decade of greed of the 1980s, how the rich got richer and the poor didn't get it. ''The 1980s, under Reagan, was the decade of greed.'' We don't hear President Clinton talking about that now. Does anybody ever wonder why he doesn't talk about that anymore? The reason he doesn't talk about it anymore is because during the 1990s, the rich got far richer than they did in the 1980s, and the poor didn't do that much better than they did in the 1980s. In fact, the gap between the rich and the poor widened more in the 1990s than it did in the 1980s. If the 1980s was the decade of greed, the 1990s, under the Clinton-Gore administration, was the decade of supergreed.

Why did that happen? It is pretty obvious why it happened. It happened because those who were wealthy, who owned and invested as the markets went up, as the value of assets went up, their income went up. Their wealth went up. If you are a worker who doesn't have wealth, doesn't have savings, doesn't have investment, then your wealth only goes up by the wage increase you get, which is 3 or 4 percent. So while the NASDAQ goes up or the Dow Jones goes up 10, 15, 20 percent or higher, your wages go up here at the bottom 2 or 3 percent, the gap grows.

One-third of all income in this country comes from investment. Yet the average person in America, someone right in the middle, has a total savings of $1,385. Half of America or more is left behind.

What we want to do with personal retirement accounts for Social Security is say to those Americans: Welcome to the American economy; participate in the American dream of growth and ownership of investment. With that, we will not only fix Social Security, but we will begin to do something that is fundamental, which is to bridge the wealth gap in America.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, will the Chair advise the Senate with regard to the standing order?

The PRESIDING OFFICER. There are 4 minutes remaining in morning business.

SECURITY BREACH AT LOS ALAMOS

Mr. WARNER. Mr. President, America awakened in the last 24 hours to another very distressing disclosure of an alleged breach of security practices at the Los Alamos Laboratory, again relating to what is the greatest threat every hour, every minute of the day to this Nation; that is, from nuclear weapons. We are not here to prejudge any facts at the moment.

From the standing rules of the Senate, rule XXV, I read:

> The Committee on the Armed Services has jurisdiction over national security aspects of nuclear energy.

Clearly, this problem falls within our domain. As chairman, in consultation with the ranking member, we will move very swiftly. We will establish a hearing date as soon as we can to develop those facts that can be publicly disclosed and such facts as must remain classified. The Armed Services Committee has dealt with this issue for over a year. In the authorization last year, we had a hard fought debate on this floor about establishing a new entity within the Department of Energy. Indeed, we did it. It was signed into law, and it is ready to go.

Our committee also has jurisdiction over the nominees to head this new entity. I refer the Senate to item 1010 in Nominations, Gen. John H. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy. That was May 24.

I am writing a letter to the majority leader today and, indeed, to the distinguished Democratic leader, asking that this nomination be brought up immediately. There are allegations that certain Senators think that the law that was passed last year has to be changed. That is a matter that can be brought up before the Senate at any time. But I do not think this Nation should sit 1 minute, 1 hour, 1 day longer on the nomination of this outstanding American, who has impeccable credentials, to take over this whole problem of security in the Department of Energy and is waiting to do so. Let us act on this nomination. I am certain the distinguished majority leader, in consultation with the Democratic leader, will move to see that this is done at the earliest opportunity. I hope it is done today.

I will advise the Senate later today with regard to the hearing of the Senate Armed Services Committee.

This is a matter of serious concern. At the hearing, we intend to call Secretary Richardson, General Habiger, who is the Chief of Security Operations, and Mr. Ed Curran, Chief of Counterintelligence. It may or may not be a counterintelligence matter. We don't want to prejudge the facts. But action is needed by this body, first on the nomination, and then to look into this situation. There is nothing that poses a greater threat to the United States of America, indeed, to our allies, than that from nuclear weapons.

It is ironic. This particular alleged security breach is basically in the same location of the previous incident involving Wen Ho Lee, as I understand it, probably the same floor, same corridor. We have testimony in the record, which I will add to the record, of the Secretary of Energy, who has appeared repeatedly before the committees of the Congress. This incident is clearly on Secretary Richardson's watch; let there be no mistake about that. He has repeatedly advised the Congress that he has put in place such regulations and other measures as to protect the United States, protect this Department from such alleged security breaches it faces this morning.

Mr. President, I am speaking after consultation, of course, with the majority leader's office and Senators DOMENICI and KYL, who have worked with me on this matter for some 18 months.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 4576, which the clerk will report.

The assistant legislative clerk read as follows:

> A bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

> Boxer/Reid amendment No. 3308, to prohibit the use of funds for the preventative application of dangerous pesticides in areas owned or managed by the Department of Defense that may be used by children.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I 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. REID. 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. REID. Mr. President, it is my understanding that the unanimous consent agreement that we are now operating under in the Senate means that I am next in order to offer an amendment.

Is that true?

The PRESIDING OFFICER. The Senator is to offer an amendment at 10:40.

Mr. REID. Mr. President, the amendment which I will offer shortly deals with a very unique situation. We certainly control the building of computers in the United States. We are the great superpower. We are also the superpower of computer development. But in spite of that fact, about 60 percent of the computers manufactured in the United States are sold overseas. Only 40 percent of the computers manufactured in this great country are sold internally.

The problem is there is now a provision requiring a 180-day review period to sell a computer, meaning that we are slowly but surely losing our ability to control the computer market. Why is that?

I ask unanimous consent to have printed in the RECORD a letter to me from the Information Technology Industry Council which represents generally the technology industry.

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

INFORMATION TECHNOLOGY INDUSTRY COUNCIL,
Washington, DC, June 13, 2000.

Hon. HARRY REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: I am writing to let you know that ITI strongly supports legislative relief addressing the current 180-day waiting period whenever US computer export thresholds are updated. ITI is the leading association of U.S. providers of information technology products and services. ITI members had worldwide revenue of more than $633 billion in 1999 and employ an estimated 1.3 million people in the United States.

We are grateful for your efforts to secure relief in the defense bills currently before the Senate and wanted you and your colleagues to know we anticipate that votes pertaining to computer exports will be included in our annual High Tech Voting Guide. As you know, the High Tech Voting Guide is used by ITI to measure Members of Congress' support for the information technology industry and policies that ensure the success of the digital economy.

ITI has endorsed your legislation (S. 1483) to shorten the Congressionally mandated waiting period to 30 days. While we strongly support our country's security objectives, there seems no rationale for treating business-level computers that are widely available on the world market as inherently more dangerous than items being removed from the nation's munitions list—an act that gives Congress just 30 calendar days to review.

Computer exports are critical to the continued success of the industry and America's leadership in information technology. Computers today are improved and innovated virtually every quarter. In our view, it does not make sense to have a six-month waiting period for products that are being innovated in three-month cycles. That rapid innovation is what provides America with her valuable advantage in technology, both in the marketplace and ultimately for national security purposes—an argument put forth recently in a Defense Science Board report on this very subject.

