

(8) Research and testing.

(b) CONTRACT PROVISIONS.—A contract under subsection (a)—

(1) shall be for a term of not more than 30 years;

(2) shall include options for 2 10-year extensions of the contract;

(3) when nuclear or hazardous material is involved, shall include an agreement to—

(A) provide indemnification pursuant to section 170d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d));

(B) indemnify, protect, and hold harmless the contractor from and against all liability, including liability for legal costs, relating to any preexisting conditions at any part of the defense nuclear facility managed under the contract;

(C) indemnify, protect, and hold harmless the contractor from and against all liability to third parties, including liability for legal costs, relating to claims for personal injury, illness, property damage, and consequential damages; and

(D) provide for indemnification of subcontractors as described in subparagraphs (A), (B), and (C);

(4) shall permit the contractor (in accordance with Federal law) to obtain a patent for and use for commercial purposes a technology developed by the contractor in the performance of the contract;

(5) shall not provide for payment to the contractor of cost plus a percentage of cost or cost plus a fixed fee; and

(6) shall include such other terms and conditions as the Secretary of Energy considers appropriate to protect the interests of the United States.

(c) PREFERENCE FOR LOCAL RESIDENTS.—In entering into contracts under subsection (a), the Secretary of Energy shall give preference, consistent with Federal, State, and local law, to entities that plan to hire, to the maximum extent practicable, residents of the vicinity of the Department of Energy defense nuclear facility concerned and to persons who have previously been employed by the Department of Energy or its private contractor at the facility.

(d) SUBSEQUENTLY ENACTED REQUIREMENTS.—

(1) DEFINITION.—In this subsection, the term ''applicable requirement'' means a requirement in an Act of Congress or regulation that applies specifically to activities described in subsection (a).

(2) INCREASED COSTS.—

(A) IN GENERAL.—A contractor under a contract under subsection (a) shall be exempt from an applicable requirement that would increase the cost of performing the contract that is—

(i) imposed by regulation by a Federal, State, or local governmental agency after the date on which the contract is entered into unless the regulation is issued under an Act of Congress described in the exception stated in clause (ii); or

(ii) imposed by an Act of Congress enacted after the date of enactment of this Act, except an Act of Congress that refers to this paragraph and explicitly states that it is the intent of Congress to subject such a contractor to the requirement.

(B) AMENDMENT OF CONTRACT.—In the case of enactment of an Act of Congress described in the exception stated in subparagraph (A)(ii), the Secretary of Energy and the contractor shall negotiate an amendment to a contract under subsection (a) providing full compensation to the contractor for the increased cost incurred in order to comply with any additional requirement of law.

(3) REDUCED COSTS.—

(A) IN GENERAL.—A contractor under a contract under subsection (a) may elect to be governed by a change in a requirement that would reduce the cost of performing the contract that is—

(i) adopted by regulation by a Federal, State, or local governmental agency after the date on which the contract is entered into, unless the change is made pursuant to an Act of Congress that refers to this paragraph and explicitly states that it is the intent of Congress to continue to subject such a contractor to that requirement, as in effect prior to the date of enactment of that Act of Congress; or

(ii) enacted by an Act of Congress enacted after the date of enactment of this Act, except an Act of Congress that refers to this paragraph and explicitly states that it is the intent of Congress to continue to subject such a contractor to that requirement, as in effect prior to the date of enactment of that Act of Congress.

(B) AMENDMENT OF CONTRACT.—In the case of a change in a requirement that is to be applied to a contractor that will reduce the cost of performing the contract, the Secretary of Energy and the contractor shall negotiate an amendment to a contract under subsection (a) providing for a reduction in the amount of compensation to be paid to the contractor commensurate with the amount of any reduction in costs resulting from the change.

(e) PAYMENT OF BALANCE OF UNAMORTIZED COSTS.—

(1) DEFINITION.—In this subsection, the term ''special facility'' means land, a depreciable building, structure, or utility, or depreciable machinery, equipment, or material that is not supplied to a contractor by the Department of Energy.

(2) CONTRACT TERM.—A contract under subsection (a) may provide that if the contract is terminated for the convenience of the Government, the Secretary of Energy shall pay the unamortized balance of the cost of any special facility acquired or constructed by the contractor for performance of the contract.

(3) SOURCE OF FUNDS.—The Secretary of Energy may make a payment under a contract term described in paragraph (2) and pay any other costs assumed by the Secretary as a result of the termination out of any appropriations that are available to the Department of Energy for operating expenses for the fiscal year in which the termination occurs or for any subsequent fiscal year.

(f) LEASE OF FEDERALLY OWNED LAND.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Energy may lease federally owned land at a current or former Department of Energy defense nuclear facility to a contractor in order to provide for or to facilitate the construction of a facility in connection with a contract under subsection (a).

(2) TERM.—The term of a lease under this paragraph shall be the lesser of—

(A) the expected useful life of the facility to be constructed; or

(B) the term of the contract.

(3) TERMS AND CONDITIONS.—A lease under paragraph (1) shall—

(A) require the contractor to pay rent in amounts that the Secretary of Energy considers to be appropriate; and

(B) include such other terms and conditions as the Secretary of Energy considers to be appropriate.

(g) NUCLEAR STANDARDS.—The Secretary of Energy shall, whenever practicable, consider applying commercial nuclear standards to a facility used in the performance of a contract under subsection (a).

(h) LIMITATION ON LIABILITY.—

(1) DEFINITIONS.—In this subsection, the terms ''hazardous substance'', ''pollutant or contaminant'', ''release'', and ''response'' have the meanings stated in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(2) IN GENERAL.—A contractor under a contract under subsection (a) or a subcontractor of the contractor shall not be liable under Federal, State, or local law for any injury, cost, damage, expense, or other relief on a claim by any person for death, personal injury, illness, loss of or damage to property, or economic loss caused by a release or threatened release of a hazardous substance or pollutant or contaminant during performance of the contract unless the release or threatened release is caused by conduct of the contractor or subcontractor that is negligent or that constitutes intentional misconduct.

(3) REPOSE.—No action (including an action for contribution or indemnity) to recover for damage to real or personal property, economic loss, personal injury, illness, death, or other expense or cost arising out of the performance under this section of a response action under a contract under subsection (a) may be brought against the contractor (or subcontractor of the contractor) under Federal, State, or local law after the date that is 6 years after the date of substantial completion of the response action.

SEC. 2. PREFERENCE AND ECONOMIC DIVERSIFICATION FOR COMMUNITIES AND LOCAL RESIDENTS.

(a) DEFINITION.—In this section, the term ''qualifying Department of Energy site'' means a site that contains at least 1 current or former Department of Energy defense nuclear facility for which the Secretary of Energy is required by section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 7274h) to develop a plan for restructuring the work force.

(b) PREFERENCE.—In entering into a contract with a private entity for products to be acquired or services to be performed at a qualifying Department of Energy site, the Secretary of Energy and contractors under the Secretary's supervision shall, to the maximum extent practicable, give preference to an entity that is otherwise qualified and within the competitive range (as determined under section 15.609 of title 48, Code of Federal Regulations, or a successor regulation, as in effect on the date of the determination) that plans to—

(1) provide products and services originating from communities within 25 miles of the site;

(2) hire residents living in the vicinity of the site, especially dislocated site workers, to perform the contract; and

(3) invest in value-added activities in the vicinity of the site to mitigate adverse economic development impacts resulting from closure or restructuring of the site.

(c) APPLICABILITY.—Preference shall be given under subsection (b) only with respect to a contract for an environmental management and restoration activity that is entered into after the date of enactment of this Act.

