

up in Scranton that money will be there, the levee will be built, and there will be money in the pipeline and it will be available whenever that money is needed to raise that levee.

#### THE SOCIAL SECURITY LOCKBOX

Mr. SANTORUM. Mr. President, finally I want to comment on the vote we just had on the lockbox. I have to say I am puzzled and disappointed at the unanimous opposition by Senate Democrats to a proposal that passed with 416 votes in the House. Obviously, almost every House Democrat—all but 12—voted in favor of this measure, a measure which obviously has broad bipartisan support and, as many have stated in the House and the Senate, one that is a first step toward dealing with the long-term problems of Social Security.

The first step is very simple. We have a surplus. Do not spend it on things other than Social Security; save it for Social Security. We are eventually going to have to do Social Security reform. We are going to have to strengthen it and save it for future generations. It runs out of money in the next 15 years, so we are going to have to do something. We have surpluses building up which are now just being borrowed by the Government and spent on other things. We have had that happen for the past 20 years.

We are now in a unique position. We are close to an on-budget surplus. We are not quite there, but we are very close to an on-budget surplus, non-Social Security surplus. So we have the Social Security money which will go to save Social Security by reducing the Federal debt unless we spend it. In a sense, all this lockbox does is say: Don't spend the money. Don't come up with new ideas and new ways to spend Social Security.

We are not asking anybody to cut anything. That is one of the most remarkable things about it. We are not asking the other side to cut money to make sure the money is there for Social Security. All we are saying is don't spend more. That is why it received bipartisan support in the House.

We hear so much talk on both sides of the aisle about how we have to save Social Security first, how Social Security is the highest priority, how we have to make sure money is there for future generations. In fact, in the budget vote just a couple of months ago, we had a 100-to-nothing or 99-to-nothing vote that we need to save Social Security; we are not going to spend that money in the trust fund. That was just a sense of the Senate. In other words, the first had no binding effect in law.

Now the mechanism comes along that says if we are going to pass a bill that is going to spend Social Security surpluses, we have to have a separate vote where we have to stand up before the clerk and say: Yes, I will spend the Social Security surplus on this.

There is no such vote that has to be cast right now. This will set up a point of order where every Member of the Senate has to say to the people back home: I want to spend Social Security money on this, because I think it is more important than Social Security. That is all this point of order does.

There are points of order out there on spending, but there is nothing clear. There are points of order whereby you can challenge something if it breaks the budget point of order or this and that, and people run out and say it is really not Social Security. You can dance around it. You can spin it back home. There are lots of folks very good at spinning. The wonderful thing about this provision is you cannot spin it. It is what it is. It is a vote that says we will spend the Social Security surplus on this. That will have, I believe, the greatest impact—in this body and the other body, and in particular the other end of Pennsylvania Avenue, the President—on controlling our willingness to raid the Social Security trust fund for the demands of spending today. Or, for that matter, the demands of tax cuts today. I want to add, it is not just a governor on those, principally on the other side, who want to spend more. It is also a governor on those on this side who want to cut more taxes.

As I said before, there is no tax cut I will not vote for, just about. But I am not going to do it out of the Social Security surplus. We will do it out of the general fund where the taxes are paid in. If people are paying in too much in the general fund, give them a tax cut, if we can. I will vote for it. If we can cut spending in the general fund to pay for a tax cut, I will vote for it. But I will not fund a tax cut out of Social Security funds, and that is what this says.

While on the first vote on cloture many Democrats will vote no as a matter of principle, I am hopeful they will understand this is a bill that has consensus, that can be signed, that can put real restraints on our ability and the President's ability to spend the Social Security surplus and, hopefully, we will reach a point where we can have bipartisan consensus on this, because Social Security is simply too important to continue to play political games.

I think what we have seen here is all the rhetoric says: Yes, we agree; yes, we agree. But when it comes down to casting the vote, what we have is this spurious argument, "You are not letting us amend it," which I find is quite remarkable because, if you look at the amendments, they have virtually nothing to do with Social Security.

In fact, I have not seen all the amendments, but those I have been made aware of have absolutely nothing to do with Social Security. They all have to do with what we do with the general fund surplus, and that is the non-Social Security, non-Medicare surplus.

We have on a bill, which is focused on Social Security, on how we save Social

Security, an attempt to bring in a whole lot of other issues to clog up this issue, to bog it down, and, in my mind, to try to destroy any chance of this ever becoming law.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. SANTORUM. I will be happy to yield to the Senator from North Dakota.

