

all of us to keep the Government operating. It starts with the budget resolution. And it will be completed once we pass every one of those appropriations bills, which we must do.

After we complete that task, we must turn our attention to managed care reform. The American people have said loudly and unequivocally that they want a comprehensible, enforceable Patients' Bill of Rights. They want to know that they can go to the nearest emergency room when they suffer a true health emergency. They want to know that they can see a specialist when they need one. They want to know that doctors—not HMO bureaucrats—will decide which treatments are medically necessary. They want to know that managed care organizations, like everyone else in the health care environment, can be held accountable for decisions that result in serious harm or death to patients.

What they do not want—what they do not want—is legislation that falls short on those or other key patient protections. They do not want legislation that claims to give them rights without providing them the mechanism necessary to enforce those rights.

There are those who suggest there is not enough time to debate a Patients' Bill of Rights. I disagree. There are those who would, for whatever reason, try to gag the Senate as we debate this important issue.

Let us eliminate the gag orders and the gag rules. Let us open up this important piece of legislation to a good, healthy debate. Democrats will be prepared to work 24 hours a day to assure that we can have that opportunity. But it is important we set it high on our agenda and our priority list as we complete our work in the 105th Congress. Other than the appropriations bills, there is nothing more important on our national agenda right now than that. The Republican bill, as everybody knows, is inadequate in many respects. We need to pass a bill that merits our support, that merits our signatures, that merits a broad-based, bipartisan commitment to real reform in managed care. We will have an opportunity to do that. And I must say that we will be offering this legislation with whatever determination may be required, and to whatever piece of legislation may be presented, in an effort to assure consideration of this legislation prior to the end of this Congress.

The third issue, beyond the budget and appropriations first, and managed care second, is campaign finance reform. In spite of the Republican leadership's opposition, the House has now passed an important campaign finance reform bill that many thought was impossible to pass just a few months ago. And so the Senate now has the opportunity—a rare opportunity—to enact meaningful reform this fall.

Madam President, we must seize the opportunity to stem the unrestricted flow of special interest money in Federal elections. There is no question

that, given what the House has already done, attention will be focused on the U.S. Senate to see if we can live up to the expectations of the American people in this regard. I, frankly, cannot think of anything more important than to take up this legislation—the Shays-Meehan bill—and give it the kind of priority it deserves, to work in a bipartisan way to pass meaningful legislation within the next 6 weeks.

Again, I will put my colleagues on notice that this issue is of such import to us that we will offer it in amendment form, if necessary. I hope that isn't necessary. I hope we can get a good opportunity and agreement to bring it up, to debate it, because it is now here. It has already been debated and passed in the House. Let's do it in the U.S. Senate.

As I have often said, we can pass legislation the easy way or the hard way. I hope we will not be required to pass it the hard way. But Democrats will make every single effort that we have available to us to pass it—hard or easy. There are many other issues that we hope we can address in the short time that we have left.

We must not ignore education. We must recognize that school modernization is essential. As I traveled through South Dakota, it was remarkable the number of times modernization needs came to my attention, the number of times school board members, school board presidents, teachers, superintendents and principals said, "We hope you can pass legislation that will allow us to deal with our crumbling infrastructure." As we speak, young children are going back into unsafe school buildings, into environments that are not conducive to learning. School modernization must be addressed. I hope we can address it this year, this Congress. I hope we can address in this Congress this year the need for 100,000 additional teachers. So as children go back to school, as we consider all of the needs of our Nation, let us not forget the importance of the needs in education.

We must look at Social Security. We must begin to consider very carefully what options are available to us. We must stop any action, whether it is on a tax bill—which I understand will be brought to the Senate floor—or elsewhere, which might jeopardize Social Security. There are those who, for short-term gain—either political or economic—would argue that we have to tap the so-called surplus. We have made the case—and I think everybody understands it—that there is no surplus unless you use Social Security trust funds. I hope that both sides of the aisle will come to the same conclusion about the inadvisability of doing that this year—or any year.

We must look at juvenile crime. We certainly will have an opportunity to debate the minimum wage. The minimum wage is, without a doubt, one of the single most important actions we can take to improve the economic stability and viability of working families

in many homes across our country. Madam President, those issues, too, must be examined and action taken before the end of this session.

As we come back after being away 1 month, we also recognize our international obligations. Just this afternoon, the President left for a very important summit with the President of Russia. We wish him well as he departs. We know how precarious circumstances now are in economic and political terms in Russia. We know how difficult this trip will be. I hope I speak for everybody in this Chamber in expressing our hope for great success, with the realization that all we can have are limited expectations, given those circumstances. We must not overlook the need for IMF funding, especially in light of the Russian crisis. We should redouble our efforts to fulfill our obligations to the International Monetary Fund. Terrorism, again, became a very important aspect of foreign policy in the last several weeks while we were gone. We must support efforts to stem it and support military efforts to respond to it.

Arms control issues in Iraq and North Korea must be addressed, and so the array of foreign policy challenges, not the least of which is an important question relating to funding in the United Nations, also must be high on our international priority list.