(d) TERMINATION.—This section shall expire on September 30, 1999.●

By Mrs. BOXER (for herself, Mr. PRYOR, Mr. GRASSLEY, Mr. KOHL, Mr. BRADLEY, Mr. DORGAN, Mr. AKAKA, Mr. HOLLINGS, Mr. ROTH, Mr. HARKIN, Mr. REID, Mr. LIEBERMAN, Mr. BAUCUS, Mr. ABRAHAM, Mr. SIMON, and Mr. ROBB):

S. 571. A bill to amend title 10, United States Code, to terminate entitlement of pay and allowances for members of the Armed Forces who are sentenced to confinement and a punitive discharge or dismissal, and for other purposes; to the Committee on Armed Services.

VIOLENT CRIMINALS LEGISLATION

Mrs. BOXER. Mr. President, today I am introducing legislation that will put an end to an outrageous waste of tax dollars and immediately stop a taxpayer-funded cash reward for violent criminals.

Believe it or not, each month, the Pentagon pays the salaries of military personnel convicted of the most heinous crimes while their cases are appealed through the military court system—a process than often takes years. During that time, these violent criminals sit back in prison, read the Wall Street Journal, invest the money they get from the military, and watch their taxpayer-funded nest eggs grow.

According to data provided by the Defense Finance Accounting Service and first published in the Dayton Daily News, the Department of Defense spent more than $1 million on the salaries of 680 convicts in the month of June 1994, alone. In that month, the Pentagon paid the salaries of 58 rapists, 164 child molesters, and 7 murderers, among others.

Just this morning, the Pentagon confirmed to me that at least 633 military convicts remained on the payroll in December 1994, costing the Government more than $900,000.

I can't think of a more reprehensible way to spend taxpayer dollars. No explanation could ever make me understand how the military could reward rapists, murderers, and child molesters—the lowest of the low—with the hard earned tax dollars of law-abiding citizens. This policy thumbs its nose at taxpayers, slaps the faces of crime victims, and is one of the worst examples of Government waste I have seen in my 20 years of public service.

Congress must act now to end this practice.

The individual stories of military criminals receiving full pay are shocking. In California, a marine lance corporal who beat his 13-month-old daughter to death almost 2 years ago still receives $1,105 each month—about $25,000 since his conviction. He spends his days in the brig at Camp Pendleton and does not pay a dime of child support. This criminal has been paid $25,000 since his conviction.

I spoke with the murdered child's grandmother who now has custody of a surviving 4-year-old grandson. She is a resident of northern California. She was outraged to learn that the murderer of her grandchild still receives full pay. She was understandably outraged to learn that the murderer of her daughter still receives a Government paycheck.

Another Air Force sergeant who tried to kill his wife with a kitchen knife continues to receive full pay while serving time at Fort Leavenworth. He told the Dayton Daily News, ''I follow the stock market * * * I buy Double E bonds.''

And believe it or not, Francisco Duran, who was arrested last October after firing 27 shots at the White House was paid by the military while in prison. According to DOD records, Duran was paid $17,537 after his conviction for deliberately driving his car into a crowd of people outside a Hawaii bowling alley in 1990. Some of that money may well have paid for the weapon he used to shoot at the White House.

Since I began working on this issue, I have received letters of support from concerned citizens around the country. Recently, a woman from North Carolina wrote me. This woman's sister was murdered by her husband, a Navy chief stationed in South Carolina. He is now serving a 24-year sentence at Fort Leavenworth. He receives full pay.

This courageous woman is now raising her sisters' three children. The children's father, who murdered this woman's sister, agreed to send back his paychecks for child support, but he kept threatening to stop. Desperate, she asked the staff at Fort Leavenworth how she could ensure that his paychecks would continue to be sent to her. Finally, when she asked the staff of the Fort Leavenworth military prison for guidance, she was told that the only way she could receive guaranteed child support payments was to, ''kiss his butt'' and hope for the best.

Imagine that. The only way to ensure that she will have the means to support her murdered sister's children is to ''kiss the butt'' of her murderer.

This policy is crazy, and it has got to stop.

In January, I introduced legislation, S. 205, which would terminate pay to members of the Armed Forces under confinement pending dishonorable discharge. This bill generated significant bipartisan support and was cosponsored by 10 Senators.

Following the introduction of S. 205, several Senators, the DOD's Office of Legal Counsel, and the Undersecretary for Personnel and Readiness, offered suggestions for improvements. Many of these suggestions have been incorporated into the bill I am introducing today.

I am very proud that this bill has 15 cosponsors. It has the support of Democrats and Republicans; liberals and conservatives. This is truly an issue that transcends political and ideological boundaries.

In summary, this bill would terminate pay to any member of the Armed Forces sentenced by a court martial to confinement and dishonorable discharge, bad-conduct discharge, or dismissal. Pay would terminate immediately upon sentencing. If at any point in the appeals process the conviction were reversed or the sentence were otherwise set aside, full back pay would be awarded.

This bill also authorizes the Secretary of Defense to establish a program to pay transitional compensation to the spouses and dependents of military personnel who lose their pay as a result of this pay termination. This compensation could be paid for a maximum of 1 year at a level not to exceed the amount that the member of the Armed Forces would have received had he been in pay status.

The Department of Defense strongly supports changing the current policy. Shortly after I first wrote Secretary Perry about this issue late last year, a working group was established to study the issue and report to the Secretary no later than February 28. That date has passed, but we have still received no word from the Department.

It has now been nearly 3 months since I first brought this issue to light. I believe strongly that we must act immediately to fix this problem. Each month that goes by, about $1 million is wasted. That money could be used to improve the quality of life for our military personnel. It could be used to enhance the readiness of our forces. It could even be used to reduce the budget deficit. But instead, the Pentagon is paying $1 million each month to vile, violent criminals.

We do not have a moment to waste. Let us pass this important legislation quickly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PAY AND ALLOWANCES OF MEMBERS SENTENCED BY A COURT-MARTIAL TO CONFINEMENT AND PUNITIVE DISCHARGE OR DISMISSAL.

(a) TERMINATION OF ENTITLEMENT.—(1) Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end of subchapter VIII the following new section:

"§ 858b. Art. 58b. Sentences to confinement and punitive discharge or dismissal: termination of pay and allowances

"(a) TERMINATION OF ENTITLEMENT.—A member of the armed forces sentenced by a court-martial to confinement and to a punishment named in subsection (c) is not entitled to pay and allowances for any period after the sentence is adjudged by the court-martial.

"(b) RESTORATION OF ENTITLEMENT.—If, in the case of a member sentenced as described in subsection (a), none of the punishments named in subsection (c) are included in the sentence as finally approved, or the sentence to such a punishment is set aside or disapproved, then, effective upon such final approval or upon the setting aside or disapproval of such punishment, as the case may be, the termination of entitlement of the member to pay and allowances under subsection (a) by reason of the sentence adjudged in such case ceases to apply to the member and the member is entitled to the pay and allowances that, under subsection (a), were not paid to the member by reason of that termination of entitlement.

"(c) COVERED PUNISHMENTS.—The punishments referred to in subsections (a) and (b) are as follows:

"(A) Dishonorable discharge.

"(B) Bad-conduct discharge.

"(C) Dismissal.".

(2) The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by inserting after the item relating to section 858a (article 58a) the following:

"858b. 58b. Sentences to confinement and punitive discharge or dismissal: termination of pay and allowances.".

(b) CONFORMING AMENDMENTS.—(1) Section 857 of title 10, United States Code (article 57 of the Uniform Code of Military Justice), is amended by striking out "(a) No" and inserting in lieu thereof "(a) Except as provided in section 858b of this title (article 58b), no".

(2)(A) Section 804 of title 37, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 15 of such title is amended by striking out the item relating to section 804.

SEC. 2. TRANSITIONAL COMPENSATION FOR SPOUSES, DEPENDENT CHILDREN, AND FORMER SPOUSES OF MEMBERS SENTENCED TO CONFINEMENT AND PUNITIVE DISCHARGE OR DISMISSAL.

