

have to keep tinkering with it? If you don't want the Social Security Trust Fund to be a vibrant fund, something that gives people who are in the workforce at the age of 25 or 30 some degree of assurance that it will be there for them, if you don't want to do that, say so.

Mr. President, do you know that under current estimates—and these estimates, as I say, are just what I say they are; they depend on the economy and they depend on a lot of things. But the Social Security Administration estimates by the year 2020, the Social Security trust fund will have a \$3.7 trillion surplus. The only problem with that is 12 years later it is bankrupt. If we don't fix Social Security—we are not going to do it this year—if we don't get at it soon, and we allow ourselves to squander a \$3.7 trillion trust fund, it will be one of the most callous, irresponsible acts ever taken by the U.S. Congress.

If you don't want it to go to the Social Security Trust Fund, then you just tell your constituents you are not for a tax cut; you want it to either stay in the Social Security Trust Fund or you want it to go on the national debt, which now stands at about \$5.2 trillion.

We still have a vibrant economy. When you start taking money out of the Social Security trust fund to funnel into the economy, you have the remote chance of increasing inflation. You increase inflation, you increase interest rates. You increase interest rates, the buying of cars and houses goes "kerplunk." Those are simple economic principles. They are just as certain to happen as the night following the day.

Why cannot we be grateful for our prosperity? Mr. President, I vented my spleen on one of my favorite subjects this morning, and that is that I think tinkering with the phony surplus in order to provide a tax cut is not only bad economic policy, it is bad politics for those who propose it. In 1981—I am not sure I would have had the courage, except I had just been reelected, had 6 years in front of me to rectify whatever sins I committed—in 1981, I stood right here—I think I have been sitting at this desk for about 18 years—and I made the point just before we voted that if you passed Ronald Reagan's tax cuts and doubled defense spending, you were not going to balance the budget in 1984, you were going to create deficits big enough to choke a mule.

There is nothing more fun for a politician than to be able to say I told you so, so that is what I am saying. Eleven Senators voted against that. There were only three Senators who voted against the tax cuts and for the spending cuts, which would have balanced the budget in 1984; it was yours truly, Bill Bradley from New Jersey, and FRITZ HOLLINGS from South Carolina. But 11 of us voted against that tax cut and said you are going to get the deficit out of control. My precise words were: "It will be big enough to choke a

mule." You will find that in the CONGRESSIONAL RECORD. And we did it. I don't know whether we choked a mule or not, but the consequences were absolutely horrendous, and remained horrendous until 1993 when we were looking at \$300 billion in annual deficits as far as the eye could see.

So I am pleading with my colleagues to think about it. My voice is not persuasive on the other side of the aisle, and I know that. It is very presumptuous of me to even make this speech, and I don't intend to lecture. I am simply saying that despite what is going on here in this traumatic time in the history of this country, let's not compound that by making a terrible economic mistake. And, as I say, for some, in my opinion, it is a terrible political mistake.

I yield the floor.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Kansas is recognized.

CHILD CUSTODY PROTECTION ACT—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. BROWNBACK. What is the pending business?

The PRESIDING OFFICER. The pending business is the motion to proceed to the Child Custody Protection Act, S. 1645.

Mr. BROWNBACK. Mr. President, I am a proud sponsor of the Child Custody Protection Act, which makes it a Federal offense to transport a minor across State lines to obtain an abortion in circumvention of State parental notification laws. Good laws, constitutionally-tested laws, have been enacted in over 20 States which require parental participation, or judicial involvement, in a minor's abortion decision. Yet, these same laws are flagrantly breached by nonfamily adults who secretly transport young, pregnant girls in complete disregard of her parents' knowledge or participation. I think this is wrong, and I believe most parents would agree with me.

The Child Custody Protection Act is really a family values bill which preserves the parental right to oversee their child's medical treatment of the most intrusive kind—namely, that of abortion. This bill is about choosing to support parents, rather than unrelated strangers, in their State-recognized right to care for a vulnerable, at-risk daughter. Is this too much to ask? Even ear-piercing for minors requires parental authorization, let alone this most disturbing surgical procedure.

Abortion, I believe, is in a class by itself and is unlike any other medical procedure, for both strikingly emotional and physical reasons. There is no other surgery like it, where the object is to terminate a developing human life, and the emotional repercussions can be devastating. Women who have experienced abortion are

haunted by the unspeakably weighty consequences of lost life and the deep emotional conflicts this produces. Add to this terrible mix the factor of youthful vulnerability and you invite extreme emotional trauma.

Also, abortion can have unique physical consequences—rendering a young girl physically traumatized and even infertile from a bungled operation. Most alarmingly, some "absconding" adults can exhibit the extremes of irresponsibility and disregard for the physical well-being of their "charges." There are tragic examples of young women who have been plied with alcohol, raped, impregnated, and then taken across State lines for secret abortions. Some of these cases are just so horrific that one can't even really repeat them.

We simply don't want strangers interfering with this important parental responsibility, which is already protected by several States. We must honor the fact that parents have a unique legal status of *in loco parentis*, which is a historic common law charge to protect their child's well-being. Don't let this right be eroded by unfettered abortion activists with baseless constitutional law claims. To do otherwise is an assault against the precious institution of "family," which we prize and which has been harmed and is a fundamental foundation for our culture and this society.

Let's help, and not hinder, parents in their difficult and crucial job in an otherwise potentially disastrous situation. Let's not allow parental rights and family ties to be further eroded. Let's support the wisdom of these 20-plus States which have already done the hard work of safeguarding unwed, pregnant children by requiring parental notification. In short, let's support family values by passing this Child Custody Protection Act.

Mr. President, this is a commonsense act. If you are going to allow—and we have—parents to have the responsibility over a child in getting their ears pierced, my goodness, shouldn't we have the responsibility for a parent, or a court, to get involved if an abortion is going to take place across State lines? Shouldn't we honor these States for their efforts in the devolution of power? Shouldn't we honor those 20 States that have decided to go differently on this and require the parental notification to take place? This just makes sense throughout our constitutional system, throughout our Federal system, and throughout our family system. The foundational unit of this Government is the family. We should not further erode that responsibility. For all those reasons, I urge my colleagues to help and support in the passage of this Child Custody Protection Act.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, is the Senate in a period for morning business at this time?

The PRESIDING OFFICER. The Senate is on a motion to proceed on which cloture has been invoked.

Mr. BYRD. Mr. President, I ask unanimous consent that I may be permitted to speak out of order no longer than 15 minutes.

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

Mr. BYRD. Mr. President, I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair.

Mr. President, let me say at this point that if the distinguished majority leader wishes to interrupt me at any point to offer a unanimous consent request, I will certainly be happy to accommodate him.

Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader for whatever time he may desire, and that I may then be recognized with my present rights to the floor.

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

Mr. LOTT. Mr. President, I thank the distinguished Senator from West Virginia for yielding.

UNANIMOUS CONSENT AGREEMENT—S. 1301

Mr. LOTT. Mr. President, let me say, first, that this agreement has been worked out. I appreciate the cooperation of all Senators with regard to bankruptcy, and I think it is fair and everybody is comfortable with it.

I ask unanimous consent that the cloture vote scheduled today be vitiated.

I further ask that the following amendments be the only second-degree amendments in order, and following the conclusion of the listed amendments the Senate proceed immediately to a vote on the committee substitute, as amended, and the Senate then proceed to the House companion bill, H.R. 3150, and all after the enacting clause be stricken, the text of S. 1301 be inserted, the bill be advanced to third reading and passage occur, all without further action or debate.

I further ask that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint the following conferees on the part of the Senate. And they are Senators HATCH, GRASSLEY, SESSIONS, LEAHY, and DURBIN.

I further ask that the Senate proceed to S. 1301, under the agreement, at a time to be determined by the majority leader after consultation with the Democratic leader.

I further ask that during the consideration of S. 1301, but not before Tues-

day, September 15, the majority leader be recognized to lay aside the pending business and proceed to S. 1301 and Senator KENNEDY be recognized to offer his second-degree amendment relative to the minimum wage and there be 2 hours equally divided prior to the motion to table and no further amendments be in order to the motion to table.

I further ask that if the amendment is not tabled, this agreement be null and void.

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

Mr. LOTT. Mr. President, I read the list of amendments now that would be in order to the bankruptcy bill: Kennedy amendment regarding minimum wage; Durbin, relevant. It has to do with the definition of residence and cramdown and nondischarge; Sarbanes amendment regarding 800 solicitations; Feinstein amendment regarding creditworthiness; two Dodd amendments, one having to do with under 21-year-olds and one having to do with education savings accounts; Feingold amendments regarding filing fees and attorney's fees; two relevant amendments by Senator REED; one relevant amendment for Senator DURBIN; Senator GRAMM, one relevant amendment; Hatch amendments, one IP and one relevant; Senator GRASSLEY, a relevant amendment; Senator BROWNBAC, a relevant amendment; Senator D'AMATO, regarding ATM fees; Senator GRASSLEY's managers' amendment to be agreed upon by the two leaders and managers; one Lott, relevant; one Daschle, relevant; one Harkin regarding interest rates; Senator KOHL, homestead extension; and one relevant by Senator JOHNSON.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

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 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

ENROLLED BILLS SIGNED

At 12:11 p.m., a message from the House of Representatives, delivered by

Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1682. An act to transfer administrative jurisdiction over part of the Lake Chelan National Recreation Area from the Secretary of the Interior to the Secretary of Agriculture for inclusion in the Wenatchee National Forest.

S. 1883. An act to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND)

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on September 11, 1998, he had presented to the President of the United States, the following enrolled bills:

S. 1683. An act to transfer administrative jurisdiction over part of the Lake Chelan National Recreation Area from the Secretary of the Interior to the Secretary of Agriculture for inclusion in the Wenatchee National Forest.

S. 1883. An act to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-6830. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the Transition to Quieter Airplanes; to the Committee on Commerce, Science, and Transportation.

EC-6831. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations; Shipper's Export Declaration Requirements for Exports Valued Less Than \$2,500" (RIN0694-AB71) received on September 2, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6832. A communication from the Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Financial Assistance for a National Ocean Service Intern Program" (RIN0648-ZA46) received on September 2, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6833. A communication from the Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska" (I.D. 081498D) received on September 2, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6834. A communication from the Director of the Office of Sustainable Fisheries,