As a good-faith compromise, ITI and the Computer Coalition for Responsible Exports (CCRE) backed an amendment to the House-passed defense authorization bill that established a 60-day waiting period and guaranteed that the counting of those days would not be tolled when Congress adjourns sine die. The House passed that amendment last month by an overwhelming vote of 415–8.

Further, as you know, the current provision in law was understandably aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet, just last year, a late threshold adjustment coupled with the six-month waiting period led to American companies Apple and IBM being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

We have been heartened in recent weeks by the bipartisan agreement that the waiting period must be shortened. The Administration has recommended a 30-day waiting period. The House, as mentioned above, endorsed a 60-day waiting period. And Gov. George W. Bush has publicly endorsed a 60-day waiting period as well in recognition that commodity computers widely available from our foreign competitors cannot be effectively controlled.

We thank you for your strong and vocal leadership in this matter and look forward to working with you and other Senators to achieve a strong, bipartisan consensus on this and other issues critical to continuing America's technological pre-eminence.

Best regards,

RHETT B. DAWSON,
President.

Mr. REID. Mr. President, they set forth the problem in this letter. Among other things, this letter says:

> . . .the current provision in law would understandably be aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet just last year, a late threshold adjustment coupled with the 6-month waiting period, led to American companies, Apple and IBM, being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

It wasn't many years ago that I went to the fifth floor of the Clark County Courthouse in Las Vegas. I took a tour of the fifth floor. On the entire fifth floor of this big building was a big computer that handled all of the processing for Clark County. The temperature had to be perfectly controlled. That floor is now gone. It is used for other things. That same processing of information can now be accomplished with a computer the size of a personal computer.

I was able, fortunately, to work with Congress and obtain a supercomputer for the University of Nevada at Las Vegas. We had a big celebration. At that time, the computer was very large. It was probably the size of two of these Senate desks. That supercomputer is now 10 years old. A supercomputer today is not a big piece of equipment.

We are living in the Dark Ages. We have to change the law.

In an effort to compromise, the House established a 60-day waiting period. It passed by a vote of 415–8.

We worked very hard to get a bill in the Senate. We have been stymied, quite frankly.

There has been a bipartisan effort by Senator GRAMM of Texas, Senator ENZI, Senator JOHNSON, and I. We worked very hard last year.

The amendment that I am going to offer today is cosponsored by Senator BENNETT of Utah, a Republican. This is not a partisan issue. It shouldn't be. But it is being held up for reasons that are so antiquated. The cold war is over. There is no need to have this legislation stymied. We are hurting the American manufacturing base.

We are going to get letters from the Chamber of Commerce. Literally all business in America wants this to pass. But in the Senate, two or three people are holding this up and preventing it from moving forward.

As I indicated, this amendment has the broad support from the high-tech industry.

I would bet, if we get a chance to vote on this, that 90 Senators will vote for it.

This amendment will shorten the congressional review period for high-performance computers from 180 days to 30 days.

On the Appropriations Committee alone, just to pick out one committee, Senators BENNETT, MURRAY, and GORTON are cosponsors of this legislation introduced in the Senate, and there will probably be more today.

We are operating, as I have said, under cold-war-era regulations. If we want to remain the world leader in computers and the high-tech arena, we must make this change immediately.

As I have indicated, I worked for the past year to try to get an amendment up so we could do this. We started debate on one measure. It was pulled from the floor. The congressional review period is six times longer than the review period for munitions.

If there is a company that wants to sell rockets, tanks, warships, or high-performance aircraft under the foreign military sales program, it requires a 30-day review period. But if you want to sell a laptop computer such as the one I have in my office, you have to wait 6 months. In that period of time, American industry could not meet the demand. We are falling behind. Manufacturing is already beginning in other places. We don't have a lock on how to manufacture computers. We are ahead of the world right now.

I repeat that 60 percent of the computers we manufacture in the United States are sold outside the United States. The review period for computers is six times longer than for selling to another country a battleship, a high-performance aircraft, or a rocket.

In February, the President, at the urging of Members of Congress, proposed changes to the controls on high-performance computers, the so-called MTOPS, but because of the 180-day review period, the changes have yet to be implemented. The U.S. companies are losing foreign market share to many different entities. This is a bipartisan effort, and we should pass it. We are stifling U.S. companies' growth.

Last week, I had a meeting in my office with a number of CEOs of big companies—IBM, Compaq, and others. This is their No. 1 agenda item. It is the base of their business. They make computers, and they want to be able to sell them. A strong economy and a strong U.S. military depend on our leadership. U.S. companies have to be given the opportunity to compete worldwide in order to continue to lead the world in technological advances. Our export regulations are the most stringent in the world, giving foreign competitors a head start, to say the least.

U.S. industry faces stiff competition as foreign governments allow greater export flexibility, placing America at a greater disadvantage. Many of the manufacturers have no export controls. The current export control system interferes with legitimate U.S. exports because it doesn't keep pace with technology. The MTOPS level of microprocessors increased fivefold from 1998 to 1999. This is the speed of computers for my base description.

From 1998 to 1999, there has been a fivefold increase. Today's level will

more than double in 6 months because they are introducing something called the Intel Itanium chip. In a period of 2 years, there is going to be a tenfold increase in the ability of these microprocessors. New export controls will not take effect until the completion of the required 6-month waiting period. By then, the thresholds will be obsolete and American companies will have lost considerable market share again to foreign markets. The current export control system doesn't protect U.S. national security.

The ability of American defense systems to maintain technological advantages relies increasingly on the U.S. computer industry's ability to be on the cutting edge of technology. We need to move forward with this legislation. Protection of capabilities and technologies readily available in the world market is, at best, unhelpful for maintenance of military dominance and, at worst, counterproductive, according to the final report of the Defense Science Board Task Force on Globalization Security that came out in December of last year.

It doesn't make sense to impose a 180 waiting-day period for products with a 3-month innovation period that are available for foreign countries. We have to keep changing.

Right now, American companies are forbidden from selling computers in tier III countries, while foreign competitors are free to do so.

The removal of items from export controls imposed by the munitions list, such as tanks, rockets, warships, and high-performance aircraft, requires a 30-day waiting period. We need to put our priorities in order; 180 days is too long. It is way too long.

The new Intel microprocessor will be available very soon, with companies all over America already signed on to use this microprocessor. Foreign countries have signed on to using it, including Hitachi and Siemens. They will be so far ahead of us in sales to other countries that we will never catch up unless we change this law.

The most recent export controls announcements made by the administration on February 1 will therefore be out of date in less than 6 months.

Lastly, a review period, comparable to that applied to other export control and national security regimes, will still give Congress adequate time to review national security ramifications of change in the U.S. computer export control regime.

