

drastic the change will have to be. I think most everyone would agree that is a fact.

In the year 2014, Social Security will begin to run a deficit. So we need to look forward to that time. The options are fairly easy to understand. One, of course, is that you could raise taxes. I don't know of many people, given the 12 percent of our payroll that we now pay, would want to increase that. For many folks in this country, Social Security withholding is the highest tax they pay, and it is a substantial one. The other, of course, is to change the benefits, change the age, and do those kinds of things. There may be some tinkering with that, but basically the benefits will not be changed.

It leaves a third option, which I think is a good one, and that is to take the money that we have paid in—each of us—a certain percentage of that becomes an amount of money that is in our account, and it can be invested in equities, which returns a higher yield. That is really the third option that we need to look at. The opportunity to do that is probably somewhere ahead of us. So the lockbox, then, becomes the important thing now—to put that money aside so that we don't spend it.

There are, in my opinion, other reasons for doing that as well. This is one of the big debates here, as you can tell by listening just a few moments ago. There are those who want more and more Government spending, and others would like to restrict the size of the Federal Government, to move more of the decisions back to counties and States and individuals. That is the debate—a legitimate debate between those who want more taxes and more spending and those who would like to have a smaller Government, to bring it down to only those essential things. When you have a surplus, that is very difficult to do.

So if we are talking about maintaining a budget, which we are very proud of, having spending caps, in which the budget ceiling has been the largest contributor to having a balanced budget, if we are interested in doing those things, those are all part of setting aside this Social Security money. Over time, hopefully, in the future, as this surplus extends not only to Social Security, but to the regular operational budget, we will have an opportunity to have some tax reform and to return some of this money to people so they can spend it for their families, so they can spend it to do some of the things our friends were just talking about a few moments ago.

I think it is very important that we take it up. We have voted three times now to move forward with the lockbox. We asked to be able to go forward with this. Each time our friends on the other side of the aisle have said no. Everyone on that side of the aisle voted no yesterday. They said, no, we don't want to set the money aside, but they are up today saying here is where we want to make new expenditures of bil-

ions of dollars. There is something incongruous about that. We need to make some decisions about where we are.

I think Republicans have four pretty well-defined goals we are working toward. One is Social Security—not just to say save Social Security, as the President has said, and not do anything, but to actually do something.

Two is to do something about education. We have moved forward to do that. We have the Ed-Flex Program, for one, that has moved decisions back to the schools boards and the States and counties where they ought to be for educational decisions.

We are talking about tax reform. We need to have tax reform. I noticed last night somebody did a study of the whole world, and we are the second highest in the world on estate taxes, topped only by Japan. It is time that we did some tax reform and some of those things. Then security, of course, for the benefit our country, we have done a great deal on that, in strengthening the military.

I hope we will stop just talking about these things and actually do something. I'm talking about going forward with issues. We had a chance yesterday to go forward with an issue, and we had 45 votes against it. I hope we can move forward. One of the most important items in this country is Social Security, and the first step would be lockbox.

I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader is recognized.

#### SOCIAL SECURITY LOCKBOX

Mr. DASCHLE. Mr. President, I don't know how much time is left in morning business, but I will use whatever leader time is required. I want to have the opportunity to respond to my good friend, the Senator from Wyoming, about some of the comments he made with regard to the Social Security lockbox and a couple of other issues he has mentioned. He mentioned Democrats' unwillingness to support the efforts to bring up the Social Security lockbox. Let me make sure that everyone understands we are very desirous of having the opportunity to have a good debate about the lockbox.

It is particularly propitious that probably the master of Senate procedure is on the Senate floor, because I want to talk just a moment about the difference, which is more than just a semantical difference, between a cloture vote that is designed to stop amendments and a cloture vote that is designed to stop a debate, a filibuster. There is no filibuster going on here. A filibuster is actually designed to bring debate to a close. When 60 Senators have voted accordingly, we have time remaining and then, ultimately, there is a final vote. There is a big difference between bringing the debate to a close and offering cloture motions and pro-

posing that the Senate preclude the opportunity for Senators to offer relevant amendments.

That has been the case on the Social Security lockbox from the very beginning. For whatever reason, our Republican colleagues continue to believe that what the Senate needs is a rules committee. Every day in the House Rules Committee, decisions are made based upon the content of amendments, which amendments are appropriate and which amendments are not. The Rules Committee makes that decision, and then the rule is presented to the House Membership. They vote on whether they accept the rule or not. Based upon the content of those amendments, they make decisions as to whether or not there will be amendments to a certain bill. In their wisdom, the Founding Fathers chose not to allow the Senate to be bound by such constraints, that a Senator, with all of his power and authority and responsibility, ought to have the right to come to the floor and offer an amendment. But what our Republican colleagues continue to insist upon is that they act as an ad hoc rules committee. They want to see our amendments first. They want to approve our amendments first. And only then will they allow our amendments to be considered once they have been given their approval.

I ran for the Senate in 1996 because I wanted to be able to be a Senator, not a House Member. I want to be a Senator, and I want all the responsibilities and privileges and rights accorded to me as a Senator from South Dakota. That means the ability to offer an amendment.

On the lockbox, it is very simple. Whether you agree or not, we think the Medicare trust fund and the Social Security trust fund ought both to be locked up; we ought to treat them the same. We are dealing daily with the viability of the trust fund on Medicare, and if we can't ensure that viability of that trust fund, then I must say we haven't done our job.

We are saying, as Democrats, give us the right to offer an amendment on Medicare. Let's lock up that lockbox as well, and let's have a good debate about whether that makes good public policy or not. That is the issue.

The Republicans come to the floor; they file cloture to deny us the right to offer an amendment on Medicare—I must say also, to deny us the right to offer amendments that really mean lockbox when we say that is what we want.

They have a provision in their bill. I must say, it is amusing to me, but it says it is a lockbox unless we say we are for reform, and in the name of reform we can unlock the box, including privatizing Social Security. They have that in their bill. They want to be able to privatize Social Security, and they want to be able to ensure that, even if they have now voted for a lockbox, in the name of reform they can unlock it

just by saying: We want to offer a reform amendment, and we will so unlock the box.

I am puzzled by the admonitions of our colleagues. I am sorry the Senator from Wyoming is no longer on the floor, because I really hope we can set the RECORD clear. Democrats want to vote on a lockbox. But we want that lockbox to mean something. We want it to include Medicare, and we want the right to offer amendments to do just that.

That is what this debate is about. There is a difference on a cloture vote between ending a filibuster and denying Senators the right to offer amendments.

We will continue to fight for our rights, regardless of the issue and regardless of how much concern it may bring to some of those on the other side who seem to be determined to lock us out.

I know the distinguished Senator from West Virginia is here. He is anxious to begin the debate on a very important bill.

I am hopeful we can pass this legislation today.

I yield the floor.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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#### KOSOVO AND SOUTHWEST ASIA EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999.

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 1664, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1664) making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, this measure is not at the moment covered by any time agreement, is it?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. I thank the Chair.

Mr. President, this is an appropriations bill. I believe Mr. STEVENS at some point in the afternoon will be on the floor to manage the bill. Mr. DOMENICI, who is very deeply involved in this bill as well, and who is on the Appropriations Committee, will be on the floor and will, as between himself and Mr. STEVENS, manage the bill. I am not managing the bill, but until one of those Senators comes to the floor, I have a few things I can say about it.

First, I thank the majority leader for making it possible for us to take up this bill at this time. I also thank the

minority leader for his cooperation in that regard.

I thank the majority leader for keeping his word with respect to calling up this matter. I will have possibly a little more to say about that later, so I will explain what I mean in having said that.