(a) AUTHORITY TO PAY COMPENSATION.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1059 the following new section:

"§ 1059a. Members sentenced to confinement and punitive discharge or dismissal: transitional compensation for spouses, dependent children, and former spouses

"(a) AUTHORITY TO PAY COMPENSATION.—The Secretary of the executive department concerned may establish a program to pay transitional compensation in accordance with this section to any spouse, dependent child, or former spouse of a member of the armed forces during any period in which the member's entitlement to pay and allowances is terminated under section 858b of this title (article 58b of the Uniform Code of Military Justice).

"(b) NEED REQUIRED.—(1) A person may be paid transitional compensation under this section only if the person demonstrates a need to receive such compensation, as determined under regulations prescribed pursuant to subsection (f).

"(2) Section 1059(g)(1) of this title shall apply to eligibility for transitional compensation under this section.

"(c) AMOUNT OF COMPENSATION.—(1) The amount of the transitional compensation payable to a person under a program established pursuant to this section shall be determined under regulations prescribed pursuant to subsection (f).

"(2) The total amount of the transitional compensation paid under this section in the case of a member may not exceed the total amount of the pay and allowances which, except for section 858b of this title (article 58b of the Uniform Code of Military Justice), such member would be entitled to receive during the one-year period beginning on the date of the termination of such member's entitlement to pay and allowances under such section.

"(d) RECIPIENTS OF PAYMENTS.—Transitional compensation payable to a person under this section shall be paid directly to that person or to the legal guardian of the person, if any.

"(e) COORDINATION OF BENEFITS.—Transitional compensation in the case of a member of the armed forces may not be paid under this section to a person who is entitled to transitional compensation under section 1059 or 1408(h) of this title by reason of being a spouse, dependent child, or former spouse of such member.

"(f) EMERGENCY TRANSITIONAL ASSISTANCE.—Under a program established pursuant to this section, the Secretary of the executive department concerned may pay emergency transitional assistance to a person referred to in subsection (a) for not more than 45 days while the person's application for transitional assistance under the program is pending approval. Subsections (b) and (d) do not apply to payment of emergency transitional assistance.

"(g) REGULATIONS.—The Secretary of the executive department concerned shall prescribe regulations for carrying out any program established by the Secretary under this section.

"(h) DEFINITIONS.—In this section:

"(1) The term 'Secretary of the executive department concerned' means—

"(A) the Secretary of Defense, with respect to the armed forces, other than the Coast Guard when it is not operating as a service in the Navy; and

"(B) the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy.

"(2) The term 'dependent child' has the meaning given that term in section 1059(l) of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of title 10, United States Code, is amended by inserting after the item relating to section 1059 the following:

"1059a. Members sentenced to confinement and punitive discharge or dismissal: transitional compensation for spouses, dependent children, and former spouses.".

SEC. 3. EFFECTIVE DATE AND APPLICABILITY.

(a) PROSPECTIVE APPLICABILITY.—Subject to subsection (b), the amendments made by this Act shall take effect on the date of the enactment of this Act and shall apply with respect to pay and allowances for periods after such date.

(b) SAVINGS PROVISION.—(1) If it is held unconstitutional to apply section 858b of title 10, United States Code (article 58b of the Uniform Code of Military Justice), as added by section 1(a), with respect to an act punishable under the Uniform Code of Military Justice that was committed before the date of the enactment of this Act, then—

(A) with respect to acts punishable under the Uniform Code of Military Justice that were committed before that date, the amendments made by this Act shall be deemed not to have been made; and

(B) the amendments made by this Act shall apply with respect to acts punishable under the Uniform Code of Military Justice that are committed on or after the date of the enactment of this Act.

(2) For purposes of paragraph (1), the term "Uniform Code of Military Justice" means the provisions of chapter 47 of title 10, United States Code.

● Mr. BRADLEY. Mr. President, I am pleased to be an original cosponsor of this bill to take violent criminals off the Pentagon's payroll. I was an original cosponsor of S. 205, the first bill to address this problem. I congratulate Senator BOXER on introducing this improved version that introduces an element of compassion for the families of those taken off the payroll.

I was shocked to learn that our Government spends more than $1 million per month on salaries and benefits for military personnel who have been convicted of violent crimes. This is morally wrong. This is an insult to the brave men and women of our Armed Forces. And this is bad fiscal policy.

Mr. President, it is morally wrong to pay salaries to murderers, rapists, child molesters, and other violent criminals. Imagine, the families of victims and, indeed, even victims themselves pay tax dollars that end up in the pockets and savings accounts of the very people who victimized them. In some cases, these violent criminals even continue to receive pay after they are released from prison.

This situation is also an insult to the brave men and women who serve in our Armed Forces. They work hard and make many sacrifices to give us the best military in the world. Their efforts are degraded when we pay the same salaries to convicted felons that we pay to them.

Finally, it is bad fiscal policy to waste taxpayer money in this way. How can we justify paying $1 million a month to convicted criminals when we are at the same time cutting back on payments to needy children? We just spent 5 weeks trying to one-up each other on our commitment to balance the Federal budget. How can we ever hope to do so if we squander millions of dollars not on incarcerating criminals, but rewarding them?

As the Dallas Morning News stated in a February 5, 1995, editorial, "this change is a no-brainer. Congress should act quickly to end this travesty." I could not agree more.●

By Mr. COATS:

S. 572. A bill to expand the authority for the export of devices, and for other purposes; to the Committee on Labor and Human Resources.

THE MEDICAL DEVICE EXPORTATION ACT OF 1995

● Mr. COATS. Mr. President, today I am introducing the Medical Device Exportation Act of 1995. This bill will allow American companies to export approved medical devices without forcing those companies to endure costly and unnecessary delays in the FDA approval process.

Under current law, a company that seeks to export its drug overseas to Japan or Europe where that drug is already approved for marketing, must get the approval of the FDA before it may be exported. Approval is granted only after the FDA determines that exportation would not jeopardize public health and safety and that the country has approved the drug.

Unfortunately, the FDA takes several weeks or even months to approve the exportation of devices that Japan or other advanced nations in Europe have already approved for marketing.

This delay in approving the exportation of a device that is already approved for marketing by some of the most sophisticated device-approval systems in the world can cost Americans millions in lost revenue and thousands of jobs. A recent survey of device company CEO's confirms the cost of this unnecessary delay. Forty percent of CEO's said that their companies had reduced the size of their work force as a result of regulatory delays. Twenty-two percent had already moved jobs offshore due to the delays.

This bill is narrowly targeted to the problem. It simply eliminates one bureaucratic step that serves no public health function in light of other extensive controls. This bill changes the current law that requires the FDA to make an independent determination of safety and approval and simply directs that the FDA rely on approval by the sophisticated device approval systems in Japan or the European Community.

Of course, any device that is banned in the United States would remain prohibited for export. And any country that would prohibit importation of the device retains that sovereign right.

I am confident that this legislation is not controversial. In the House, Congressman KIM has introduced a virtually identical measure, H.R. 485, with 17 cosponsors. Moreover, the Department of Commerce has proposed a similar administrative fix.

I urge all my colleagues to cosponsor this important legislation that will help keep America competitive, retain American jobs and revenues, and serve the public health needs of nations worldwide.●

By Mr. PRYOR:

S. 573. A bill to reduce spending in fiscal year 1996, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions, that if one Committee reports the other Committee have 30 days to report or be discharged.

THE SPENDING REDUCTIONS ACT OF 1995

MR. PRYOR. Mr. President, I wish to address the Senate on the question of where to cut Government spending and to offer some suggestions, if I might, on where we might cut spending due to the very intensive debate we have had over the last several weeks in this body.