I urge my colleagues to support this amendment. There is no doubt in my mind that this amendment would pass overwhelmingly. I hope the managers of this bill will allow this amendment to go forward. It would be too bad if we were stymied, once again, from allowing something that has the overwhelming support of the American people, including the American business sector, whether they are in the computer industry or not. It has the total support of the computer industry. It also has the support of Members of Congress, as I have indicated. It passed the House of Representatives overwhelmingly. The vote was 415–8. In the Senate, it will get 90 votes. It would be a shame that a point of order, some technicality, would prevent the Senate from going forward on this legislation. This is a Defense appropriations bill. There could be no finer vehicle to consider this amendment. I hope some technicality does not prevent me from having this voted upon.

AMENDMENT NO. 3292

(Purpose: To amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers)

Mr. REID. I send the amendment to the desk on behalf of Senators REID and BENNETT.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BENNETT, proposes an amendment numbered 3292.

Mr. REID. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. ____. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence, by striking ''180'' and inserting ''30''; and

(2) by adding at the end, the following new sentence: ''The 30-day reporting requirement shall apply to any changes to the composite theoretical performance level for purposes of subsection (a) proposed by the President on or after January 1, 2000.''.

Mr. STEVENS. Mr. President, I am constrained to raise a point of order that this amendment contains legislative matter and therefore is in violation of rule XVI.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is legislation on appropriations and is in violation of rule XVI.

Mr. STEVENS. Therefore, the amendment is not in order; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I 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. STEVENS. 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. STEVENS. For the information of the Members of the Senate, we have a list now of the amendments that have been reviewed by the Parliamentarian and have an indication of those that violate rule XVI. It is our intention to raise rule XVI for those amendments that are in violation of rule XVI. We do have a list that the staff says we may modify so they are not in violation of rule XVI, which we would then be willing to accept, if the sponsors are willing to accept the modification.

There are other amendments that have been offered that are not in violation of rule XVI that we intend to oppose. For those, I urge Senators to have their staffs discuss these amendments with the staff of Senator INOUYE and myself. It is my understanding we are in agreement on the position on these amendments that we find unacceptable, even though they are not in violation of rule XVI.

I do think we can proceed in a very rapid fashion to determine how many votes we will have today if Members will state whether or not they are going to accept our modification. If they accept the modification, we will put them in a managers' package that we will offer around 11:30 as being acceptable under the unanimous consent request we obtained yesterday, to give the managers the right to modify amendments to make them acceptable under rule XVI.

It is my understanding the Senator from California is now going to offer an amendment. Could I inquire of the Senator if she intends to ask for a vote on this amendment?

Mrs. BOXER. Yes, I do.

Mr. STEVENS. We are prepared to accept the amendment of the Senator. Does she still want a vote?

Mrs. BOXER. On the medical privacy?

Mr. STEVENS. Yes.

Mrs. BOXER. I need to think about it for a couple of minutes.

Mr. REID. If the Senator from Alaska will yield?

Mr. STEVENS. I am happy to yield.

Mr. REID. We now have 61 amendments not subjected to rule XVI, 25 Democrat, 36 Republican amendments. We want to make sure the majority understands we will do everything we can to cooperate with the majority. We would like to move this bill along as quickly as possible and get back to the Defense authorization bill at an early time. But I suggest, as I have indicated, there are more Republican amendments than Democratic amendments. We are going to do what we can to work on this side. I have spoken to Senator INOUYE and he has indicated the two managers would accept a number of these amendments. Throughout the day we will work on these to see what we can do to move this bill along. I hope the same will happen on the Senator's side if we are to complete this legislation.

Mr. STEVENS. I say to my distinguished friend, the Democrat whip, we have reviewed these and there are a series on both sides. It is true there are more on our side than on the Democratic side that we intend to oppose, but the majority of the ones we would oppose are subject to rule XVI.

Mr. REID. None of the 36 are subject to rule XVI, I say to the manager of the bill. Regarding the 36 Republican amendments, the Parliamentarian has preliminarily indicated they are not subject to rule XVI. We, through the efforts of the staffs, working with the Parliamentarian, believe there are some 35 or so amendments that are knocked out because of rule XVI. But we do have 61 remaining, 36 Republican and 25 Democrat.

Mr. STEVENS. Mr. President, I regret to say I have a 5-page list and I didn't have 2 pages in front of me. The Senator is right. We are working on those now, to notify Members on our side that we will oppose the amendments as listed on the basis we do not feel we can accept them because of the provisions of the existing bill and because of the availability of funds.

We will proceed to do just as the Senator has indicated. If Members, however, will accept our modifications—the Senator is aware of the modifications list? We again repeat, if they accept our modifications, although we oppose the amendments in the present form, we will include them in the managers' package. We hope to get a reply back from Members. Of course, Members have the right to offer their amendments and request a vote of the Senate. We are indicating, regarding those that we have not put on the acceptable list, we will oppose those amendments.

Mr. REID. We will also try to work with the manager of the bill to make sure we have people available to offer these amendments so there is not a lot of time in quorum calls.

Mr. STEVENS. I yield the floor.

AMENDMENT NO. 3363

(Purpose: To protect the privacy of an individual's medical records)

The PRESIDING OFFICER. Under the previous order, the Senator from California, Mrs. BOXER, is recognized to call up an amendment.

Mrs. BOXER. Mr. President, I call amendment No. 3363.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3363.

At the appropriate place, insert the following:

SEC. . PRIVACY OF INDIVIDUAL MEDICAL RECORDS.

None of the funds provided in this Act shall be used to transfer, release, disclose, or otherwise make available to any individual or entity outside the Department of Defense for any non-national security or non-law enforcement purposes an individual's medical records without the consent of the individual.

Mrs. BOXER. Mr. President, I believe anyone who listens to us will agree this issue of privacy of medical records is really moving to the forefront of American public discourse. I think we all believe certain things should be private. Certainly our medical records should be private unless we are very willing to discuss them or have them discussed. I am very pleased Senator STEVENS and Senator INOUYE support this amendment, and having received assurances they will work for it in the conference, I am not going to ask for a recorded vote. But I think it is a breakthrough that the managers have accepted this amendment.

I wish to make a point here about privacy of medical records. The Department of Defense is no better or no worse than any other Federal agency because all the Federal agencies have been going by the rules that were set forth in 1974. I do not know how old you were in 1974, Mr. President, but it was a long time ago. That is when we wrote the rules surrounding privacy, the Privacy Act of 1974, that really govern all the rules of privacy surrounding Federal employees, be they in the military or in the nonmilitary.

A cursory reading of the Privacy Act of 1974 will make your hair stand on end. It governs the privacy of medical records, but it says that no one can get your record unless you give prior written consent ''unless''—and here is the part you have to hear:

Unless the records are disclosed within an agency to a person who needs it in the performance of the job.

