S. 1856. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for contributions by employees to defined contribution pension plans; to the Committee on Finance.

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 1857. A bill for the relief of Olga, Igor, and Oleg Lyamin; to the Committee on the Judiciary.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Mr. HARKIN):

S. 1858. A bill to amend the Social Security Act to provide individuals with disabilities with incentives to become economically self-sufficient; to the Committee on Finance.

By Mr. ROTH (for himself and Mr. LUGAR):

S. 1859. A bill to correct the tariff classification on 13″ televisions; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 1860. A bill to amend Section 313(p)(3) of the Tariff Act of 1930 to allow duty drawback for Methyl Tertiary-butyl Ether (''MTBE''), a finished petroleum derivative; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1861. A bill to amend the Tariff Act of 1930 to permit duty-free sales enterprises to be located in certain areas; to the Committee on Finance.

Mr. DEWINE:

S. 1862. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Labor and Human Resources.

By Mrs. MURRAY:

S. 1863. A bill to suspend temporarily the duty on certain polyethylene base materials; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. JEFFORDS:

S. Con. Res. 87. A concurrent resolution to correct the enrollment of S. 419; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. JEFFORDS, Mr. GRAHAM, Mr. BAUCUS, and Mr. HATCH):

S. 1856. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for contributions by employees to defined contribution pension plans; to the Committee on Finance.

THE ENHANCED SAVINGS OPPORTUNITY ACT

Mr. GRASSLEY. Mr. President, I rise today to introduce legislation that lifts the unfair limits on how much people can save in their employer's pension plan. Last year, Congress took an important first step in helping people prepare for retirement through educating the public about private savings and pensions. But education can only go so far. We also must remove the barriers that prevent working Americans from achieving a secure retirement.

Removing the barriers means taking a fresh look at some of the provisions in the Internal Revenue Code which discourage workers and employers from putting money into pension plans. One of the most burdensome provisions in the Internal Revenue Code is the 25 percent limitation contained within section 415(c). Under 415(c), total contributions by employer and employee into a defined contribution (DC) plan are limited to 25 percent of compensation or $30,000 for each participant, whichever is less. That limitation applies to all employees. If the total additions into a DC plan exceed the lesser of 25 percent or $30,000, the excess money will be subject to income taxes and a penalty in some cases.

To illustrate the need for elimination of the 25 percent limit let me use an example. Bill works for a medium size company in my home state of Iowa. His employer sponsors a 401(k) plan and a profit sharing plan to help employees save for retirement. Bill makes $25,000 a year and elects to put in 10 percent of his compensation into the 401(k) plan, which amounts to $2,500 per year. His employer will match the first 5 percent of his compensation, which comes out to be $1,250, into the 401(k) plan. Therefore, the total 401(k) contribution into Bill's account in this year is $3,750. In this same year Bill's employer determines to set aside a sufficient amount of his profits to the profit sharing plan which results in an allocation to Bill's account in the profit sharing plan the sum of $3,205. This brings the total contribution into Bill's retirement plan this year up to $6,955.

Unfortunately, because of the 25 percent of compensation limitation only $6,250 can be put into Bill's account for the year. The amount intended for Bill's account exceeds that limitation by $705. Hence, the profit sharing plan administrator must reduce the amount intended for allocation to Bill's account by $705 in order to avoid a penalty. Bill is unlikely to be able to save $705, a significant amount that would otherwise be yielding a tax deferred income which would increase the benefit Bill will receive at retirement. Bill's retirement saving is shortchanged by $705 plus the tax-deferred earnings it would have generated.

Now let us look at Irene. Irene works for the same company, but she makes $45,000 a year. She also puts in 10 percent of her compensation into the 401(k) plan, and her employer matches five percent of her salary into the account. That brings the combined contribution of Irene and her employer up to $6,750. She would also receive a contribution of $3,205 from the profit sharing plan. This brings the total contribution into Irene's pension plan for that year to $9,955. She is also subject to the 25 percent limit, but for Irene, her limit would not be reached until $11,200. She is able to put in her 10 percent, receive the five percent match and receive the full amount from the profit share because her amount doesn't exceed the limit.