This issue has risen again and again during the debate over the balanced budget amendment. As we argue now over how to reach the desired goal of reducing the deficit to zero, I thought it might be a good time to come forward with a specific list, not major, but a specific list of spending cuts that I hope all of my colleagues will support and consider. In fact, if the speeches that have been made in the Chamber of the Senate are any indication or to be believed, then I think these proposals should receive widespread support. These spending reductions are contained in the Spending Reductions Act of 1995. This bill which I am introducing at this time will contain five sections that consist of areas I think can either be reduced or eliminated to provide the taxpayers with some long overdue relief. Mr. President, $5.6 billion in total savings would result from this bill for 1 year alone. If we continued basically down this track, we could save approximately $30 billion over the next 5 years.

The first section of my bill involves a very modest reduction in Government spending for private contractors who do the work for the Federal Government. We have seen since 1980 alone the cost of Government contractors rise from $47.6 billion to 1994's high of $105 billion.

Today, I am not proposing to address all of the problems involved in the Federal Government's extensive reliance on outside workers. I simply want to address the concern expressed by the taxpayers and the voters in both the 1992 and 1994 elections giving us the mandate to shrink the size of Government.

Congress has already partially responded to this mandate by voting to cut the number of civil servants by nearly 12 percent. However, the Congress has failed to order a corresponding reduction in the Federal Government's exploding contractor work force. If we cut civil servants and do nothing about the tremendous rise in the cost of outside contractors that the Government then employs, we are going to see basically no savings whatsoever.

Mr. President, my proposal is so simple I am almost embarrassed to introduce it. It would reduce by $5 billion the 1996 budget the amount spent to hire Federal contractors. It is simple, it is clean, it is $5 billion in savings.

This modest reduction will still permit agencies to get their work done, but it will also reduce some of the waste that results when too much money is spent without adequate oversight.

At my request, the Inspector General at the Pentagon has been looking at some of these contracts awarded by the Star Wars program. Listen to the problems that the IG said existed.

First, cost overruns on the contracts totaled several million dollars.

Second, the contractor awarded prohibited subcontracts worth several million dollars. These are contracts awarded to subcontractors in violation of Federal regulations but still cost millions of dollars of taxpayers' money. The contractor charged the Government for 588 hours of work that it actually did not perform. Again, this is from the report of the Inspector General at DOD to me.

I hope a reduction in the spending on service contracts will force agencies to spend their money more wisely, and to eliminate some of the waste which has resulted.

The second section of my bill will reduce the spending on federally funded research and development centers. These are called FFRDC's at the Department of Defense. That is pretty bureaucratic sounding. But these FFRDC's like Mitre, Rand, the Center for Naval Analysis, are actually private contractors who work solely for the Federal Government. They receive all of their contracts on a sole-source basis. There is no bidding procedure. The contractor simply states what they will charge to perform a particular service and then they find themselves being written a check. There is no competition whatsoever.

These entities may provide a valuable service to the Federal Government, but again, in this time of concern over reducing the budget deficit, I think it is appropriate to question every item of spending. Since I am proposing a reduction in spending on outside workers, I say that we should also cut back a reasonable amount on these in-house consulting companies which have no competition for the taxpayers' dollars.

Our taxpayers should not continue being billed at the very high salaries and overhead being charged by these Government-run consulting firms. For example, the head of Aerospace Corp., a FFRDC, or federally funded research and development center—was paid in 1991 $230,000 in salaries and who knows what else in expenses. We paid him, in 1992, $265,000 as a salary and no one knows how much for expenses. And, in both of these years this person, who is president of the Aerospace Corp., funded by the American taxpayer, made more money than the President of the United States.

My proposal would reduce the spending on FFRDC's by $250 million in 1996. This would leave over $10 billion to be spent on these organizations and I think that would be more than sufficient.

The third item where I would cut spending is an issue I have worked on for a number of years with many of my colleagues. This is the exporting of arms to countries all over the world. I am not very proud of the fact that the United States is the leading exporter of arms in the world today. However, this proposal is not targeted, once again, at reforming this arms trade. That is a battle for another day. My proposal is simply aimed at reducing the budget deficit. We are spending, today, $3.2 billion on financing arms sales to foreign governments. I think, as we contemplate reduction in Medicare and school lunches, we should also look at this area as well. I propose we reduce this spending by $200 million in 1996. It is a modest cut. It is a cut that makes common sense.

I have a fourth proposal. That fourth proposal to cut spending would cut the United States funding to the International Development Association and the International Finance Corporation, two of the institutions which make up the World Bank Group, by approximately 15 percent in cuts. This would save the American taxpayer some $200 million. As my colleagues know, the World Bank has come under serious Congressional scrutiny in the past few years, due to administrative waste and flawed development policies.

For example, salaries at the World Bank average today $123,000 — all tax free. In recent years the Bank has spent approximately $30 million on first-class travel for its executives. As for the operational record of the World Bank, internal audits have estimated that nearly 40 percent of the bank's loans and projects are failures.

Unfortunately, although the World Bank admits to these problems, reform has been slow or nonexistent. In 1993 I called for the establishment of an inspector general function at the World Bank. Despite receiving support from both the Clinton administration and our colleagues in the Senate, the World Bank has, today, failed to establish an adequate internal oversight function.

It is time once again for the Senate to address the issue of World Bank mismanagement. The funding cut which I propose is, once again, modest. But I think it will send a signal to the executives of the World Bank while at the same time saving taxpayers' dollars from further misuse.

The final cut I am proposing, while it may be the smallest, in many ways provides the clearest example of our overall spending problem. In 1995 we gave the Department of Defense $65 million for humanitarian assistance programs. That sounds reasonable enough until one stops to question the rationale of the Department of Defense's having a humanitarian assistance budget in the first place.

Humanitarian programs are not the primary part of DOD's mission. The United States already has an agency solely dedicated to humanitarian and development programs, the Agency for International Development. In addition, we appropriate millions of dollars to multilateral institutions for humanitarian purposes.

I believe the Department of Defense neither wants nor needs a growing humanitarian mission. I base this statement on the careless way in which humanitarian programs are run by the Department of Defense. In 1993, the General Accounting Office took a close look at DOD's humanitarian and civic assistance projects, and GAO concluded that these projects—and I quote from the GAO report—". . . were not designed to contribute to U.S. foreign policy objectives, did not appear to enhance U.S. military training, and either lacked the support of the host country or were not being used.''

Let me highlight one example provided by the General Accounting Office on this program. A few years ago, some very well-meaning U.S. National Guard soldiers were asked to build a school in Honduras. Unfortunately, once completed this three-building complex was never used. That is because the Honduran Government had already built and was operating a school of this nature only a few hundred yards away.

Unfortunately, it is probable that poorly coordinated projects like the Honduran school are continuing today. In a recent meeting with our staff, GAO analysts reported that the Department of Defense had done little or nothing to address the defects in its humanitarian programs. By cutting this program by 50 percent, saving $25 million in 1996, the Congress will force the agency to define its mission and concentrate where the military can play a useful role in overseas humanitarian programs.

Mr. President, in conclusion, I hope my colleagues will join me in supporting these very reasonable, very modest cuts that will save us $5.6 billion this year. Each spending reduction is designed to promote economy and efficiency in the operation of the Federal Government, and will save an enormous amount in dollars.

I believe that this is what the American people certainly want, and that my constituents and our constituents are not as concerned with the Contract With America as they are concerned with our priorities. With or without a balanced budget amendment, Senators on both sides of the aisle were sent here with the mandate to make tough decisions. It is with that mandate in mind that I bring this legislation before the Senate today.

Mr. President, I yield the floor.

By Mr. MOYNIHAN (for himself, Mr. COCHRAN, and Mr. SIMPSON):

S. 574. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 150th anniversary of the founding of the Smithsonian Institution; to the Committee on Banking, Housing, and Urban Affairs.

THE SMITHSONIAN INSTITUTION COMMEMORATIVE COIN ACT

• Mr. MOYNIHAN. Mr. President, I introduce the Smithsonian Institution Commemorative Coin Act of 1996. I introduce this legislation on behalf of my distinguished colleagues, Senators COCHRAN and SIMPSON, with whom I have the privilege to serve on the Smithsonian Institution's Board of Regents.