So anyone can get your record if they decide they want to see it as they do a job performance. Then it says an agency can get your record without your approval if it is for a routine use specified in the Federal Register. They can get your record, and listen to this, give it to the Census Bureau with your name attached: BARBARA BOXER, this is her medical record. The Census Bureau needs your record so they can carry out a census survey. Maybe they want to find out which Federal employees had what disease. They can get those records for the census for statistical purposes, but they say the records would not be individually identifiable, so I suppose that is OK.

Listen to this. The National Archives can get your record without your permission if your record has a sufficient historical value. So I say to the Presiding Officer, maybe someone in the National Archives is interested in his dad, the great Senator who preceded him, because they feel his records have sufficient historical value. That is absurd; they could get them if the agency released them.

Then there is a big loophole:

* * * because of a compelling circumstance affecting the health or safety of an individual.

Imagine, someone decides there is a compelling circumstance to know any Senator's or any employee's or any clerk's disabilities, what medicines they are on. Oh, they can get it if there is a compelling circumstance. That is not defined. Congress can get your record. Congress has a right to get the record of every clerk sitting here, any person in any Federal agency, without their consent. Talk about Big Brother or Big Sister, as the case may be. They have the right to find out anybody's record, their medical record. What a stunning revelation this is, to read the 1974 Privacy Act.

How about this one? The General Accounting Office, the GAO, doing a study—and we know we ask them to do many studies—can, in fact, get the record of any Federal employee with their name attached.

A consumer reporting agency can go ahead and get that information.

So here we have the Privacy Act of 1974. I have gone through it. Out of the 12 provisions, the exceptions, only 2 of them make sense. They have to do with criminality, but everything else makes no sense.

I am very pleased Senators STEVENS and INOUYE understand this. I say to my friend from Alaska, under the Privacy Act that applies today, it is not just the military; it is all Federal agencies. I am just doing it here because this bill came out first. The DOD is absolutely no worse than any other agency. They are just following the Privacy Act of 1974. It is chilling to see how Congress can get an individual's medical record with their name attached or how the Census Bureau can get an individual's medical record with their name attached, without approval.

In our amendment we simply say that, in fact, an individual needs to give permission, unless it is for a national security or law enforcement purpose. Then we say: Fine, you give up your rights in that particular case.

Again, I am pleased; we are breaking fine new ground. We should apply what we are doing here to every agency. I will do that, by the way, on every appropriations bill I can because this is absolutely critical.

I am delighted we are going to have a voice vote on this. I would like to have it accepted. A voice vote will be fine. This is not a complicated issue. This is a question of people in the military having peace of mind, knowing their records are secure. I will go away very pleased on this one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from California is correct in regard to the defense operations. I do note the exemption, where necessary, in the interest of national security. There are situations in which a commander has to know the medical conditions of people whom they might dispatch. That exception makes it acceptable for the Department of Defense.

However, I do not think we are going to proceed with having a piece-by-piece amendment to the Privacy Act on the appropriations bills. This is very much acceptable on this bill. With the conditions that are being applied, it is a step in the right direction.

I urge the Senator from California not to consider a piece-by-piece amendment to the Privacy Act on these appropriations bills as they come through because this Senator is not going to

support that. It becomes legislation on an appropriations bill on other matters, I can say that.

With regard to military records, it is an entirely different circumstance. Military records are part of the Department of Defense operation, and this is a step in the right direction. I am happy to accept the amendment on that basis.

I know of no other agency that has access to the medical records of the individuals who are employed by the agency as this one does. The Department of Defense does, and I think the Department of Defense will welcome this guidance. I am pleased to accept it on that basis.

The PRESIDING OFFICER (Mr. ENZI). The question is on agreeing to amendment No. 3363.

The amendment (No. 3363) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. Mr. President, I will not offer amendment No. 3309 which was a backup amendment in case I was unsuccessful. I will be offering this when it is appropriate, not when it is inappropriate. I am absolutely delighted. I make the point, this is the first time we protected medical records. I could not be more pleased. I thank the managers for their support.

Mr. STEVENS. Mr. President, we are awaiting additional amendments. Does the Senator from California intend to offer amendments Nos. 3310 or 3311?

Mrs. BOXER. Mr. President, I do plan to offer amendments Nos. 3310 and 3311, but I need a little more time to get all my ducks in a row on them. I will be back as soon as I can do that.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3346

(Purpose: To provide for an additional payment from the surplus to reduce the public debt)

Mr. ALLARD. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD], for himself, Mr. VOINOVICH, Mr. GRAMS, and Mr. ENZI, proposes an amendment numbered 3346.

The amendment is as follows:

At the appropriate place, insert the following:

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(b) of title 31, United States Code, to reduce the public debt, $12,200,000,000.

Mr. ALLARD. Mr. President, I thank Senators VOINOVICH, GRAMS, and ENZI for agreeing to cosponsor this particular amendment.

As everybody in the Senate knows, I have been working for some time to put a plan before the Senate that would pay down the debt over a period of time. I have always been a strong proponent of paying down the debt. I believe Congress needs to live within its own spending restraints.

In 1961, Congress established within the Department of Treasury the Bureau of the Public Debt. It is an account for citizens to repay the public debt. Our amendment relates to the surplus from fiscal year 2000. The surplus projected by the Congressional Budget Office has been projected to be $26.5 billion; that is over and above what was provided for when we passed the budget last year.

There was an emergency resolution that provided for some spending, so we have already spent part of the $26.5 billion: $14.3 billion went to reversing the payday delays and moving appropriation spending back into fiscal year 2000, which was a procedural issue early on in the year. It took $7.2 billion to do that. We took $5.5 billion for agriculture relief and $1.6 billion for natural disaster relief, Kosovo, and assistance to the Government of Colombia for drug relief. That totals $14.3 billion. That leaves $12.2 billion that has not been obligated that is going to be surplus in this year's budget.

We have another estimate that will be coming in later on in the year. Very likely, there will even be additional dollars at some point in time over and above the $12.2 billion on which the Senate can make a decision. Basically, what we are asking with this amendment is that the $12.2 billion ought to go towards paying down the public debt. It is based on figures released by the Congressional Budget Office, and it is within the budget resolution that was passed earlier this year. It takes care of emergency spending needs.

I am asking Members of the Senate to support me in helping to pay down the debt. In recent years, we have had an unprecedented amount of surplus. The surplus has illustrated the importance of showing some fiscal restraint. Actually, the budget resolution we passed earlier, in both the House and Senate, is an agreement between the House and the Senate to stay within certain spending parameters. This falls within those guidelines. The only enforcement mechanism is our willingness to live by our own rules.

We are saying with this amendment that we ought to live by the agreement that was earlier arranged between the House and the Senate, and passed. And if there is any spending, instead of increasing spending, we ought to be paying down the debt.