Madam President, obviously, to accomplish all of these important objectives, we will need to use these 6 weeks wisely, to stay focused on our Nation's needs and priorities. I hope that we can do that. Earlier today, the majority leader suggested that Democrats want to stall legislative business. Nothing could be farther from the truth. To the contrary, we are anxious, as we have been for months, to get on with the Nation's agenda, the agenda that I have outlined.

So speaking on behalf of my Democratic colleagues in the Senate, I welcome back both Republican and Democratic colleagues, and I urge them to work together to accomplish all of this and more. Time is short, the need is great, and our desire to achieve is high. I hope we can meet all of those expectations in the coming weeks.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HAGEL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT

Mr. LOTT. Madam President, today I would like to share a few details about S. 852, the National Salvage Motor Vehicle Consumer Protection Act. As you

are well aware, Senator FORD and I co-authored and introduced S. 852 to protect the hundreds of thousands of American consumers who fall prey to unscrupulous auto rebuilders who conceal damage information from prospective car buyers. Equally important are the millions of us who share the roads with previously totaled automobiles and trucks sold as undamaged vehicles. This type of fraud is a national travesty that puts America's motorists and passengers in great peril. It can and must be stopped by this Congress.

S. 852 is the right vehicle for Congressional action. It is a balanced consumer protection bill that has received significant support in the United States Senate. In fact, 54 of our colleagues from both sides of the aisle are cosponsors of S. 852. They recognize that the only individuals who stand to lose from this legislation are the chop shop owners and other charlatans who victimize our nation's drivers by selling them what is tantamount to "garbage on wheels."

The time has come to eliminate the practice of vehicle title laundering, a scam that costs American consumers and the auto industry more than \$4 billion each year. And, there are plenty of horror stories where individuals have been injured or killed in a wreck involving a structurally unsafe vehicle that was sold to the unsuspecting victims as undamaged. Every year more than one-half of the 2.5 million totaled vehicles are rebuilt and placed back on our nation's roads and highways. As a result of titling loopholes, crooks and con artists are able to sell many of these vehicles without disclosing the vehicles' damage histories. In some states, as many as seventy percent of all totaled vehicles are sold to unsuspecting buyers with "clean titles." Clearly, the status quo is not working. There are 2.5 million reasons why S. 852 is needed now.

While most states do require some type of disclosure on a vehicle's title to indicate its history, the fact remains that titling requirements vary from state to state. The existing hodgepodge of state laws allows unscrupulous rebuilders to profit from inconsistent state titling procedures. Even when a vehicle has been totaled, swindlers are able to "wash" the titles so they bear no indication of the vehicle's structural damage. This is achieved by simply retitling a severely damaged vehicle in another state so the car or truck's damage history will not appear on the vehicle's new title. S. 852 would help eliminate this type of fraud by requiring accurate information about a vehicle's damage history to be branded on a title, and subsequent titles, for the life of the vehicle.

Let me say it clearly. S. 852 is an anti-fraud, anti-criminal, pro-consumer piece of legislation. I would also like to point out that while S. 852 establishes a much needed uniform standard to protect America's motorists, it does not create a federal man-

date. Instead, the bill establishes a uniform baseline. States are free, as they should be, to adopt more stringent disclosure requirements or to choose not to participate at all. Even so, I believe the minimum disclosure requirements contained in S. 852 will go a long way toward protecting used car buyers, automobile dealers, insurance companies and policy holders, consumer advocacy groups, salvage dealers, and everyone who travels on our nation's roads.

This legislation applies to seven model years of vehicles. Those vehicles with a pre-accident value of more than \$7,500, regardless of their age, would also be subjected to the bill's branding requirements. I am also pleased to report that Senator GORTON and I recently reached an agreement with state attorneys general, after extensive discussion and negotiation, which authorizes states to cover any vehicle, regardless of age. Consequently, concerns raised about certain vehicles being excluded have been adequately addressed.

The bill contains a number of provisions designed to better inform consumers of a vehicle's damage history. Cars and trucks classified as "totaled" by insurance companies would be identified as "salvage" by state motor vehicle departments. Since totaled cars and trucks are the primary source of vehicles that rebuilders use in their operations, S. 852 provides assurance that virtually all of these vehicles titles will be "branded" with this important information. Participating states are also required to "carry forward" any brands carried on the title from other states. This approach will dramatically limit the ability of deceitful rebuilders to "wash" titles and defraud consumers. Vehicles not covered by S. 852 are those that are repaired under the bill's seventy-five percent damage threshold that are returned to their owners. And, of course, if a state desires, it may provide disclosure for buyers of these vehicles or for vehicles with that have sustained damage of less than seventy-five percent of its pre-accident damage. Thus a state like Minnesota, which requires disclosure when a vehicle has sustained damage to the extent of seventy percent of its pre-accident value, is free to adopt the uniform definitions and procedures in S. 852 and still maintain its seventy percent disclosure requirement. Again, this bill is about ensuring disclosure to consumers. It is not about limiting state actions.

S. 852 also ensures that if a salvage vehicle is rebuilt, it will undergo a theft inspection, as well as any state required safety inspection. A branded "rebuilt salvage vehicle" title must be obtained before the vehicle can be driven on the road and state inspector must affix a permanent sticker on the vehicle's door jamb, as well as a window sticker, specifying that it has been rebuilt, and whether it passed a safety inspection.

Since state law, not federal law, traditionally provides for causes of action

and consumer remedies, S. 852 specifically provides that the bill would in no way affect actions or remedies available under state law. It has never been asserted that consumer remedies in any state are inadequate to protect their citizens. Instead, as a supplement to state law remedies, a provision was recently added to the bill that allows state attorneys general to sue on behalf of citizens who are victimized by rebuilt salvage fraud and to recover monetary judgments for damages they may have suffered.

It is important to reiterate that S. 852 will not force states to weaken or otherwise cut back on their disclosure standards. Instead, the adoption of a minimum threshold will significantly enhance consumer protections and lead to safer roads and highways everywhere. Under S. 852, state legislatures are given the freedom to decide whether they want to change their laws in any way or maintain their current program. If a state decides to adopt the bill's uniform definitions and procedures, but also wants to disclose additional information about a vehicle's damage history to its residents, S. 852 gives the state ample flexibility to do so.

Congress started down this road six years ago with the passage of the Anti-Car Theft Act of 1992. The Act directed the Secretary of Transportation to establish a task force to study problems associated with motor vehicle titling, and more importantly, the specific problems that have contributed to this serious and costly titling fraud. The statute required "an examination of the extent to which the absence of uniformity and integration of state laws regulating vehicle titling and registration and salvage of used vehicles allows enterprising criminals to find the weakest link to 'wash' the stolen character of the vehicles."

This was an important charge entrusted to a very qualified group of individuals with significant knowledge and experience in motor vehicle titling procedures. The task force included representatives from a wide range of backgrounds including federal transportation officials; federal, state, and local law enforcement officials; state motor vehicle officials; motor vehicle manufacturers, dealers, and recyclers; salvage yard operators and scrap processors; insurers; and others.

After approximately eight months of deliberation, the task force concluded that the lack of uniformity in state laws is the primary reason that unscrupulous rebuilders are able to "wash" vehicle titles with relative ease. What's more, the task force recommended a seventy-five percent damage threshold before a vehicle would be branded as "salvage." By including the seventy-five percent threshold in our latest draft of the bill, Senator FORD and I simply followed the task force's recommendations, which were based on careful and thorough consideration of this issue for all affected parties.

While the vast majority of people in the auto salvage business are honest, hard-working individuals, a group of dishonest rebuilders are continuing to tarnish the salvage vehicle industry. It is this latter group that Congress must put out of business. Far too many people are falling victim to the scam of passing off rebuilt totaled vehicles as undamaged. The loopholes that allow this deceptive practice to continue must be closed now. Only cheats and crooks that prey on the innocent will benefit from any lack of action during this Congress.

While not a perfect solution, S. 852 is a significant step in the right direction. It represents a fair balance between the need to establish uniform procedures for disclosing information to consumers about a vehicle's damage history and the need to preserve states' right to determine what is in the best interest of their citizens.

S. 852 will stem the tide of motor vehicle titling fraud, protect consumers and automobile dealers, and reduce the number of injuries and fatalities on America's roads and highways. I urge my colleagues to give S. 852 their full support.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 4, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills and joint resolution, without amendment:

S. 1759. An act to grant a Federal charter to the American GI Forum of the United States.

S. 2143. An act to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for the advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S.J. Res. 54. Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

The message also announced that the House agrees to the amendment of the

Senate to the bill (H.R. 434) to provide for the conveyance of small parcels of land in the Carson National Forest and the Sante Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 765) to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

The message also announced the House agrees to the amendment of the Senate to the bill (H.R. 1151) to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of Federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 434. An act to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

H.R. 643. An act to designate the United States courthouse to be constructed at the corner of Superior and Huron Roads in Cleveland, Ohio, as the "Carl B. Stokes United States Courthouse."

H.R. 765. An act to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

H.R. 872. A act to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

H.R. 1085. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations."

H.R. 1151. An act to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of Federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.

H.R. 1385. An act to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes.

H.R. 3152. An act to provide that certain volunteers at private non-profit food banks are not employees for purposes of the Fair Labor Standards Act of 1938.

H.R. 3504. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

H.R. 3731. An act to designate the auditorium located with the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium."

H.R. 4237. An act to amend the District of Columbia Convention Center and Sports Arena Authorization Act of 1995 to revise the revenues and activities covered under such act, and for other purposes.

H.R. 4354. An act to establish the United States Capitol Memorial Fund on behalf of

the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills were signed on August 4, 1998, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 5, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on August 10, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1379. An act to amend section 552 of title 5, United States Code, and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigations or prosecution conducted by the Department of Justice or certain intelligence matters, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

H.R. 3824. An act amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

S. 1759. An act to grant a Federal charter to the American GI Forum of the United States.

S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

S. 2143. An act to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S.J. Res. 54. Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills were signed on August 10, 1998, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the