Mr. DORGAN. Mr. President, I was listening to the Senator from Pennsylvania as I was coming through the Chamber. I want to propound a question.

I do not think there is much disagreement in this Chamber as to whether anybody ought to put their mitts on the Social Security funds. Those are dedicated taxes that go into a trust fund and should only be used for Social Security. I must say, several years ago, we had an incredible debate in this Chamber on amending the Constitution. It was the case that those who wanted to amend the Constitution to require a balanced budget were saying, put in the Constitution a provision that puts the Social Security funds, along with all other operating revenues of the Federal Government, into the same pot. Many of us were very upset about that and stood on the floor day after day saying that was the wrong thing to do; you ought not put them in the same pot.

Mr. SANTORUM. I will respond to that. It is a far different thing to put a Government program—and I do not know of any Government program that exists, with maybe the exception of defense, but defense has changed over time—in the Constitution of the United States and say we are going to set up this Federal program that must be, in a sense, left alone when future Congresses, as I certainly hope will occur, will be making adjustments to that program.

In fact, 200 years from now, who knows what this country is going to look like. It may, in fact, want to do something completely different than what we have in mind today. I think that was the concern of a lot of us. If we were going to start enshrining Government programs in the Constitution, that is a fairly dangerous precedent, and I think a lot of us had real concerns about that.

At the same time, there was broad sympathy that we do need during this time of surplus, because it is not going to be forever that the Social Security surpluses will be there, as the Senator knows because, again, things change—for this time period, we can lock this away and do it by legislation, in this case a point of order.

As the Senator knows, 15 years from now, that provision in the Constitution would work almost in some respects against Social Security because they would be running a deficit. As the economics of Social Security change, enshrining that in the Constitution I do not think is in the best interest of Social Security. Here we can react to

what is a surplus situation and make sure that it is protected from raids.

What will happen in the future is that it will be a deficit situation, and there may be a different dynamic that goes on with respect to that, which I do not think the Constitution would provide for.

The PRESIDING OFFICER. The leader's time has expired.

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1186) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes.

The Senate resumed consideration of the bill

Pending:

Domenici amendment No. 628, of a technical nature.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, in a couple minutes, we will be in a position where, after a few remarks, Senator JEFFORDS has one remaining issue.

There is a package of amendments, which is already at the desk. This unanimous consent request has been checked with the minority and is satisfactory with them.

AMENDMENTS NOS. 637, 638, 639, 661, 643, 630, AND 633, EN BLOC

Mr. DOMENICI. Mr. President, there are a number of amendments that have been cleared on both sides. I ask unanimous consent that the following amendments be considered en bloc: Nos. 637, 638, 639, 661, 643, 630, and 633. I further ask unanimous consent that the amendments be agreed to and the motions to reconsider be laid upon the table.

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

The amendments (Nos. 637, 638, 639, 661, 643, 630, and 633), en bloc, were agreed to, as follows:

AMENDMENT NO. 637

(Purpose: To provide funds for development of technologies for control of zebra mussels and other aquatic nuisance species)

On page 8, lines 7 and 8, strike "facilities:" and insert "facilities, and of which \$1,500,000 shall be available for development of technologies for control of zebra mussels and other aquatic nuisance species in and around public facilities:".

AMENDMENT NO. 638

On page 8, line 12, insert the following before the period: "Provided further, That the Secretary of the Army, acting through the Chief of Engineers, may use not to exceed \$300,000 for expenses associated with the commemoration of the Lewis and Clark Bicentennial".

AMENDMENT NO. 639

(Purpose: To make a technical correction providing construction funds for the Site Operations Center at the Idaho National Engineering and Environmental Laboratory)

Title III, Department of Energy, Defense Environmental Restoration and Waste Management, on page 26, line 2 insert the following before the period: "Provided, That of the amount provided for site completion, \$1,306,000 shall be for project 00-D-400, CFA Site Operations Center, Idaho National Engineering and Environmental Laboratory, Idaho".

AMENDMENT NO. 661

(Purpose: To clarify usage of Drought Emergency Assistance funds)

At the end of Title II, insert the following new section: SEC. . Funds under this title for Drought Emergency Assistance shall only be made available for the leasing of water for specified drought related purposes from willing lessors, in compliance with existing state laws and administered under state water priority allocation. Such leases may be entered into with an option to purchase, provided that such purchase is approved by the state in which the purchase takes place and the purchase does not cause economic harm within the state in which the purchase is made.