The emergency spending is not counted for under the budget caps or the 302(b) allocation. In my view, the spending privilege that we had in the past years has been abused. We have spent more and not worked hard enough to hold down and stay within the caps.

The increased spending may ultimately threaten the Social Security surplus. We have all talked about how important it is to save Social Security. I have been of the view that if you pay down the debt, you can free up resources so that we can work at Social Security reform in future years. Obviously, it is not going to happen this year.

In my view, we cannot, in good conscience, continue to spend when we have such huge obligations that are facing us in future years, particularly in Social Security trust funds. The Congressional Budget Office, again, has scored this as a no-cost transfer.

The amendment appropriates $12.2 billion to an already existing account at the Bureau of Public Debt, which we set up in past years for taxpayers to pay into because this Congress thought it was important to the American taxpayers.

I am saying to the American taxpayer that you have shown a commitment to want to pay down the public debt. Members of the Senate and the House need to carry forward with their desire and their commitment and show an equal desire to pay down the public debt. This transfers money away from spending and locks it into debt owed to the public.

New estimates will be coming later on in the year and promise to offer similar opportunities for dedicating more of the fiscal year 2000 money to repay debt owed to the public.

I have an article that was written by Peter B. Sperry of the Heritage Foundation entitled ''Making Sure Surplus Revenue Is Used To Reduce The National Debt.'' I ask unanimous consent that it be printed in the RECORD.

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

[From the Heritage Foundation Backgrounder, June 13, 2000]

MAKING SURE SURPLUS REVENUE IS USED TO REDUCE THE NATIONAL DEBT

(By Peter B. Sperry)

Although most Americans assume that a federal budget surplus in any year is automatically used to reduce the national debt, or at least the debt held by the public, this actually is not the case. The U.S. Department of the Treasury must implement specific financial accounting procedures if it is to use a cash surplus to pay down the debt held by the public. If these procedures are not followed, or if they proceed slowly, then the surplus revenue just builds up in the Treasury's operating cash accounts.

This excess cash could be used in the future to further reduce the debt, but only if it

is protected from other uses in the meantime. Until the excess cash if formally committed to debt repayment, Congress could appropriate it for other purposes. Consequently, the current surplus will not automatically reduce the publicly held national debt of $3.54 trillion unless Congress acts now to make sure these funds are automatically used for debt reduction and for no other purpose.

There is a parallel to this in household finance. When a family with a large mortgage, credit card debt, and several student loans receives an unexpected financial windfall, it usually deposits the funds in a checking account and takes a little time to consider how best to allocate the revenue—whether to refinance the mortgage, pay off credit cards, or establish a rainy day fund. Meanwhile, the family's debt remains, and will not be reduced until the family formally transfers funds to one or more of its creditors. If the family does not take some action in the interim to wall off the cash, it often ends up frittering away the money on new purchases, and the debt remains.

The federal government faces a similar situation. Surplus revenues are accumulating in the Treasury Department's operating cash accounts faster than the Bureau of the Public Debt can efficiently dedicate them to reducing the public debt. Consequently, surplus balances in these accounts have reached historic levels, and they are likely to accumulate even faster as the size of the surplus grows. Unless Congress takes formal action to protect these funds, they are available to be used or misused at any time in the appropriations process. Fortunately, the House soon will consider a bill (H.R. 4601) that would protect the budget surplus from being raided by appropriations until prudent decisions can be made about its use.

WHY DEBT REDUCTION NEEDS A BOOST

Thanks to unexpected budget surpluses, the U.S. Department of the Treasury issued less new debt than it redeemed each year. It conducted several ''reverse'' auctions to buy back old high-interest debt. And it successfully reduced the amount of federal debt held by the public in less than three years by $230 billion, from $3.77 trillion in October 1997 to $3.54 trillion in April 2000. *Chart 1* clearly shows that its efforts have been successful and impressive.

[Charts not reproducible in the RECORD.]

Despite this effort, the Treasury still is awash in cash. Examining the Treasury Department's monthly reports over this same period (see Appendix) reveals that, after accounting for normal seasonal fluctuations, the closing balances of its operating cash accounts have grown dramatically and, more important, the rate at which cash is accumulating in them has accelerated. The linear trend line in Chart 2 shows both the growth in the closing balances in the cash accounts and the projected growth under current conditions. Essentially, if no provisions are made to protect these balances, in August 2002—two months before the midterm elections—appropriators would have access to almost $60 billion in non-obligated cash.

Unfortunately, even this projection may be too conservative. Examination of month-to-month changes in the closing balances indicates that the rate of cash accumulation has started to accelerate, which will cause the closing balances to grow even faster. The trend line in chart 3 shows that the amount of positive monthly change in closing cash balances has, after accounting for normal fluctuation, increased since October 1997, and cash balances could start to increase by an average of $20 billion per month within two years.

The Treasury Department faces extraordinary cash management challenges as it attempts to repay the debt held by the public steadily and without destabilizing financial markets that depend on federal debt instruments as a standard of measurement. By protecting accumulated cash balances from misuse, Congress could provide the Treasury Department with the flexibility it needs to do its job more effectively.

TREASURY'S LIMITED DEBT MANAGEMENT TOOLS

The Treasury relies on three basic debt management tools to reduce the debt held by the public in a controlled manner.

Issuing less debt

As old debt matures and is redeemed, the Treasury Department issues a slightly smaller amount of new debt in return, thereby reducing the total debt held by the public. This is the federal government's most cost-effective and preferred method of debt reduction. However, it is not a simple process to determine how much new debt should be issued. If the Treasury Department returns too much debt to the financial market, it misses an opportunity to retire additional debt. If it returns too little to the markets, the cost of federal debt instruments will rise, driving down their yields and disrupting many private-sector retirement plans.

Reverse auctions

The Treasury Department periodically conducts reverse auctions in which it announces that it will buy a predetermined amount of specific types of debt instruments from whoever will sell them for the best price. This method quickly reduces debt held by the public, but it can be expensive. Investors holding a T-bill that will be worth $1,000 in 20 years may be willing to sell it for $995 if they need the money now and believe that is the best price they can get. However, if they know the Treasury Department has made a commitment to buy a large number of T-bills in a short period of time, investors may hold out for $997—a premium of $2 million on every $1 billion of debt the Treasury Department retires.

Purchasing debt instruments

The Treasury Department can use private-sector brokers to purchase federal debt instruments on the open market without having it revealed that the client is the federal government. This method is slow, but it allows the Treasury Department to take advantage of unpredictable fluctuations in financial markets to buy back federal debt instruments for the best possible price. This method must be used carefully and discreetly to avoid having investors, upon realizing that the true buyer is the federal government, hold out for higher prices.[1]

WHY TIMING AND FLEXIBILITY ARE IMPORTANT

The Treasury Department needs time and flexibility to use debt management tools effectively. It often will need to allow large balances to accumulate in the operating cash accounts while it waits for the opportunity to buy back federal debt instruments at the best possible price. If these balances are unprotected, they may prove irresistible temptations for appropriators with special-interest constituencies.

A prudent Secretary of the Treasury would not risk disrupting financial markets by recklessly reducing the amount of new debt issued each year, but might increase the number and size of reverse auctions to ensure that surplus revenues are used for debt reduction rather than remain available to congressional appropriators. The taxpayers would, at best, pay more than necessary to retire the federal debt, and they might find that appropriators have spent the surplus before it could be used to pay down debt

MAKING DEBT REDUCTION AUTOMATIC

Fortunately, Congress has the opportunity to ensure that the Treasury's large cash balances are not misused in the appropriations process. The U.S. House of Representatives will soon consider H.R. 4601, the Debt Reduction Reconciliation Act of 2000, recently approved by the House Ways and Means Committee. This legislation, sponsored by Representative Ernest Fletcher (R–KY), is designed to give the Treasury Department the time and flexibility it needs to use debt management tools most effectively. It would protect the on-budget surplus revenues collected during the remainder of fiscal year (FY) 2000 and appropriate them for debt reduction by depositing them in a designated ''off budget'' Public Debt Reduction Account.

Although the surplus revenues could still cause an increase in cash balances, the cash would be dedicated in the Debt Reduction Account rather than in the Treasury Department's operating cash account. Appropriators would be able to reallocate these funds only by first rescinding the appropriation for debt reduction in legislation that would have to pass both houses of Congress and gain presidential approval. Once surplus revenues are deposited in the Debt Reduction Account, appropriators would have very limited ability to increase spending without creating an on-budget deficit, which many taxpayers would perceive as a raid on the Social Security trust fund.

H.R. 4601 would effectively protect the surplus revenues that are collected during the remainder of FY 2000; moreover, it serves as model for how Congress should allocate unexpected windfalls in the future. It does not preclude tax reform because it is limited to the current fiscal year and therefore affects only revenues that have already been collected or that will be collected before any tax reform legislation takes effect. Nevertheless, once the Debt Reduction Account is established, Congress could continue to appropriate funds to the account at any time. Consequently, Congress would retain the option to reduce revenues through tax reform and still have a mechanism to prevent unexpected surplus revenues, once collected, from being used for any purpose other than the debt reduction.

H.R. 4601 would give the Treasury flexibility to use its debt reduction tools in the most effective manner. Surplus revenues deposited in the Debt Reduction Account would remain available until expended, but only for debt reduction. The department would be able to schedule reverse auctions at the most advantageous times, make funds available to brokers buying back debt on the open markets, or decrease the size of new debt issues—depending on which mechanism, or combination of tools, proves most cost effective.

HOW TO IMPROVE H.R. 4601

Although H.R. 4601 demonstrates a real commitment of members of the House to fiscal discipline, the legislation could be improved. Congress should consider requiring the Secretary of the Treasury also to deposit all revenue received from the sale of Special Issue Treasury Bills (which are sold only to the Social Security Administration) in the Debt Reduction Account. This would preclude the possibility of any future raids on the Social Security trust fund.

Congress should also consider adding language to H.R. 4601 to automatically appropriate future real (rather than projected) surplus revenues to the Debt Reduction Account. This would allow Congress the flexibility to implement tax reforms while also guaranteeing that surplus revenues, once collected, could be used only for debt reduction.

CONCLUSION

Many Americans assume that if surplus revenues are not used for spending or tax

cuts, they automatically reduce the national debt. Indeed, this has become an unstated premise in discussions of fiscal policy, whether in the press, academia, or Congress. Unfortunately, the premise is incorrect.

To make the premise true, the Treasury Department should be able to make specific provisions for retiring debt. If it is not given the power and obligation to do so, the surplus revenues accumulating in its operating cash accounts will be subject to misuse by appropriators. Congress has an opportunity and obligation to give the Treasury Department the time and flexibility it needs to utilize its debt management tools effectively when it considers H.R. 4601. This bill offers an effective first step toward the goal of making sure that budget surpluses do not disappear in new spending programs.

WHAT IS THE NATIONAL DEBT?

The national debt consists of Treasury notes, T-bills, and savings bonds that were sold to raise cash to pay the ongoing operational expenses of the federal government. National debt held by the public consists of debt instruments sold to anyone other than a federal trust fund, such as the Social Security trust fund. Most federal debt held by the public is owned by state and local governments, pension plans, mutual funds, and individual retirement portfolios.

Most investors consider federal debt instruments to be cash equivalents that pay interest, and they are strongly motivated to hold them until maturity—up to 30 years in the case of T-bills. Many institutional investors, particularly pension funds, are required to maintain a certain portion of their portfolio in cash equivalents, and they depend on the federal government to issue new debt when their old investments mature and are redeemed. In addition, many lenders, particularly mortgage companies, use the market price of federal debt instruments as a measurement device to determine appropriate rates of return on alternative investments. These lenders rely on the federal government to maintain enough federal debt in circulation to make this measurement valid.

APPENDIX

U.S. TREASURY OPERATING CASH AND TOTAL PUBLIC DEBT: OCTOBER 1997—APRIL 2000

[In millions of dollars]

Date	Treasury operating cash: opening balance	Treasury operating cash: closing balance	Change	Total borrowing from the public: opening balance	Total borrowing from the public: closing balance	Change
1997:						
October	43,621	20,261	−23,360	3,771,141	3,777,456	6,315
November	20,261	19,778	−483	3,777,456	3,806,564	29,108
December	19,978	31,885	12,107	3,806,564	3,804,792	−1,772
1998:						
January	31,885	40,307	8,422	3,804,792	3,779,985	−24,807
February	40,307	16,280	−24,027	3,779,985	3,810,549	30,564
March	16,280	27,632	11,352	3,810,549	3,830,686	20,137
April	27,632	88,030	60,398	3,830,686	3,770,099	−60,587
May	88,030	36,131	−51,899	3,770,099	3,761,503	−8,596
June	36,131	72,275	36,144	3,761,503	3,748,885	−12,618
July	72,275	36,065	−36,210	3,748,885	3,732,515	−16,370
August	36,065	36,427	362	3,732,515	3,766,504	33,989
September	36,427	37,878	1,451	3,766,504	3,720,092	−46,412
October	38,878	36,217	−2,661	3,720,092	3,735,422	15,330
November	36,217	15,882	−20,335	3,735,194	3,757,558	22,364
December	15,882	17,503	1,621	3,757,558	3,752,168	−5,390
1999:						
January	17,503	57,070	39,567	3,752,168	3,720,919	−31,249
February	57,070	4,638	−52,432	3,720,919	3,722,607	1,688
March	4,638	21,626	16,988	3,722,611	3,759,624	37,013
April	21,626	58,138	36,512	3,759,624	3,674,416	−85,208
May	58,138	25,643	−32,495	3,674,416	3,673,865	−551
June	25,643	53,102	27,459	3,673,865	3,651,619	−22,246
July	53,102	39,549	−13,553	3,651,619	3,652,812	1,193
August	39,549	36,389	−3,160	3,652,812	3,679,282	26,470
September	36,389	56,458	20,069	3,681,008	3,633,290	−47,718
October	56,458	47,567	−8,891	3,632,958	3,638,712	5,754
November	47,567	6,079	−41,488	3,639,079	3,645,212	6,133
December	6,079	83,327	77,248	3,645,212	3,680,961	35,749
2000:						
January	83,327	62,735	−20,592	3,680,961	3,596,976	−83,985
February	62,735	21,962	−40,773	3,596,570	3,613,071	17,131
March	21,962	44,770	22,808	3,653,701	3,653,447	39,746
April	44,770	92,557	47,787	3,653,447	3,540,781	−112,666

Sources: U.S. Department of the Treasury.

ENDNOTE

1. There is no way to know whether this particular debt management tool is being used by the Treasury Department at the time. If such knowledge were available, it would demonstrate a lack of discretion that would make this tool ineffective.

Mr. ALLARD. Mr. President, I think Senator VOINOVICH is going to be on the floor shortly. I would like to be briefed on what our time restraints are. How much time do we have on the amendment?

The PRESIDING OFFICER. There is no time limitation. We have the usual unanimous consent agreement to recess at 12:30 for the policy luncheons.

Mr. ALLARD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I am pleased to join my colleague, Senator ALLARD, in offering this amendment. It is an important amendment if we are ever going to make a dent in our tremendous national debt.

Like all of my colleagues, I am thrilled that the United States is in the midst of the greatest economic expansion in the history of our nation. It has provided opportunity and prosperity for millions of Americans.

However, even with all of our good fortune, we cannot ignore the tremendous debt that we owe, and we certainly cannot allow the booming economy to blind us to this reality.

For nearly a year and a half now, Mr. President—throughout my service in this body—I have made it my mission to remind my colleagues of the size of our national debt. Right now, the debt of the United States of America stands at $5.7 trillion. Right now, it costs us more than $224 billion a year to service that debt—which is more than $600 million a day in interest costs alone.

Thirteen cents out of every Federal dollar goes to pay interest on the national debt, at a time when 16 cents goes for national defense, 18 cents goes for nondefense discretionary spending and 53 cents goes for entitlement spending. We currently spend more on interest to the national debt than we spend on Medicare.

I agree with General Accounting Office (GAO) Comptroller General David Walker, who, in testimony before the House Ways and Means Committee last year, said:

> This generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

That is a wonderful quote.

We should also listen to other experts, such as CBO Director Dan Crippen, who, earlier this year, testified before the Senate Budget Committee that ''most economists agree that saving the surpluses, paying down the debt held by the public, is probably

the best thing that we can do relative to the economy.''

And then there is Federal Reserve Chairman Alan Greenspan, who has testified that ''my first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it.''

Logic dictates that the money we are spending for our debt interest payments could be better spent elsewhere, and in my view—as well as the experts' view—the sooner we can pay down that debt, the sooner we will be able to use tax dollars where they are most needed.

In other words, if we pay down the debt and get rid of the interest, we can use that money to reduce taxes or to address some of the priorities that we continue to talk about every day on the floor of the Senate.

That is why I believe our top fiscal priority should be reducing the national debt. It is the best thing we could do with our on-budget surplus. And as I have said a number of times on the Senate floor, if families and businesses use their surplus cash to pay off debts, then our Nation should do the same thing.

If I have big credit card debt, or if I am in business and I owe debt, and I have an opportunity to pay off that debt, most families and most businesses would do so.

It is also interesting to note that if you look at the companies today on the New York stock exchange, the ones whose values have held up are those companies that do not have a substantial amount of debt. I think we know that if families in America were in the same position we are in, they would pay off that debt and get rid of that interest cost.

The amendment that Senator ALLARD and I propose would take the first step in putting us on a course of fiscal responsibility.

According to the latest estimates put forth by the Congressional Budget Office (CBO), the United States is projected to achieve an on-budget surplus of $26 billion in fiscal year 2000.

We are talking about fiscal year 2000 money. For my colleagues who want to cut taxes, we are talking about the on-budget surplus for the year 2000. We can't use it to reduce taxes. The only thing we can do with it is to spend it or use it to pay down the debt. There is no other alternative. We have already set aside $14 billion in the budget resolution to pay for military operations in Kosovo, natural disaster relief in the U.S., Colombian drug eradication assistance, and other supplemental spending.

Under the Allard-Voinovich amendment, the remaining $12 billion on-budget surplus would be applied towards debt reduction, not more spending. In addition, when the CBO releases its re-estimates of the FY 2000 on-budget surplus in July, Senator ALLARD and I intend to offer another amendment that will allocate any additional on-budget surpluses to debt reduction.

I remind my colleagues that this money can't be used to reduce taxes. It can only be spent. We want to get it off the table before it is spent.

Of the $26 billion on-budget surplus that we have today, $22 billion of that is overpayment into Part A of Medicare. This extra money we have is Medicare money that has been paid into Part A.

The concern that I have is if we don't pay down the national debt with whatever on-budget surplus we achieve, Washington will spend the money. Ever since the CBO first projected we would have a budget surplus back in 1998, Congress and the administration have looked for every possible way to spend the money.

I remind my colleagues, if you include the supplemental appropriations, fiscal year 2000 discretionary spending will increase by $37 billion, a 6.4 percent increase over fiscal year 1999. When compared to the Consumer Price Index, that is nearly three times the rate of inflation. This is tremendous growth in Government spending. We have to stop it. We have to put a lid on our spending.

Our amendment strikes a fair balance that allows us to use a portion of the on-budget surplus for debt reduction instead of just spending the entire on-budget surplus for the sake of spending. We have to show discipline and use our on-budget surplus to pay down our debts.

I am proud we have worked in the last couple of years in the Senate to rein in spending. I believe we must use whatever on-budget surplus that we have to pay down the debt. When we reduce the national debt, we send a positive signal to Wall Street and Main Street. Lowering the debt encourages more savings and investment, the kind that fuels productivity and continued economic growth. It also lowers interest rates, which is a real tax reduction. In addition, it ensures we won't return to deficit spending.

If we can't at this time with the economy booming do something about reducing the national debt, we will have missed a golden opportunity. We will have said to the young people of this country: We don't care about your future; we are going to let you pay for those things that we weren't willing to pay for or do without during the last number of years.

Mr. ALLARD. Will the Senator yield?