August 10, 1996, will mark the 150th anniversary of the founding of the Smithsonian Institution, one of the Nation's finest examples of successful public-private partnership. This legislation provides for the minting of coins to commemorate this momentous occasion.

Created as a Federal trusteeship by Congress in 1846, the Smithsonian Institution is today the largest research and museum complex on Earth. Its various museums were visited more than 26 million times last year, and unlike so many other museums, the Smithsonian remains free of charge to the public. In addition, thousands of Americans and foreign scholars have used the Institution's vast repository of knowledge and artifacts to assist in a variety of research activities.

The Smithsonian's sesquicentennial commemoration provides us the opportunity to celebrate both the Institution's great accomplishments and its future role and mission. The central goal of the commemoration, however, will be to increase the sense of ownership of, and participation in, the Smithsonian by the American people.

Throughout its 150th year, the Smithsonian will undertake a series of programs and stage a number of events to commemorate its founding and to explore new ways in which it can serve the public. These activities, while extensions of the existing framework of Smithsonian programs, will require significant financial resources.

In light of the existing budget constraints under which the Federal Government must operate, the Smithsonian's Board of Regents concluded it would not seek any additional appropriated funds to support sesquicentennial programming. Rather, the Smithsonian will concentrate its efforts to raise support for the anniversary programming from non-Federal sources. The commemorative coins would be one such effort.

The coins would be issued on August 10, 1996, exactly 150 years from the actual date of the act of Congress which established the Smithsonian Institution. The issuance of Smithsonian sesquicentennial commemorative coins will provide an opportunity for the American public to obtain a valued memento and support the Institution's mandate to preserve our Nation's cultural and historical heritage. In addition, the fund derived from the sale of these commemorative coins will not only enable the Smithsonian to showcase its 150-year service to the Nation, but will also transfer the financial responsibility for the sesquicentennial activities from the American taxpayer to voluntary contributions.

Further, the legislation provides that 15 percent of the total proceeds remitted to the Institution would be designated to support the numismatic collection at the National Museum of American History. This component of the legislation is strongly supported by the numismatic community and in a very tangible way demonstrates our appreciation for their support of all congressionally authorized commemorative coin programs.

Without exception, every Senator has constituents who visit, communicate with, and otherwise benefit from the Smithsonian. From eager first-graders to learned scholars and researchers, the public is consistently served by the vast resources and expertise of the Smithsonian and its staff. Enactment of this legislation will give the American people the opportunity to celebrate the Smithsonian's unique contributions to American culture and learning over the last 150 years.

Mr. President, I urge all my colleagues to join me in sponsoring this bill to celebrate and honor the 150th anniversary of the Smithsonian Institution.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Smithsonian Institution Sesquicentennial Commemorative Coin Act''.

SEC. 2. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coins:

(1) $5 GOLD COINS.—Not more than 100,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 800,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 3. SOURCES OF BULLION.

(a) GOLD.—The Secretary shall obtain gold for minting coins under this Act pursuant to the authority of the Secretary under other provisions of law.

(b) SILVER.—The Secretary shall obtain silver for minting coins under this Act only from stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the scientific, educational, and cultural significance and importance of the Smithsonian Institution and shall include the following words from the original bequest of James Smithson: ''for the increase and diffusion of knowledge''.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''1996''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Smithsonian Institution and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the period beginning on August 10, 1996, and ending on August 9, 1997.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales shall include a surcharge of—

(1) $35 per coin for the $5 coin; and

(2) $10 per coin for the $1 coin.

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 8. DISTRIBUTION OF SURCHARGES.

(a) IN GENERAL.—Except as provided in subsection (b), all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Smithsonian Institution for the purpose of supporting programming related to the 150th anniversary and general activities of the Smithsonian Institution.

(b) NATIONAL NUMISMATIC COLLECTION.—Not less than 15 percent of the total amount paid to the Smithsonian Institution under subsection (a) shall be dedicated to supporting the operation and activities of the National Numismatic Collection at the National Museum of American History.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Smithsonian Institution as may be related to the expenditures of amounts paid under subsection (a).

SEC. 9. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.●

By Mr. STEVENS (for himself, Mr. MURKOWSKI, Mr. JOHNSTON, and Mr. BREAUX):

S. 575. A bill to provide Outer Continental Shelf Impact Assistance to State and local governments, and for other purposes; to the Committee on Energy and Natural Resources.

OCS IMPACT ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Mr. STEVENS. Mr. President, Senator MURKOWSKI and I are introducing a bill today which we believe to be of importance to the Nation's domestic energy supply and our precious coastal resources. We are pleased to have Senators JOHNSTON and BREAUX as cosponsors.

The Outer Continental Shelf [OCS] impact assistance legislation is similar to legislation we introduced in the 102d Congress and have worked on for the past two decades. It is intended to stimulate oil and gas exploration on the Outer Continental Shelf and provide funds from revenues generated by oil and gas production on the OCS to coastal States and communities which share the burdens of exploration and production off their coastlines.

OCS impact assistance is an avenue for States and communities to be in full partnership with the Federal Government in the development of OCS energy by investing a small portion of new OCS revenue back into the coastal States.

This legislation establishes a fund for impact assistance from leased tracts for distribution to coastal States within 200 miles of such tracts. The funds will benefit States and local governments directly and indirectly impacted by OCS leasing activities. The bill would allocate 27 percent of new revenues generated from oil and natural gas development into the trust. These funds would be shared on a 50–50 basis among States and the eligible counties and coastal jurisdictions.

The impact assistance provided under this legislation will be distributed to counties, and in Alaska, borough governments, located no more than 60 miles from a State's coastline. The premise of sharing revenues derived from the development of resources in a specific locale with those that are primarily affected is a wise objective.

The funds would be used to assist coastal regions in projects and activities that OCS activities may impact, such as air and water quality, fish and wildlife, wetlands, or other coastal resources. In addition, the receiving governments could use their funds for much-needed public health and safety services, infrastructure construction, cultural activities, and other government services.

The Commerce Department recently reported that our national security is at risk because we now import more than 50 percent of our domestic petroleum requirements. OCS development has played an important role in offsetting even greater dependence on foreign energy. The OCS accounts for 23 percent of our Nation's natural gas production and 14 percent of its oil production. We need to ensure that the OCS plays an important role in meeting our future domestic energy needs.

The States and communities that bear the responsibilities should now share the benefits of the program.

The Senate in the past has passed my legislation to provide OCS impact assistance but we have not been successful in getting this enacted into law. I hope the administration will support this bill, which shows a State and Federal cooperation and partnership consistent with some past programs that exist in mineral, grazing, and forest resource revenue sharing. I look forward to working with my colleagues to provide our coastal States and communities the funds they need and deserve.

I want to thank Mike Poling and Greg Renkes of the Energy and Natural Resources Committee, who were invaluable in drafting this legislation. And I am also grateful to my assistant, Anne McInerney, for her work on this legislation.

I state again that the revenue sharing will be only from new production under this bill.

I also want to express my gratitude to my colleague from Alaska, Senator MURKOWSKI, for his leadership as chairman of the Energy and Natural Resources Committee and for his personal efforts on this legislation.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 575

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,

SECTION 1. DEFINITIONS.

For purposes of this Act only, the term—

(1) ''coastline'' has the same meaning that it has in the Submerged Lands Act (43 U.S.C. 1301 et seq.);

(2) ''county'' means a unit of general government constituting the local jurisdiction immediately below the level of State government. This term includes, but is not limited to, counties, parishes, villages and tribal governments which function in lieu of and are not within a county, and in Alaska, borough governments. If State law recognizes an entity of general government that functions in lieu of and is not within a county, the Secretary may recognize such other entities of general government as counties;

(3) ''coastal State'' means any State of the United States bordering on the Atlantic Ocean, the Pacific Ocean, the Arctic Ocean, the Bering Sea or the Gulf of Mexico;

(4) ''distance'' means minimum great circle distance, measured in statute miles;

(5) ''leased tract'' means a tract, leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing and producing oil or natural gas resources, which is a unit consisting of either a block, a portion of a block, a combination of blocks and/or portions of blocks, as specified in the lease, and as depicted in an Outer Continental Shelf Official Protraction Diagram;

(6) ''new revenues'' means monies received by the United States as royalties (including payments for royalty taken in kind and sold pursuant to section 27 of the Outer Continental Shelf Lands Act (43 U.S.C. 1353)), net profit share payments, and related late-payment interest from natural gas and oil leases issued pursuant to the Outer Continental Shelf Lands Act, but only from leased tracts from which such revenues are first received by the United States after the date of enactment of this Act;

(7) ''Outer Continental Shelf'' means all submerged lands lying seaward and outside of an area of ''lands beneath navigable waters'' as defined in section 2(a) of the Submerged Lands Act (43 U.S.C. 1301(a)), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control; and

(8) ''Secretary means the Secretary of the Interior or the Secretary's designee.

SEC. 2. IMPACT ASSISTANCE FORMULA AND PAYMENTS.

(a) There is established a fund in the Treasury of the United States, which shall be known as the ''Outer Continental Shelf Impact Assistance Fund'' (hereinafter referred to in this Act as ''the Fund''). Allocable new revenues determined under subsection (c) shall be deposited in the Fund.

(b) The Secretary of the Treasury shall invest excess monies in the Fund, at the written request of the Secretary, in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

(c) Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), amounts in the Fund, together with interest earned from investment thereof, shall be paid at the direction of the Secretary as follows:

(1) The Secretary shall determine the new revenues from any leased tract or portion of a leased tract lying seaward of the zone defined and governed by section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)), or lying within such zone but to which section 8(g) does not apply, the geographic center of which lies within a distance of 200 miles from any part of the coastline of any coastal State (hereinafter referred to as an ''eligible coastal State'').

(2) The Secretary shall determine the allocable share of new revenues determined under paragraph (1) by multiplying such revenues by 27 percent.

(3) The Secretary shall determine the portion of the allocable share of new revenues attributable to each eligible coastal State (hereinafter referred to as the ''eligible coastal State's attributable share'') based on a fraction which is inversely proportional to the distance between the nearest point on the coastline of the eligible coastal State and the geographic center of the leased tract or portion of the leased tract (to the nearest whole mile). Further, the ratio of an eligible State's attributable share to any other eligible State's attributable share shall be equal to the inverse of the ratio of the distances between the geographic center of the leased tract or portion of the leased tract and the coastlines of the respective eligible coastal States. The sum of the eligible coastal States' attributable shares shall be equal to the allocable share of new revenues determined under paragraph (2).

(4) The Secretary shall pay from the Fund 50 percent of each eligible coastal State's attributable share, together with the portion of interest earned from investment of the funds which corresponds to that amount, to that State.

(5) Within 60 days of enactment of this Act, the governor of each eligible coastal State shall provide the Secretary with a list of all counties, as defined herein, that are to be considered for eligibility to receive impact assistance payments. This list must include all counties with borders along the State's coastline and may also include counties which are at the closest point no more than 60 miles from the State's coastline and which are certified by the Governor to have significant impacts from Outer Continental Shelf-related activities. For any such county that does not have a border along the coastline, the Governor shall designate the coastline of the nearest county that does have a border along the coastline to serve as the former county's coastline for the purposes of this section. The governor of any eligible coastal State may modify this list whenever significant changes in Outer Continental Shelf activities require a change, but no more frequently than once each year.

(6) The Secretary shall determine, for each county within the eligible coastal State identified by the Governor according to paragraph (5) for which any part of the county's coastline lies within a distance of 200 miles of the geographic center of the leased tract or portion of the leased tract (hereinafter referred to as in ''eligible county'') 50 percent of the eligible coastal State's attributable share which is attributable to such county (hereinafter referred to as the ''eligible county's attributable share'') based on a fraction which is inversely proportional to the distance between the nearest point on the coastline of the eligible county and the geographic center of the leased tract or portion of the leased tract (to the nearest whole mile). Further, the ratio of any eligible county's attributable share to any other eligible county's attributable share shall be equal to the inverse of the ratio of the distance between the geographic center of the leased tract or portion of the leased tract and the coastlines of the respective eligible counties. The sum of the eligible counties' attributable shares for all eligible counties within each State shall be equal to 50 percent of the eligible coastal State's attributable share determined under paragraph (3).

(7) The Secretary shall pay from the Fund the eligible county's attributable share, together with the portion of interest earned from investment of the Fund which corresponds to that mount, to that county.

(8) Payments to eligible coastal States and eligible counties under this section shall be made not later than December 31 of each year from new revenues received and interest earned thereon during the immediately preceding fiscal year, but not earlier than one year following the date of enactment of this Act.

(9) The remainder of new revenues and interest earned in the Fund not paid to an eligible State or an eligible county under this

section shall be disposed of according to the law otherwise applicable to receipts from leases on the Outer Continental Shelf.

SEC. 3. USES OF FUNDS.

Funds receive pursuant to this Act shall be used by the eligible coastal States and eligible counties for—

(a) projects and activities related to all impacts of Outer Continental Shelf-related activities including but not limited to—

(1) air quality, water quality, fish and wildlife, wetlands, or other coastal resources;

(2) other activities of such State or county, authorized by the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), the provisions of subtitle B of title IV of the Oil Pollution Act of 1990 (104 Stat. 523), or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(3) administrative costs of complying with the provisions of this subtitle.

SEC. 4. OBLIGATIONS OF ELIGIBLE COUNTIES AND STATES.

(a) PROJECT SUBMISSION.—Prior to the receipt of funds pursuant to this Act for any fiscal year, an eligible county must submit to the Governor of the State in which it is located a plan setting forth the projects and activities for which the eligible county proposes to expend such funds. Such plan shall state the amounts proposed to be expended for each project or activity during the upcoming fiscal year.

(b) PROJECT APPROVAL.—Prior to the payment of funds pursuant to this Act to any eligible county for any fiscal year, the Governor must approve the plan submitted by the eligible county pursuant to subsection (a) and notify the Secretary of such approval. State approval of any such plan shall be consistent with all applicable State and federal law. In the event the Governor disapproves any such plan, the funds that would otherwise be paid to the eligible county shall be placed in escrow by the Secretary pending modification and approval of such plan, at which time such funds together with interest thereon shall be paid to the eligible county.

(c) CERTIFICATION.—No later than 60 days after the end of the fiscal year, any eligible county receiving funds under this Act must certify to the Governor: (1) the amount of such funds expended by the county during the previous fiscal year; (2) the amounts expended on each project or activity; and (3) the status of each project or activity.

SEC. 5. ANNUAL REPORT, REFUNDS.

(a) On June 15 of each fiscal year, the Governor of each State receiving monies from the Fund shall account for all monies so received for the previous fiscal year in a written report to Congress.

(b) In those instances where through judicial decision, administrative review, arbitration or other means there are royalty refunds owed to entities generating new revenues under this Act, repayment of such refunds in the same proportion as monies were received under section 2 shall be the responsibility of the governmental entities receiving distributions under the Fund.

Mr. MURKOWSKI. Mr. President, I rise today to co-sponsor legislation to provide Outer Continental Shelf [OCS] impact assistance to State and local governments. I am pleased to be joining my colleague from Alaska, Senator STEVENS, the ranking minority member of the Energy and Natural Resources Committee, Senator JOHNSTON, and Senator BREAUX in the introduction of this important legislation.

Mr. President, there are two important aspects of the legislation we offer today. First, it is intended to stimulate oil and gas exploration and production on the Outer Continental Shelf, create jobs, protect our national energy security, and reduce our trade deficit. Second, it is intended to provide funds from revenues generated by oil and gas production on the OCS to States and eligible counties who shoulder the responsibility for energy development activity off their coastlines.

A recent report by the Commerce Department suggests that our national security is at risk because we now import more than 50 percent of our domestic petroleum requirements. The Clinton administration's response to that report seems to be to not respond. I am aware of no specific proposals offered by the Clinton Administration to increase domestic production and reduce foreign imports of crude oil. As chairman of the Committee on Energy and Natural Resources and a member of the Finance Committee, I intend to hold hearings on this legislation and other measures to stimulate oil and gas production, create jobs in the energy and support industries, and generate badly needed revenues. Over the last 10 years there have been 500,000 jobs lost in the oil and gas industry, and billions of dollars in investment capital are fleeing the country because domestic energy companies are not being given access to public lands to drill for new oil and gas reserves, are being frustrated by government rules and regulations, and are being hounded by activists who do not want the public lands utilized for natural resource development.

I don't think that is right, and I intend to do something about it. The bill we are introducing today is a small step, but a step in the right direction. Over the coming months I will hold hearings and introduce legislation to provide additional stimulus to our energy industry and our economy.

On the matter of impact assistance, Mr. President, our bill recognizes that there are burdens associated with offshore oil and gas activities—from environmental planning and analysis, to public safety and health considerations, to new infrastructure requirements. This legislation would, for the first time, share the benefits of economic revenues generated by OCS oil and gas activities with those governmental entities who assume those burdens.

Under this legislation, Mr. President, counties, parishes and boroughs—the local governmental entities most directly affected—and State governments will share in revenues derived from OCS oil and gas production. A total of 27 percent of all new revenues resulting from production royalties from leases lying seaward of the so-called 8(g) zone, the area 3 to 6 miles offshore and extending out to 200 miles, would be shared on a 50–50 basis by States and counties. In other words, States would get half of the 27 percent share and the coastal counties would get the other half.

The impact assistance provided under this legislation would be distributed to counties located no more than 60 miles from a State's coastline, based on a fraction that is inversely proportional to the distance between the nearest point on the eligible county's coastline and the geographic center of a leased tract. The legislation provides a formula for sharing with affected States as well.

Recognizing that local governmental entities differ from State to State, the legislation defines county as including parishes, villages, and, in Alaska, borough governments.

Impact assistance payments must be used for mitigation of effects relating to OCS-related activities, such as air and water quality, fish and wildlife, wetlands, or other coastal resources. In addition, such funds could be used for public safety and health activities, zoning, infrastructure construction, or other similar measures. To ensure that impact assistance monies are properly used, the bill requires counties to submit a description of the purposes for which such funds will be disbursed, and governors to submit an annual report accounting for the use of impact monies during the prior year.

To ensure that the funds are used for the purposes intended by this legislation, coastal counties are required to submit a list of proposed projects for approval of the Governor of the State in which the county is located. Counties must certify each year the amount of funds spent on particular projects or activities and the status of each. The bill also requires the Governor of each State receiving funds to account for monies received each year in a report to Congress.

Finally, Mr. President, the legislation allows for refunds where, because of litigation, an arbitration award, or administrative review, there has been an overpayment. In such cases, the responsible State and county governments would be required to refund monies overpaid in direct proportion to the amount that they shared such funds.

Mr. President, this legislation is long overdue. It has been passed twice on previous occasions only to be opposed by the Executive Branch. This legislation is needed to ensure that State and local governments have the funds necessary to address onshore activities and effects relating to production occurring off their shorelines, activities which generate jobs and taxes, as well as the very funds from which OCS impact assistance will be paid.

Historically, oil and gas leasing on the Outer Continental Shelf has generated more than $100 billion in Federal revenues. The OCS accounts for 23 percent of our Nation's natural gas and 14 percent of the country's oil production. We need to assure that the OCS continues to play an important role in contributing to our domestic energy needs, and to take steps to facilitate exploration and production activities on the OCS. It also is time to spread the benefits of the program among those who share the burdens. I urge my colleagues to move swiftly in enacting this legislation.

By Mr. FEINGOLD:

S. 576. A bill to prohibit the provision of certain trade assistance to United States subsidiaries of foreign corporations that lack effective prohibitions on bribery.

ANTIBRIBERY LEGISLATION

• Mr. FEINGOLD. Mr. President, as we in Congress continue to define our role in helping promote United States exports in this fiercely competitive international environment, I rise today to introduce two measures dealing with a more surreptitious aspect of foreign trade which is hurting U.S. companies: bribery and corruption by our foreign competitors.

This is a subject I became interested in last session when I learned of a rather outrageous practice in the world of offsets which involved a kickback from one U.S. company to another to facilitate the purchase of foreign goods. In that case, a U.S. defense corporation offered an American civilian contractor a sizable amount of money if that company would choose a foreign bidder over an American bidder so that the defense contractor could earn credit against its offset agreement for a weapons sale a few years earlier. After researching the law on this, I learned that cash payments between domestic concerns—or what many called outright bribes—were not outlawed in offset deals. I authored legislation, which was enacted in Public Law 103–236, to close the loophole in the law, and to outlaw kickback payments in the conduct of offsets.

My legislation today picks up on the same theme. As we seek to expand and develop markets for U.S. exports; as we work to protect every opportunity for fair competition for our companies; as we try to strengthen our small and medium-sized companies, we must address the rampant, global problem of corruption and bribery—both as a good governance issue in our development strategies, and as a competitive issue with industrialized nations who permit bribery of foreign officials.

As a member of the Senate Foreign Relations Committee, I expect to work on this problem as we look at foreign aid reform and our trade export promotion programs. As ranking member of the Subcommittee on African Affairs, I want to work with our African partners to begin to clean up corruption, and remove this barrier to sound development. In the State of Wisconsin, I have already raised the issue with a State trade promotion commission, the Lucey Commission, as a barrier to free and fair trade for our companies. The commission released its report in January 1995. Indeed, this is an unfair trading practice that must be addressed as U.S. companies gear up for more fervent international export activity.

Bribery and corruption in the international arena are subjects which we have not focused on recently, but they have seriously skewed international markets and destabilized the trading environment throughout the world. It is a multifaceted problem, found at many layers of government, throughout the international corporate hierarchy, and in many components of an international business transaction. It infects and distorts the global business environment by inflating costs which must factor in payoffs, and offers prices which, in reflecting the bribe, are in excess of value. It also undermines structural development in transitioning countries, and when it comes to foreign assistance, it can diminish the amount of actual aid delivered as bribes are siphoned off from aid packages.

Bribery allows the dishonest to prosper, while the honest pay the price. What's more, it only feeds on itself because a bribed person never stays bribed; he or she will always sell themself to the highest bidder. Most importantly, though, it is an inappropriate way to do business—not only because it is unethical and morally unacceptable, but also because it is inefficient.

This was in large part why Congress passed the Foreign Corrupt Practices Act of 1977, which, I am proud to say, was sponsored by one of Wisconsin's most respected elected officials, Senator William Proxmire. The FCPA was introduced when policymakers became concerned by discoveries that some American businesses maintained secret slush funds for making questionable or illegal payments to foreign government officials for enhanced business opportunities that would adversely affect U.S. foreign policy, harm the image of American democracy abroad, and undermine public confidence in the integrity of U.S. businesses.

By establishing extensive bookkeeping requirements to ensure transparency, and by criminalizing the bribery of foreign officials to obtain or retain business, the FCPA has succeeded at curbing corporate bribery by U.S. firms. These two very important principles do not simply define an American sense of morality in business. They also strengthen America's trade policy, foster faith in American democracy, and protect our interests in requiring an open environment for U.S. investment.

Certainly, these are principles and guidelines in everyone's best interest, and as such, are worth promoting worldwide.