AMENDMENT NO. 643

At the appropriate place add the following: "Provided further, That the Secretary of the Interior may provide \$2,865,000 from funds appropriated herein for environmental restoration at Fort Kearny, Nebraska."

AMENDMENT NO. 630

(Purpose: To strike the rescission of appropriations for the Hackensack Meadowlands flood control project, New Jersey)

On page 37, strike lines 20 and 21.

AMENDMENT NO. 633

(Purpose: To strike the rescission of appropriations for the Lackawanna River project, Scranton, Pennsylvania)

On page 37, strike lines 25 and 26.

AMENDMENTS NOS. 629, 631, 634, 642, 645, AND 646, AS AMENDED, EN BLOC

Mr. DOMENICI. Mr. President, I further ask unanimous consent that six second-degree amendments, which are at the desk, to amendments Nos. 629, 631, 634, 642, 645, and 646 be considered agreed to; that the first-degree amendments be agreed to, as amended; and that the motions to reconsider be laid upon the table.

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

The amendments were agreed to, en bloc, as follows:

AMENDMENT NO. 629

(Purpose: To make funds available for the University of Missouri research reactor project)

On page 22, line 7, before the period at the end insert ", of which \$100,000 shall be used for the University of Missouri research reactor project".

AMENDMENT NO. 672 TO AMENDMENT NO. 629

(Purpose: A second degree amendment to the Bond amendment numbered 629)

On line 2, strike ", of which \$8,100,000" and insert: ", of which \$3,000,000 shall be used for Boston College research in high temperature superconductivity and of which \$5,000,000".

AMENDMENT NO. 631

(Purpose: To provide funding for the Minnish Waterfront Park project, Passaic River, New Jersey)

On page 4, between lines 12 and 13, insert the following: "Minnish Waterfront Park project, Passaic River, New Jersey, \$4,000,000;".

AMENDMENT NO. 673 TO AMENDMENT NO. 631

(Purpose: A second degree amendment to the Torricelli amendment numbered 631)

On line 4, strike "\$4,000,000" and insert: "\$1,500,000".

AMENDMENT NO. 634

(Purpose: To provide funding for water quality enhancement)

On page 4, line 20, strike "\$4,400,000;" and insert "\$4,400,000; and Metro Beach, Michigan, \$422,500 for aquatic ecosystem restoration."

AMENDMENT NO. 674 TO AMENDMENT NO. 634

(Purpose: A second degree amendment to the Abraham amendment numbered 634)

Strike: "Metro Beach, Michigan, \$422,500 for aquatic ecosystem restoration."

And insert: "Lake St. Clair, Metro Beach, Michigan, section 206 project, \$100,000;".

AMENDMENT NO. 642

On page 8, line 16, strike all that follows "expended:" to the end of line 24.

AMENDMENT NO. 675 TO AMENDMENT NO. 642

(Purpose: A second degree amendment to the Boxer amendment numbered 642)

Strike "line 16, strike all that follows 'expended:' to the end of line 24.", and insert the following: "line 23, strike all that follows 'tions' through 'Act' on line 24.".

AMENDMENT NO. 645

(Purpose: To make a technical correction with respect to a Corps of Engineers project in the State of North Dakota)

On page 5, lines 19 through 21, strike "shall not provide funding for construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, unless" and insert "may use funding previously appropriated to initiate construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, except that the funds shall not become available unless".

AMENDMENT NO 676 TO AMENDMENT NO. 645

(Purpose: A second degree amendment to amendment numbered 645 offered by Mr. Dorgan and Mr. Conrad)

On line 4 strike: "may use funding previously appropriated", and insert: "may use Construction, General funding as directed in Public Law 105-62 and Public Law 105-245".

AMENDMENT NO. 646

(Purpose: To prohibit the inclusion of costs of breaching or removing a dam that is part of the Federal Columbia River Power System within rates charged by the Bonneville Power Administration)

On page 33, between lines 2 and 3, insert the following:

**SEC. 3 . PROHIBITING THE INCLUSION OF COSTS OF BREACHING OR REMOVING A DAM THAT IS PART OF THE FEDERAL COLUMBIA RIVER POWER SYSTEM WITHIN RATES CHARGED BY THE BONNEVILLE POWER ADMINISTRATION.**

Section 7 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839e) is amended by adding at the end the following: