

System in the Arizona Superior Court in 1993, and the Governor's Committee on Child Support Guidelines.

Judge Silverman has shown his commitment to the United States Constitution and the rule of law by co-founding the Sandra Day O'Connor Prize for Excellence in Constitutional Law at the Arizona State University College of Law.

Judge Silverman's academic credentials are equally impressive. He graduated summa cum laude from the Arizona State University College of Law in 1976 and was subsequently honored by his alma mater twice, once in 1994, when the college of law presented him with its "Outstanding Alumnus Award," and again in 1997 when he received the prestigious "Dean's Award."

In short, Mr. President, I believe Judge Silverman meets the highest of standards required for our Federal judges, and I have been very privileged to support his nomination as it has proceeded through the process and come to the floor of the Senate. I urge all of my colleagues to support the nomination of Judge Barry Silverman for the Ninth Circuit Court of Appeals.

Allow me to conclude, Mr. President, with this observation. It has been a pleasure to work with the White House on this nomination. From the time that his name came forward, they worked diligently to conclude the FBI process, which does take some time. We received from the White House the Sunday before Congress adjourned in November the file for Judge Silverman and the committee was able to get that file in 1 day, the following Monday.

ORRIN HATCH, the chairman of the Judiciary Committee, who has been criticized for holding up some nominees, I must say, deserves a great deal of credit here for personally conducting the hearing for Judge Silverman. And then the following day—this is now 3 days after we received the file—scheduling an executive session of the committee so that we could send his nomination to the full Senate floor.

Chairman HATCH and I then requested the majority leader on the last day of the session in November to clear this nomination so that the ninth circuit could receive him and have his services. Unfortunately, the democratic leader was not able to clear Judge Silverman on the democratic side and therefore about 2½ months, unnecessarily, the ninth circuit was without a judge in this particular position. But I am particularly pleased that he is before us today and that we will very soon have an opportunity to vote and to confirm Judge Silverman for the Ninth Circuit Court of Appeals.

Mrs. BOXER. Mr. President, I am very glad that we are moving forward with judges today. We all hear, as we are growing up, that, "Justice delayed is justice denied," and we have, in many of our courts, vacancies that have gone on for a year, 2 years, and in many cases it is getting to the crisis level. So I am pleased that we will be

voting. I think, whether the delays are on the Republican side or the Democratic side, let these names come up, let us have debate, let us vote.

In that regard, I am looking forward to having our debate on the nominee I had recommended to President Clinton, Margaret Morrow, who has the strong support of Senator HATCH, many Republicans on the Judiciary Committee, and I am very hopeful we can get that nomination resolved.

I know that our leaders had agreed that vote would take place before the February recess and I will be speaking with both leaders to find out a date certain.

ORDER OF PROCEDURE

Mr. KYL. Mr. President, at this time I ask unanimous consent that immediately following the vote at 2:15 and confirmation of the two additional nominations, there be a period of morning business with Senators permitted to speak for up to 5 minutes each. I further ask unanimous consent that at 3 o'clock p.m. today Senator COVERDELL be recognized as under the previous order for 90 minutes, to be followed by Senator DASCHLE or his designee for 90 minutes.

Mrs. BOXER. Reserving the right to object, will the Senator amend his request to give the Senator from California 5 minutes at this time?

Mr. KYL. Mr. President, I have no objection. If under the previous order that is permitted, it's fine with me.

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

WITHDRAWAL OF COSPONSORSHIP—S. 1028

Mrs. BOXER. Mr. President, I ask unanimous consent that my name be removed from S. 1028 as a cosponsor of that legislation.

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

Mrs. BOXER. Thank you very much, Mr. President. This is a forest bill that is very controversial. After I placed my name on it a study came out that basically, in my opinion, led me to believe that the bill in its current form would not be good for the Nation's forests.

STATE OF THE UNION—1998 AGENDA

Mrs. BOXER. Mr. President, last night we learned from our President that the state of the Union is the strongest it has been in decades. The "misery index," that is inflation and interest rates combined, is at a 30-year low. Inflation is practically nonexistent. The Federal deficit is about to be eliminated. Over 14 million new jobs have been created in the last 7 years. We are seeing the lowest unemployment rate in a quarter of a century at 4.7 percent today. And we have seen the highest home ownership rate in

history, nearly 6 million new homeowners since 1992.

The booming economy and the bright fiscal picture give us a wonderful opportunity to continue to support a balanced budget, but one with a heart and one that makes critical investments in important areas, many outlined by the President—education, health care, health research, the environment, anticrime efforts, child care and, of course, ensuring that Social Security will be fiscally sound well into the next century.

I am looking forward to working hard, on a bipartisan basis, with my colleagues as we write this budget. I am privileged to serve on the Budget Committee where we will take the first crack at crafting a Senate budget. I also sit on other committees that will carry through some of those priorities.

I want to point out just a couple of issues that the President talked about which are very near and dear, not only to my heart but, much more important, to the hearts of the people that I represent, the people of California.

This important issue is after-school care. It is a little-known fact that juvenile crime peaks up at 3 o'clock and begins to go down at 6 o'clock. So, between 3 and 6 our children need something to say "yes" to. They need mentoring. They need help with their homework. The after-school hours are an opportune time for business to come in and teach our young people about business, teach them computers and the many skills that they need to succeed.

I have written a bill that would set up some model after-school programs. I was debating, should I offer it in the context of education or should I offer it in the context of juvenile crime reduction. After-school programs both improve education and reduce juvenile crime.

The President is launching a huge initiative there. He is also calling for and end to social promotion, 100,000 new teachers to help our children, and something that is important, reducing class sizes in the early grades. We need to implement voluntary national standards and we must rebuild our crumbling schools and build the new schools of the 21st century. This President is on his way to being the true education President. I want us to be the true education Senate, and I very much look forward to the time we will spend on this Senate floor debating education.

The President is calling our attention to the current health care crisis. We took a giant step in helping our young people last year, by giving a block grant to the States. They are going to work on making sure our children are insured.

There is a big gap between the ages of 55 and 65, while people are waiting to get into Medicare, and the President proposes a pay-as-you-go system to handle some of those people, to allow

them to buy into Medicare. I want to emphasize this is a pay-as-you-go system. We have heard criticism that we can't do anything to expand Medicare without harming Medicare. I don't think there is anyone in the Senate who would do that. We want to make sure that anything that we put forward pays for itself.

The President also touched on the rights of health care consumers to get quality health care from HMOs. These health maintenance organizations often deliver care in a very efficient manner. The question is, is the quality there? I wrote a bill, the Health Care Consumers' Bill of Rights Act, which parallels a lot of what the President talked about. I hope we can enact a patient's bill of rights this year.

When I was in my State, I had the good fortune to meet with a gentleman named Harry Christie, who had a poignant story to tell. His daughter Carley at age 9 was diagnosed with a rare and aggressive form of kidney cancer. His HMO refused to allow him to take that child to a pediatric surgeon who specialized in this very delicate operation. So, Mr. Christie was faced with a terrible choice. What to do? He dug into his own pocket, he somehow got the thousands of dollars—\$40,000 to be exact—to pay for Carley's operation. This story has a happy ending. Carley had the operation. She is 14 years old. She is cancer free. But only because her dad went against the HMO.

I don't want to see any other parent in America go through that torture. If there is a specialist available to handle a crisis, anyone in this country who has health insurance should be able to go to that specialist. That would be part of the patients' bill of rights.

I am ready to work with my colleagues to develop a consensus HMO reform bill that we can pass and send to the President for his signature. In the end, it doesn't matter whose name is on the bill. I do not care if it is a Democratic bill or a Republican bill. Our task is simply to get the job done. I look forward to working on this legislation and I hope the Majority Leader will schedule action on it this year. In my view, HMO reform must be a top priority of this session of Congress.

In the crime area, I will be urging my colleagues in the Senate to agree to legislation that will require all makers of handguns to include child safety locks in the weapons. The President proposed this last year, a number of manufacturers have voluntarily complied, but I want to ensure that all of them do.

I will also continue to make the case for my legislation to ban the manufacture and sale of "junk guns" or "Saturday night specials", which are cheap, poorly made guns that are so often used in the commission of crimes. I realize that the chances of such legislation passing are low, given the current makeup of the Congress, but I think that it is important to raise the issue, nevertheless.

As a member of the Environment and Public Works Committee, I will be working a number of bills that are of great importance to the people and communities of my state, including reforming the Superfund program to clean up contaminated sites across the country.

I will seek opportunities to enact my legislation, the "Children's Environmental Protection Act", which would require all of our environmental health and safety standards to be set at levels that would ensure protection of children, the elderly, and pregnant women, and other vulnerable groups. It would also require the EPA to establish a list of "safer-for-children" products such as pesticides and household cleaners, to give concerned consumers more information on the products found in all American households.

I also applaud and will work to enact the President's "Clean Water Initiative", which will provide substantial new resources to fulfill the promise of the Clean Water Act to give all Americans clean, safe lakes, rivers and coastal waters.

Sometime in the next few weeks, the Senate is expected to take up the transportation infrastructure bill—ISTEA—and I look forward to that debate. Californians are anxious to see quick action on that legislation, which provides funding for highway, transit, and other transportation projects throughout the state.

Last night, the President announced that his budget, which he will submit to Congress next week, will be in balance beginning in fiscal year 1999. The Budget Committee, of which I am a member, began its hearings on the state of the economy and the federal budget this morning. I believe that we can balance the budget next year, and I will work to ensure that it happens. Hopefully, we can start seeing budget surpluses in future years. But I want to be very clear about that: before we do anything else, we must ensure the integrity of the Social Security trust fund, so that baby boomers and future generations can count on getting the benefits for which they have contributed all their working lives.

Within the context of a balanced budget, I believe we have the resources for limited, targeted tax reduction. I will introduce a bill in the next few days to provide a tax deduction for the cost of buying health insurance to people whose employers do not provide health plans and for those who are unemployed.

There are many other issues I could go into. I see my friend Senator GRAMS is here. We just spent about an hour together in the Budget Committee. I am sure he has some valuable issues to lay out for the Senate. But I do think it is important to know—and I am putting it in very blunt terms—that although we celebrate a balanced budget, if it weren't for the surplus of Social Security that we are borrowing, we would still be in debt. It is time to pay back

the Social Security trust fund. You know, there are many trust funds that we have, that we should pay back—they are much smaller than Social Security; we can do it easily—the Land and Water Conservation Fund, the Aviation Trust Fund, the Highway Trust Funds. Those are small. We can pay them back. But Social Security is large.

If you owe a debt to someone in life you have to pay him or her back. When I have young people standing up at my community meetings, looking me in the eye, who say, "Can you tell me Social Security will be there when I need it? I'm 30 years old and I'm not sure." I tell them when I was 30 I wasn't sure Social Security would be there. But because of the policies of the Senators, the Congress, the Presidents of both parties, Social Security will be there for me and my family. "I assure you," I said to this last gentleman that mentioned it, "it will be there for you. But only if we heed what President Clinton said."

We have to pay back the Social Security trust fund and then we will have something to be very proud of. We will look back at this time in our history and the people will say about us that we made the right investments in the right things. They paid dividends. They made our people strong and our country strong. And, yes, we saw a looming problem called Social Security and Medicare and we acted to shore up those funds to make sure that future generations will have what this generation has—peace and security.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I ask unanimous consent to be allowed to speak as in morning business for up to 10 minutes.

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

JUST FOUR DAYS FROM NOW: THE NUCLEAR WASTE STORAGE COUNTDOWN

Mr. GRAMS. Mr. President, the American taxpayers sat down last night to listen to their Chief Executive speak about the state of the union and the future of our country. Bill Clinton knows how to give a good speech, and as we have come to expect, last night's was filled with lots of proposals and promises and reminders of some of the successes of the past year.

It is true—our nation has seen some good times recently. By returning accountability to Washington, we have brought the Federal deficit under control and reduced unemployment to its lowest levels this decade. We have cut taxes for working families for the first time in 16 years. The markets have soared to all-time highs and the economy is churning out rewards for anyone willing to work. Americans are feeling good about their country and about their futures.