I thank Mr. STEVENS, who was chairman of the Senate side of the conference, which occurred on the emergency supplemental appropriations bill a few weeks ago. I thank the House chairman of the conference, Mr. BILL YOUNG of Florida, for his many courtesies that were extended upon that occasion, and for his fairness in conducting the conference, and for his cooperation in helping to work out a way in which we could at that point let the emergency supplemental appropriations conference report be on its way and be sent back to the House and Senate for the final consideration of both of those Houses. I thank him for his efforts in bringing about an agreement whereby that emergency supplemental appropriations bill was let loose—if I may use that term—from the chains which at the moment had it locked in an impasse in conference.

The provision in this bill, which is before the Senate, and in which I am very interested, is what we refer to as the "steel loan guarantee provision." There is a similar provision which Mr. DOMENICI was able to include in the bill, and it is similar to the steel loan guarantee except that it has to do with oil and gas. It provides a loan guarantee program for the oil and gas industry. He will more carefully and thoroughly explain that part of the bill later on.

Both of these provisions had been included in the emergency supplemental appropriations bill. Both of these provisions were in the emergency supplemental appropriations bill when it passed the Senate. Senators had an opportunity, when the emergency supplemental appropriations bill was before the Senate, to offer amendments to the steel loan guarantee language and to the oil and gasoline guarantee language. Senators had that opportunity.

No amendments were offered to those provisions when that bill was before the Senate. Those provisions were put into that bill when that appropriations bill, the emergency supplemental appropriations bill, was marked up in the Senate Appropriations Committee. Therefore, those provisions, as I have already said, were included in the bill when it reached the floor, when it came before the Senate. The Senate passed the bill. No amendments were offered to those provisions at that time.

That bill went to conference with the House in due course. It was a period of several weeks before the House-Senate conference took place on that bill. When the conference did occur, these two provisions—the steel loan guarantee provision and the oil and gasoline guarantee provision—were gradually put off until the very end of the conference.

The conference on that bill lasted for several hours over a period of 3 or 4 days. But it was the wish of both Chairman YOUNG and the chairman of the Senate conferees, Chairman STEVENS, to delay consideration of those two parts of the bill until other matters in the bill, other differences between the two Houses, had been resolved. As a consequence, as I say, it was toward the very end that we finally got around to those two provisions, the loan guarantee provisions.

In the conference, a vote occurred on the steel loan guarantee provision late one evening. I think the vote really occurred after midnight, so it was 12:30 or 1 o'clock in the morning of the next day that we finally voted on the steel loan guarantee provision, which had been written in the Senate Appropriations Committee, which had come before the Senate, which had been adopted by the Senate.

When that vote occurred, all of the Democratic conferees on the House side voted to accept the steel loan guarantee provision which was in the Senate bill; three of the Republican House conferees voted to accept the steel loan guarantee provision. So by a vote, I believe, of 13-10, the conference adopted the steel loan guarantee provision.

The next day when the conferees met, a motion was made to reconsider the vote that had occurred the previous late evening and the motion to reconsider carried. Two of the Republican House Members of the conference switched their votes from the previous position of supporting the steel loan guarantee to their new position of opposing that guarantee. As a consequence, my steel loan guarantee provision lost, I think, by a vote of 12-11. It lost by one vote.

An impasse prevailed. Senator DOMENICI's oil and gas loan guarantee provision had been rejected by the House conferees; on the second vote, the steel loan guarantee provision, which I had authored, was rejected by the House conferees. There was an impasse. The House conferees wouldn't give and the Senate conferees wouldn't give.

Therefore, rather than see the emergency supplemental appropriations bill die in conference, I suggested we have a recess and try to work out an agreement whereby we could find a way to let that emergency supplemental appropriations bill fly with its wings out of the conference, go to the President's desk. In that bill, there were appropriations for the military in Kosovo, there was a pay increase for the military, and there were various and sundry disaster relief provisions which were intended to help people in South and Central America and in the United States, as well—American farmers and so on. It was certainly not my desire to kill that bill; it was not my desire to delay.

I said: Let's have a recess, Mr. Chairman—addressing my remarks to the two chairmen—let's have a recess and see if we can't work things out.