Despite the fact that Bill and Irene have the same discipline to add to their pension plans and save for their retirements, Bill is penalized by the 25 percent limitation. By lifting the 25 percent limit, we can provide a higher threshold of savings for those who need it most.

Permitting additional contributions to DC plans will help women ''catch up'' on their retirement savings goals. Women are more likely to live out the last years of their retirement in poverty for a number of reasons. Women have longer lifespans, they are more likely to leave the workforce to raise children or care for elderly parents, are more likely to have to use assets to pay for long-term care for an ill spouse, and traditionally make less money than their male counterparts. Anyone who has delayed saving for retirement will get a much needed boost to their retirement savings strategy if the 25 percent limit is eliminated for employees.

Not only does this proposal help individual employees save for retirement but it also helps the many businesses, both small and large which are affected by 415(c). First, the 25 percent limitation causes equity concerns within businesses. Low and mid-salary workers do not feel as if the Code treats them equitably, when their higher-paid supervisor is permitted to save more in dollar terms in a tax-qualified pension plan.

Second, one of the primary reasons businesses offer pension plans is to reduce turnover and retain employees. Employers often supplement their 401(k) plans with generous matches or a profit-sharing plan to keep people on the job. The 415(c) limitation inhibits their ability to do that, particularly for the lower-paid workers who are unfairly affected.

Third, this legislation will ease the administrative burdens connected with the 25 percent limitation. Dollar limits are easier to track than percentage limits.

Finally, I want to placate any concerns that repealing the 25 percent limit will serve as a windfall for high-paid employees. The Code contains other limitations which provide protection against abuse. First, the Code limits the amount an employee can defer to a 401(k) plan. Under section 402(g) of the Code, workers can only defer up to $10,000 of compensation into a 401(k) plan in 1998. In addition, plans still must meet strict non-discrimination rules that ensure that benefits provided to highly-compensated employees are not overly generous.

The value to society of this proposal, if enacted, is undeniable. Increased savings in qualified retirement plans can prevent leakage, meaning the money is less likely to be spent, or cashed out as might happen in a savings account or even an IRA.

There will be those out there who recognize that this bill does not address the impact of the 415 limit for all of the plans that are subject to it. I have included language that would provide relief to 401(k) plans and 403(b)

plans, for example. Plans authorized by section 457 of the Code—used by state and local governments and non-profit organizations have not been specifically addressed. I want to assure organizations who sponsor 457 plans that I support ultimate conformity for all plans affected by the 415(c) percentage limitation. Over the next couple of weeks, I hope to work with these organizations to identify the changes that are necessary to achieve equity and simplicity for their employees. In the mean time, this is a positive step toward enhancing the retirement savings opportunities of working Americans.

We have begun to educate all Americans about the importance of saving for retirement, but if we educate and then do not give them the tools to allow people to practically apply that knowledge, we have failed in our ultimate goal to increase national savings. Let's help Americans succeed in saving for retirement. In helping them achieve their retirement goals, they help us to achieve our goal as policymakers of improving the quality of life for Americans.

I would like to thank the Profit Sharing Council of America and the many members of the Retirement Savings Network for their considerable help in championing this proposal. I ask unanimous consent that their letter of support be included in the RECORD. I also want to thank an Iowa company, IPSCO, in Camanche, Iowa, and its many employees for bringing this issue to the forefront. I ask unanimous consent to include a letter from IPSCO in the RECORD, and note that their letter was accompanied by a petition signed by nearly 200 employees. Finally, I want to extend my appreciation to Senators BREAUX, JEFFORDS, GRAHAM, and BAUCUS for co-sponsoring this important bill. I encourage all of my colleagues to give careful consideration to lending your support to this legislation.

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

MARCH 25, 1998.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

We, the undersigned organizations, commend you for introducing the Enhanced Savings Opportunity Act that repeals the Section 415(c) 25% limitation currently imposed on employees participating in defined contribution plans and pledge our support of your efforts to obtain passage.

This legislation promotes a conducive environment for expanding the savings opportunities in employer-provided retirement programs by removing one of the impediments that prevents employees, especially lower-paid employees, from taking full advantage of profit sharing, 401(k), 403(b), and other defined contribution programs. It will also decrease the burdensome testing currently imposed on plan administrators and better enable companies to take advantage of the new SIMPLE 401(k) program for small employers.

For example, the Enhanced Savings Opportunity Act will permit employees who leave and reenter the workforce, many of whom are women, to make larger contributions when they are working, in effect allowing them to ''catch up'' their contributions. It will also promote equal treatment by allowing all employees to defer up to $10,000 of their income into a 401(k) plan. Finally, the existing section 415(c) 25% limitation frequently requires that a company limit its contributions to lower-paid employees who take full advantage of the savings feature of a 401(k) plan. By modifying Section 415(c) you will permit more generous company matching and profit-sharing contributions to its employees. Similarly, your legislation will allow participants in 403(b) plans to increase savings in those plans. We appreciate your efforts to preserve equity by extending relief to 401(k), 403(b), and other types of defined contribution plans.

Again, thank you for introducing the Enhanced Savings Opportunities Act. Please feel free to call on us as you move forward to seek its enactment.

American Bankers Association, American Council of Life Insurance, American Society of Pension Actuaries, APPWP—The Benefits Association, Association for Advanced Life Underwriting, Employers Council on Flexible Compensation, The ERISA Industry Committee, Financial Executives Institute, Investment Company Institute, National Association of Manufacturers, National Employee Benefits Institute, National Rural Electric Cooperative Association, National Telephone Cooperative Association, Profit Sharing/401(k) Council of America, Securities Industry Association, Small Business Council of America, Society for Human Resource Management, Stable Value Investment Association, and United States Chamber of Commerce.

MARCH 20, 1998.

Hon. CHARLES GRASSLEY,
Washington, DC.

DEAR SENATOR GRASSLEY: Currently Code 415(c) of the IRS rules does not permit an employee to receive contributions that total more than 25% of his or her income or more than $30,000. The intent was meant to limit the contributions of highly paid executives. Defined contribution plans have become a very popular method to save for retirement, but the rules have not kept pace with the times. Now, non-executives are slighted by the rules that were designed to help them by limiting the amount that can be put away for retirement.

Since 1994 the 415(c) code has prevented IPSCO from contributing the fully allocated, pretax funds, to each employee's retirement fund. Each year several thousand dollars of pretax money, earmarked for retirement, has been disbursed as taxable income to many employees. The employee's retirement plan is short changed, because the plan cannot receive all of the funds that it should and the employee ends up with taxable earnings that were intended for retirement. Non-executive employees should not have artificial limits set on their retirement savings.

If your efforts are successful and a bill is passed to lift the percentage limits on contributions to retirement contributions this problem will be redressed.

Yours truly,

IPSCO EMPLOYEES.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Mr. HARKIN);

S. 1858. A bill to amend the Social Security Act to provide individuals with disabilities with incentives to become economically self-sufficient; to the Committee on Finance.

THE WORK INCENTIVES IMPROVEMENT ACT OF 1998

Mr. JEFFORDS. Mr. President, it is with great pleasure that I rise today, with my friend and colleague, Senator EDWARD KENNEDY, to introduce the Work Incentives Improvement Act of 1998.

This bill has developed over many months with the help of the disability community, the Social Security Administration, the Health Care Financing Administration and other Congressional offices to help the insurmountable health barriers to individuals who wish to work, but must remain dependent on the Social Security Disability system to continue to access needed health benefits provided by the Federal and State governments.

Mr. President, the current system has had very limited success. The benefits offered are too expensive, time limited, and offer too few health care services for the many persons with disabilities who wish to work. Currently, less than 5 percent of beneficiaries have taken advantage of this so called work incentive.

Mr. President, I have worked for more than a year with Senator KENNEDY to assess why so few SSI and SSDI beneficiaries return to work. We have found that the primary barrier is a lack of available health care coverage—this needed coverage is either unavailable or unaffordable in the private sector for those with disabilities.

Specific barriers facing individuals with disabilities who want to work include an inability to obtain affordable health insurance through Medicare. After a period of time on the current SSDI work incentives program, the individual must pay full fare—more than $370 a month. We researched how many individuals take advantage of this and would you believe, Mr. President, that out of more than 3.5 million beneficiaries, only 114 have chosen to buy in to Medicare. People with disabilities simply cannot afford the coverage over more than a short period of time.

Another barrier is that the critical services people with disabilities need are unavailable. Personal assistance services and drugs are available only through a state's Medicaid plan. SSDI beneficiaries do not have access to Medicaid unless they impoverish themselves to get it. When we looked into this we found that SSDI people who need Medicaid covered services, those so-called ''dual eligibles,'' are the fastest growing entitlement population in the government. For those SSI beneficiaries who have access to Medicaid, personal assistance services are covered in only half the states.

Mr. President, our Work Incentive Improvement Act will provide incentives for persons with disabilities to return to work and still be able to access health insurance. It will ensure that an attempt to work, or an inability to remain working, does not penalize participants for future SSDI and SSI eligibility.

Under our legislation, those SSDI applicants who want to return to work could access Medicare Part A for free. If their incomes rise above 250 percent of poverty they would buy-in based on 10 percent of earned income above 250 percent. Part B premium contributions would remain the same. They would also be able to access a new State Work Options Program that provides personal assistance services and prescription drugs to those states that chose to set one up.

Long term disabled SSDI beneficiaries who have been receiving cash benefits for more than 24 months would be eligible for Medicare A&B for the same rates as described above, the State Work Options Program, and an expanded Impairment Related Work Expense to include the cost of automobiles in areas where accessible transportation is unavailable. Such an incentive would do much to keep an individuals income below SGA, and be more likely to keep their cash benefits.

Persons with disabilities who are working under SSI's work incentive program would have access to the State Work Options Programs if they needed personal assistance services to begin working. The legislation also strengthens current State Medicaid Waiver projects that provide health services and supports to persons with disabilities who want to work.

This legislation also supports the development of demonstration projects that gradually phase out the loss of cash benefits as a worker's income rises, instead of the current cash cutoff that so many disabled persons who return to work face today.

Finally, this legislation will enable Congress to obtain the kind of information it needs to undertake more comprehensive reform of disability work incentive programs.

Mr. President, no one in this body can disagree with the idea that work is a central part of the American dream. I am committed to ensuring this Congress that we pass legislation to provide cost-effective assistance to help disabled Americans pursue a career, and the American dream.

Mr. KENNEDY. Mr. President, it is an honor to join Senator JEFFORDS and Senator HARKIN in introducing the Work Incentives Improvement Act to provide more affordable and accessible health care for persons with disabilities so they can work and live independently.

Despite the extraordinary growth and prosperity the country is enjoying today, persons with disabilities continue to struggle to live independently and become fully contributing members of their communities. We know that of the 54 million disabled people in this country, may have the capacity to work and become productive citizens, but they are unable to do so because of the unnecessary barriers they face.

We have made progress through a special education system committed to excellence in learning, and through a rehabilitation system designed to promote independent living skills. Too often, however, the goals of independence are still out of reach. Too often, disabled people are afraid that if they take jobs they will lose the medical coverage that makes such a large difference in their lives. Too often, disabled people are afraid of losing their current cash benefits if the salary they earn at work is too large. We need to do more so that the benefits of our prosperous economy are truly available to all Americans, including our fellow citizens with disabilities. We need to ensure that all disabled children and adults have access to the benefits and supports they need to achieve their full potential as American citizens.

Our long term goal is to restructure and improve existing disability programs so that they do more to encourage and support a disabled person's dream to work and live independently. That goal should be the birthright of all Americans—and when we say all, we mean all.

This bipartisan work incentive legislation will help us to remove the unfair barriers facing persons with disabilities who want to work. It will make health insurance coverage more widely available, through opportunities to buy-in to Medicare and Medicaid at an affordable rate. Social Security will be able to fund demonstration projects that gradually phase out the loss of cash benefits, instead of the arbitrary sudden cutoff that so many disabled workers face today.

Our goal is to create fair and realistic new assistance that offers greater support for disabled persons who want to work, live independently, and be productive and contributing members of their community. This bill is the right thing to do, and it is the cost effective thing to do. For too long, our fellow disabled citizens have been left out and left behind.

I commend Senator JEFFORDS and Senator HARKIN for their impressive leadership on this issue. We look forward to working with all members of Congress to help give disabled persons across the country a better opportunity to fulfill their dreams and fully participate in the social and economic mainstream of our nation.

Mr. HARKIN. Mr. President, I am pleased to be an original co-sponsor of the Work Incentives Improvement Act of 1998. I would like to thank Senator KENNEDY and JEFFORDS for all their work on this important piece of legislation. I'd also like to commend the work of their staff, Connie Garner and Chris Crowley.

Many individuals receiving SSI and SSDI want to work and are able to work. But less than ½ of 1% of these individuals leave the Social Security rolls and become self-sufficient. Clearly, there is something wrong with the system.

When we enacted the ADA, we put our nation on a new path. A path toward independence, not dependence. Toward inclusion, not exclusion. Toward empowerment, not paternalism. The ADA opened the door to employment opportunities for people with disabilities.

Today, we take another major step along that path. The Work Incentives Improvement Act removes artificial impediments faced by people with disabilities when they are ready to work. The bill offers persons with disabilities affordable and accessible health care, so that they no longer have to face the choice between working and paying taxes, on the one hand, or having access to health care benefits on the other.

In the wake of the ADA, we must now bring our other federal policies into the 1990s. This Act begins to do that. Access to health care is critical if people with disabilities are to live independently and remain self-sufficient. If we can provide a reasonable support structure for people with disabilities who can work and who want to work, then we should. It's the right thing to do.

Things usually don't get done because they are right. They get done because people stand up and take action. Now is the time to take action on this issue. If our efforts here are successful, Americans with disabilities will no longer face disincentives for working, for wanting a piece of the American dream, for remaining vital members of our society, and for reminding all of us that disabled does not mean unable.

I hope my colleagues in the Senate quickly take action on this bill, and that this bill soon becomes law.

By Mr. ROTH (for himself and Mr. LUGAR):

S. 1859: A bill to correct the tariff classification of 13″ televisions; to the Committee on Finance.

THE TECHNICAL CORRECTION ACT OF 1998

Mr. ROTH. Madam President, I rise today to introduce legislation to make a technical correction to the diagonal measurement of video displays in the Harmonized Tariff Schedule of the United States (HTSUS).

During the Uruguay Round negotiations, the United States agreed to phase down U.S. tariffs on ''13-inch'' television receivers, monitors, and picture tubes, and on combination TV/VCRs, over the period from 1995 to 1999. The tariff on receivers and monitors was to be reduced from 5 percent to zero, on picture tubes from 15 percent to 7.5 percent, and on combination TV/VCRs from 3.9 percent to zero. The ''13-inch'' designation historically has included television products whose picture tubes are approximately, but not exactly, 13 inches by diagonal measurement. The 1997 HTSUS, however, converted the diagonal picture tube measurement into 33.02 centimeters or exactly 13 inches. With the implementation of the 1997 HTSUS, the former ''13-inch'' televisions have been classified as larger than 13-inches and assessed a higher rate of duty.

I am proposing this technical correction to amend the HTSUS to allow television receivers, monitors, and picture tubes, and combination TV/VCRs with a diagonal measurement of up to ''34.29 centimeters'' (or 13.5 inches) to be classified as ''13-inches''. This action is consistent with our Uruguay Round commitments.

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

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

S. 1859

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

SECTION 1. TARIFF CLASSIFICATION OF 13 INCH TELEVISIONS.

(a) IN GENERAL.—Each of the following subheadings of the Harmonized Tariff Schedule of the United States is amended by striking ''33.02 cm'' in the article description and inserting ''34.29 cm'':

(1) Subheading 8528.12.12.
(2) Subheading 8528.12.20.
(3) Subheading 8528.12.62.
(4) Subheading 8528.12.68.
(5) Subheading 8528.12.76.
(6) Subheading 8528.12.84.
(7) Subheading 8528.21.16.
(8) Subheading 8528.21.24.
(9) Subheading 8528.21.55.
(10) Subheading 8528.21.65.
(11) Subheading 8528.21.75.
(12) Subheading 8528.21.85.
(13) Subheading 8528.30.62.
(14) Subheading 8528.30.66.
(15) Subheading 8540.11.24.
(16) Subheading 8540.11.44.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this Act apply to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

(2) RETROACTIVE APPLICATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service not later than 180 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in a subheading listed in paragraphs (1) through (16) of subsection (a)—

(A) that was made on or after January 1, 1995, and before the date that is 15 days after the date of enactment of this Act,

(B) with respect to which there would have been no duty or a lesser duty if the amendments made by subsection (a) applied to such entry, and

(C) that is—

(i) unliquidated,

(ii) under protest, or

(iii) otherwise not final,

shall be liquidated or reliquidated as though such amendment applied to such entry.

By Mrs. FEINSTEIN:

S. 1861. A bill to amend the Tariff Act of 1930 to permit duty-free sales enterprises to be located in certain areas; to the Committee on Finance.

THE DUTY FREE SALES ENTERPRISES ACT AMENDMENT ACT OF 1998

Mrs. FEINSTEIN. Mr. President, in 1988, Congress passed the Duty Free Sales Enterprises Act which, among other things, gave Customs the authority to audit duty free stores to ensure compliance with laws and regulations governing import activities. The Act also permitted off-airport sites, as long as they were in within 25 miles of the airport. What happens is: tourists visit the off-airport site, buy duty-free goods and those goods are shipped to meet them when they arrive home.

When the bill was passed, audits were conducted in person by Customs inspectors. The 25-mile limit was imposed so as not to unduly burden inspectors who would otherwise have to travel great distances between stores. However, audits are no longer conducted in person; rather they are done by computer. Inspectors no longer have to travel between stores.

This legislation adds new section to the law establishing the 25-mile limit to allow exceptions if Customs is reasonably assured the goods being sold are duty free items for people leaving through international airports. All of the other regulations controlling audits and inspections are still in effect; this simply allows stores outside of the 25-mile limit.

I urge my colleagues to support this bill.

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. 1861

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

SECTION 1. DUTY-FREE SALES ENTERPRISES.

Section 555(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1555(b)(2)) is amended—

(1) by striking ''or'' at the end of subparagraph (A),

(2) by striking the period at the end of subparagraph (B) and inserting ''; or'', and

(3) by adding at the end the following new subparagraph:

''(C) the customs territory, if reasonable assurance can be provided that the purchaser of the duty-free merchandise will depart from an international airport located within the customs territory.''.

By Mr. DEWINE:

S. 1862. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Labor and Human Resources.

THE POISON CONTROL CENTER ENHANCEMENT AND AWARENESS ACT

Mr. DEWINE. Mr. President, I rise today to introduce the Poison Control Center Enhancement and Awareness Act of 1998.

Mr. President, America's poison control centers do important work—and they need our help. The number of centers has been declining over the last several years. Their funding has been unstable—and this has resulted in the closing of many of them.

Poison control centers manage poisonings over the telephone, direct those that cannot be managed at home to a local hospital for treatment, provide professional and public education and training, and collect data on poisoning exposures.

Each year, more than 2 million poisonings are reported to poison control centers throughout the United States. More than 90% of these poisonings happen in the home—and over fifty percent of poisoning victims are children younger than 6 years of age.

By providing expert telephone advice to distraught parents, poisoning victims, and health care professionals, poison control centers decrease the severity of illness and prevent deaths. Let me illustrate the value of poison control centers by telling you about two similar poisoning cases that had very different outcomes.

In the first case, a 3 year old child swallowed several tablets of aspirin. His mother called the poison control center and was told to give the child syrup of Ipecac (pronounced ip-ah-kak) to make the child vomit before taking him to the emergency room. The boy was examined in the emergency room and sent home.

In the second case, another toddler swallowed several aspirin while visiting her grandmother's house. Her family was unaware that aspirin can be very dangerous for children, and did not think to call the poison control center. Nine hours later, the child started to have a seizure. When she arrived at the hospital, she was severely ill and nearly died. She spent almost two weeks in the pediatric intensive care unit.

Mr. President, I can tell you that even after eight children, it's often hard to know exactly what to do in these emergencies. In this kind of situation, poison control centers can save lives.

They are life-saving—and they are truly cost-effective public health services. For every dollar spent on poison control center services, $7 in medical costs are saved. The average cost from a poisoning exposure call is $31.28, while the average cost if other parts of the health care system are used is $932.

In spite of their obvious value, poison control centers are seriously underfunded, and the funding situation threatens to get worse. These centers have so far been financed through unstable arrangements involving a variety of public and private sources.

In Ohio, poison control centers are funded primarily by hospitals, with some funds coming from the State. Ohio's poison control centers are working together to coordinate services and consolidate resources, while they continue to look for stable funding sources.

Currently, the Federal Government provides 5% of poison control center funding, but reaps most of the cost-savings benefits from poison control center services. It is only fair that the Federal Government pay for its share of the cost burden for poison control center services. This legislation provides Federal dollars to stabilize poison control center funding and improve poison control center services. I have

tried to write this legislation so that existing private and state dollars can be leveraged, rather than displaced, by Federal funds.

Over the last two decades, the instability and lack of funding has resulted in a steady decline in the number of poison control centers in the United States. In 1978, there were over 600 poison control centers; now, there are 75. This trend has jeopardized the capacity of poison control centers to provide equitable services to all Americans. As a result, more people may die, more people may be injured and the costs for treating poisonings may increase.

For example, in 1991, Louisiana closed its poison center and referred all calls to Alabama. After its closing, Louisiana found that ''the cost attributable to unnecessary emergency department visits was more than three times the amount allocated to operate the poison control center each year.'' Louisiana also found that medically treated poisonings, those treated in emergency rooms or by physicians, increased 42%. It reopened its poison control center.

My office has consulted with a number of experts on how we can best improve poison control operations on a national scale, and my legislation contains a number of their suggestions.

Here's what the bill does.

It establishes a national toll-free number to ensure that all Americans have access to poison control center services. This number is then automatically routed to the center designated to cover the caller's region. This system will improve access to poison control center services for everyone. It will also simplify efforts to educate parents and the public about what to do in the event of a poisoning exposure and how to do it quickly.

It begins a nationwide media campaign to educate the public and health care providers about poison prevention, and advertise the new, nationwide toll-free number. I've seen the great work done by some non-profit groups, and how effective their public health campaigns have been. That's what I'd like to see here.

It establishes a grant program to stabilize the funding mechanism and prevent certified regional poison control centers from closing. This program will support activities to prevent and treat poisonings; develop standard education programs; develop standard patient management protocols for commonly encountered toxic exposures; improve and expand the poison control data collection system; and improve national toxin exposure surveillance.

Mr. President, I have always been a supporter of the prevention and treatment services provided by poison control centers. As a member of the Congressional Prevention Coalition, I hope to increase awareness of this very important issue. Federal support for poison control centers will help ensure that all Americans continue to have access to quality poison control center services.

It will reduce the inappropriate use of emergency medical services and other costly health care services.

And, most importantly, it will save lives.

Mr. President, I ask unanimous consent that this statement and 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. 1862

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 ''Poison Control Center Enhancement and Awareness Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Each year more than 2,000,000 poisonings are reported to poison control centers throughout the United States. More than 90 percent of these poisonings happen in the home. 53 percent of poisoning victims are children younger than 6 years of age.

(2) Poison centers are life-saving and cost-effective public health services. For every dollar spent on poison control centers, $7 in medical costs are saved. The average cost of a poisoning exposure call is $31.28, while the average cost if other parts of the medical system are involved is $932. Over the last 2 decades, the instability and lack of funding has resulted in a steady decline in the number of poison control centers in the United States. Currently, there are 75 such centers.

(3) Stabilizing the funding structure and increasing accessibility to poison control centers will increase the number of United States residents who have access to a certified poison control center, and reduce the inappropriate use of emergency medical services and other more costly health care services.

SEC. 3. DEFINITION.

In this Act, the term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 4. ESTABLISHMENT OF A NATIONAL TOLL-FREE NUMBER.

(a) IN GENERAL.—The Secretary shall provide coordination and assistance to regional poison control centers for the establishment of a nationwide toll-free phone number to be used to access such centers.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,000,000 for each of the fiscal years 1999 through 2001.

SEC. 5. ESTABLISHMENT OF NATIONWIDE MEDIA CAMPAIGN.

(a) IN GENERAL.—The Secretary shall establish a national media campaign to educate the public and health care providers about poison prevention and the availability of poison control resources in local communities and to conduct advertising campaigns concerning the nationwide toll-free number established under section 4.

(b) CONTRACT WITH ENTITY.—The Secretary may carry out subsection (a) by entering into contracts with 1 or more nationally recognized media firms for the development and distribution of monthly television, radio, and newspaper public service announcements.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $600,000 for each of the fiscal years 1999 through 2003.

SEC. 6. ESTABLISHMENT OF A GRANT PROGRAM.

(a) REGIONAL POISON CONTROL CENTERS.—The Secretary shall award grants to certified regional poison control centers for the purposes of achieving the financial stability of such centers, and for preventing and providing treatment recommendations for poisonings.

(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

(1) develop standard education programs;

(2) develop standard patient management protocols for commonly encountered toxic exposures;

(3) improve and expand the poison control data collection systems; and

(4) improve national toxic exposure surveillance.

(c) CERTIFICATION.—Except as provided in subsection (d), the Secretary may make a grant to a center under subsection (a) only if the center has been certified by a professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning.

(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary may grant a waiver of the certification requirement of subsection (a) with respect to a noncertified poison control center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such a certification within a reasonable period of time as determined appropriate by the Secretary.

(2) RENEWAL.—The Secretary may only renew a waiver under paragraph (1) for a period of 3 years.

(e) SUPPLEMENT NOT SUPPLANT.—Amounts made available to a poison control center under this section shall be used to supplement and not supplant other Federal, State, local or private funds provided for such center.

(f) MAINTENANCE OF EFFORT.—A poison control center, in utilizing the proceeds of a grant under this section, shall maintain the expenditures of the center for activities of the center at a level that is equal to not less than the level of such expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.

(g) MATCHING REQUIREMENT.—The Secretary may impose a matching requirement with respect to amounts provided under a grant under this section if the Secretary determines appropriate.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for each of the fiscal years 1999 through 2001.

ADDITIONAL COSPONSORS

S. 358

At the request of Mr. DEWINE, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from New York (Mr. D'AMATO) were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 775

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 775, a bill to amend the Internal Revenue Code of 1986 to exclude gain or loss from the sale of livestock from the