Though at the time of passage, there was some criticism of the FCPA, it is generally welcomed by the business community today for exactly those reasons. The biggest objection to it is that in some instances it does disadvantage our businesses. Our trade competitors, the other industrialized countries, are allowed—and are usually willing—to pay bribes, and thus have been able to gain an unfair and harmful edge over U.S. businesses. In some countries, like Germany, a bribe in a foreign country is even eligible for a tax write-off. As the international trade market continues to expand, it is time to get this problem under control.

Although some talk of amending or repealing the FCPA to help American business in their competitive race, it makes far better business sense to raise the international standards against bribery, and work for universal acceptance of the principles of the FCPA. This would help level the playing field for U.S. businesses and exports, and it is a sound economic move.

One of the most effective ways to do that is to work with other governments to implement the same strict regulations and penalties against bribery in international business by which U.S. entities have to live.

The Clinton administration has done a laudable job in advancing this agenda as part of its aggressive export strategy. They have consistently raised this issue with other governments, both in public and private. They have pursued it in places such as the Organization on Economic Cooperation and Development, and President Clinton raised it at the Summit of the Americas in Miami last year. I know the Ambassador to India, Ambassador Frank Wisner, has identified it as a major issue, and, as India develops its codes for international investment, he has pledged to help ensure a level playing field for United States companies. The administration has also dedicated itself to promoting anticorruption as a basic principle of ''good governance'' within our assistance programs.

We took a good first step when the Organization on Economic Cooperation and Development passed a strong resolution in May 1994 recommending that member countries, which includes most of Europe, Australia, Canada, Japan, and New Zealand, ''take effective measures to deter, prevent, and combat bribery of foreign public officials.'' This was a very helpful measure in that all the OECD countries recognized bribery as a destabilizing factor in international trade, and pledged to cooperate on revisions of domestic laws and creation of international agreements. This recommendation has served as a launching pad for international efforts against bribery, and has inspired some other successes in the first year since it was passed.

For example, in Ecuador, where the Government has tendered a contract for a $170 million refinery project, bidders are required to sign a no-bribery pledge, and agreed that all third-party commissions would be disclosed in the final contract. In Ukraine, top officials in the Ministry of International Economic Affairs are going to trial for accepting bribes from foreign and Ukranian corporations in exchange for assistance in export licenses.

Domestically, several Governments have been rocked by corruption scandals in recent months that have put the issue of bribery on the front pages in France, Italy, and the United Kingdom. NATO is investigating its Secretary General for possibly accepting a kickback payment on a helicopter sale when he was Belgium's Economics Minister. In Taiwan, there is an elaborate investigation into a murder of a military officer who may have known of payoff in an arms deal. Even China recently passed a law to restrict undue influence on judges, prosecutors, and police.

Bribery and corruption are finally emerging as a topic for public discussion, and, I believe, that as more sunshine is cast on such practices, governments will be under domestic pressure to pass anti-corruption legislation and reform. I am also confident that these movements will lead to scrutiny of how business is conducted overseas. In the meantime, we need to do all we can to ensure that American companies are playing on a level field.

Today many small and medium-sized companies depend upon the assistance of our trade promotion agencies. These agencies offer different kinds of financing, but all serve to promote American products for export, and balance out government subsidized programs offered by our trade competitors for their companies.

The legislation I am introducing today would guarantee that U.S. export financing would benefit only those companies which do not have the unfair advantage of bribery by prohibiting the Trade and Development Agency, Overseas Private Investment Corporation, Export-Import Bank, and the Agency for International Development from providing support for U.S. subsidiaries of foreign corporations which have not adopted and enforced an anti-bribery code.

While U.S. subsidiaries are subject to the FCPA, their foreign parent companies are not, which may offer them an unfair advantage over wholly U.S.-owned firms. I do not think that U.S. taxpayer funds should be used to support further a corporation which may have the benefit of bribery—particularly if it hurts a wholly-owned American company. My legislation is also intended to give a further incentive to foreign corporations to adopt, on their own, restrictions against bribery. My bill is intended to support the work of both U.S. exporters and U.S. trade promotion agencies in combating this terrible inequity.

I am also introducing a resolution that would express the sense of the Senate that bribery is indeed a morally unacceptable business practice, and has destabilizing consequences for the international trade environment. It commends the Clinton administration for their solid efforts; encourages the administration to work toward universal acceptance of the principles set forth in the FCPA; and says the U.S. Government should enter into negotiations in order to establish regulations for international financial institutions and international organizations that prohibit bribery of foreign public officials and impose sanctions for such bribery.

By no means can we resolve this issue in 1 year, or simply with a couple of laws. Rather, we need to promote meaningful change in the business culture worldwide, and we need to do that on a multilateral, if not global, basis. Large companies can afford to wait as the problem begins to improve, but our small and medium-sized businesses—the backbone of the U.S. economy—are, in some cases, being fatally wounded now by competitors' bribery.

Bribery is nobody's preferred way to do business, yet it is standard play in many parts of the world. We need to begin to address it seriously as a global problem. As recent events have shown, citizens of many other countries—in both the industrialized and developing worlds—feel the same way. I hope my proposals will contribute to the debate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. PROHIBITION ON TRADE ASSISTANCE.

(a) PROHIBITION.—Notwithstanding any other provision of law, an agency referred to in subsection (b) may not provide economic support (including export assistance, subsidization, financing, financial assistance, or trade advocacy) to or for any foreign corporation or any United States subsidiary of a foreign corporation unless the head of such agency certifies to Congress that the foreign corporation has adopted and enforces a corporate-wide policy that prohibits the bribery of foreign public officials in connection with international business transactions of the corporations and its subsidiaries.

(b) COVERED AGENCIES.—Subsection (a) applies to assistance provided by the following agencies:

(1) The Trade and Development Agency.

(2) The Overseas Private Investment Corporation.

(3) The Export-Import Bank.

(4) The Agency for International Development.

(c) DEFINITIONS.—In this section:

(1) The term ''bribery'', in the case of a corporation, means the direct or indirect offer or provision by the corporation of any undue pecuniary or other advantage to or for an individual in order to procure business and business contracts for the corporation or its subsidiaries.

(2) The term ''foreign corporation'' means any corporation created or organized under the laws of a foreign country.

(3) The term ''United States subsidiary'' means any subsidiary of a foreign corporation which subsidiary has its principal place of business in the United States or which is organized under the laws of a State.●

ADDITIONAL COSPONSORS

S. 131

At the request of Mr. LIEBERMAN, the names of the Senator from New Hampshire [Mr. SMITH] and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 131, a bill to specifically exclude certain programs from provisions of the Electronic Funds Transfer Act.

S. 277

At the request of Mr. D'AMATO, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 277, a bill to impose comprehensive economic sanctions against Iran.

S. 285

At the request of Mr. MCCAIN, the names of the Senator from Montana [Mr. BAUCUS] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 285, a bill to grant authority to provide social services block grants directly to Indian tribes, and for other purposes.

S. 295

At the request of Mrs. KASSEBAUM, the name of the Senator from Missouri [Mr. ASHCROFT] was added as a cosponsor of S. 295, a bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

S. 323

At the request of Mrs. KASSEBAUM, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 323, a bill to amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes.

S. 343

At the request of Mr. DOLE, the names of the Senator from Alaska [Mr. STEVENS] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 343, a bill to reform the regulatory process, and for other purposes.

S. 388

At the request of Ms. SNOWE, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 388, a bill to amend title 23, United States Code, to eliminate the penalties for noncompliance by States with a program requiring the use of motorcycle helmets, and for other purposes.

S. 397

At the request of Mr. MCCAIN, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 397, a bill to benefit crime victims by improving enforcement of sentences, imposing fines and special assessments, and for other purposes.

S. 447

At the request of Mr. INHOFE, the names of the Senator from Texas [Mrs.