Mr. VOINOVICH. I yield.

Mr. ALLARD. I compliment the Senator from Ohio for his hard work on this particular issue. It is a pleasure to work with the Senator on looking at fair alternatives to pay down the debt. This is important to future Americans.

People ask, how will it affect me personally? If you buy a new car, the Government is not competing with you for that money; or if you go to pay for college education, the Government is not competing with you for that money; if you buy a home, the Government is not competing with you for that money. It tends to hold down interest rates. That means it costs less. It costs less to get a college education, costs less to pay for your home, and it costs less to buy a new car.

It is important not only to the security of this country, but to Americans individually.

I thank Senator VOINOVICH from Ohio for his steadfastness in fighting this issue. It has been a pleasure to work with him and the other cosponsors on this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this bill becomes effective on October 1 of this year. I am pleased to accept the amendment. It will affect the budget surplus that is in effect at that time.

We accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3346) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. ALLARD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3304, AS MODIFIED

(Purpose: To set aside $43,000,000 for research, development, test and evaluation for the extended range conventional air-launched cruise missile program of the Air Force)

Mr. ASHCROFT. Mr. President, I call amendment No. 3304 and send a modification to the desk that I believe has been cleared by both sides, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself and Mr. BOND, Mr. CONRAD, Mr. BREAUX, and Ms. LANDRIEU, proposes an amendment numbered 3304, as modified.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by this Act for the Air Force for research, development, test and evaluation, up to $43,000,000 may be made available for the extended range conventional air-launched cruise missile program of the Air Force.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this is one of the amendments we have indicated, under the authority we received yesterday, Senator INOUYE and I have modified, and, as modified, we are prepared to agree with the Senator and ask for him to proceed on that basis.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I thank the chairman for his continuing support for this amendment and his continuing support for our national defense. I also thank my cosponsors, Senators BOND, CONRAD, LANDRIEU, and BREAUX.

This amendment will provide an additional $23 million, bringing the total to $43 million, for the development of an extended-range cruise missile, which is the successor to what is known as the CALCM, the Conventional Air-Launched Cruise Missile.

The Defense authorization bill contains $86.1 million for this project. This amendment increases the appropriation to half of the authorized amount. According to the Air Force and their officials, this new total, $43 million, is needed to start this program.

This cruise missile will be launched from the B–52 bomber to accurately strike strategic targets deep inside enemy territory without significant risk to our pilots or our planes. It will provide the Air Force its only air-launched, long-range, all-weather, precision weapon with a range of over 600 miles. I believe this amendment has been approved by both sides, and I thank the chairman and ranking member for their support.

It is important we have this kind of capacity. We have found that our ability to have precision capacity for striking the enemy is very important to the maintenance of our own independence and the protection of our own fighting individuals in our Armed Forces. I am grateful for the cooperation in this respect, and I yield the floor.

Mr. CONRAD. Mr. President, I am pleased to rise today to offer with my colleague from Missouri, Senator ASHCROFT, an amendment which increases the appropriation for a new, more advanced cruise missile for the B–52 from $20 million to $43 million.

As my colleagues are aware, the B–52 is the sole carrier of the Conventional Air Launched Cruise Missile [CALCM], a conventional variant of the nuclear-capable Air Launched Cruise Missile [ALCM]. Our nation has relied on the CALCM in all recent conflicts and it has become the weapon of choice for theater commanders. The CALCM offers range, payload, and accuracy that are superior to any other conventional stand-off munition in service today, including the Navy's Tomahawk.

A year ago, as Operation Allied Force was underway, we had a tremendous problem. The United States had expended more than 200 CALCMs against Iraq and Yugoslavia and we had less than 100 remaining.

I asked the Pentagon what they were going to do about this situation and they recommended that we convert the remaining, ALCMs not needed by the United States Strategic Command for nuclear missions to CALCMs. I was pleased to work with the Air Force and the defense committees to secure funding to do just that. Today, the remaining unneeded 322 ALCMs are being converted to CALCMs.

However, conversion will only give us around 400 CALCMs, and to meet future threats our nation will require around 1,000 of these missiles. In May 1999 I was informed that there was no plan to make up the shortfall.

I went to Senators WARNER and LEVIN, the chairman and ranking member of the Armed Services Committee, and asked them to adopt my amendment requiring the administration to come up with a plan to replace the CALCM. That amendment passed on May 27, 1999, and I was pleased to have my friend from Missouri, Senator ASHCROFT, as an original cosponsor.

The result of the Air Force's study was inclusion in General Ryan's unfunded priority list of $86.1 million in fiscal year 2001 and $689.7 million throughout the future years defense plan for research and development and production of more than 600 extended range cruise missiles (ERCMs), also referred to as extended range CALCMs (CALCM–ERs). The ERCM will offer all of the advantages of the CALCM and dramatically extend its range, to beyond 1,000 miles.

I am pleased that both the Senate and House Defense authorization bills fully support General Ryan's request for $86.1 million in Fy01. However, the Senate Defense appropriations bill provides only $20 million and the House Defense appropriations bill includes no funding.

Consequently, I am very pleased that the chairman of the Appropriations Committee, Senator STEVENS, and the ranking member of the Defense Subcommittee, Senator INOUYE, have agreed to support the amendment that Senator ASHCROFT and I have brought to the floor today. This amendment will increase the ERCM appropriation to $43 million, enough for the Air Force to begin work on this important program during the coming fiscal year.

A quick start to ERCM program will ensure that the B–52 remains relevant and our nation retains the capability to strike vital targets with tremendous accuracy at long range in the coming years. I appreciate the cosponsorship of Senators BOND and BREAUX and look forward to continuing to work with Senator ASHCROFT, the Senate's defense committees, and the Air Force to make the ERCM a reality.

I thank the chairman and ranking member again for their support, and yield the floor.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3304), as modified, was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote.

Mr. ASHCROFT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. 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. INOUYE. Mr. President, section 8118 of H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, refers to the National Center for the Preservation of Democracy. What is the National Center for the Preservation of Democracy? What is the rationale and purpose of the National Center for the Preservation of Democracy?

I will do my best to respond to the above questions.

The history of America demonstrates the vision and intent of its Founding Fathers when framing the Constitution. As a living document the Constitution has proven over time its capacity to meet the changing needs of the United States, ensuring the protection of all of its people. The story of Americans of Japanese ancestry represents a complete lesson of democracy in action and exemplifies the American dream. From immigration in the late 1800s, to issues of citizenship in the early 1900s, to the incarceration of citizens and the heroics of Japanese-American soldiers during World War II, and to redress in the 1980s, the Japanese-American story is about the struggles and victories of individual freedoms in the United States. Through their experiences, Japanese-Americans have validated all that is possible and all that is right with our constitutional guarantees. The Japanese-American story celebrates the triumphs of American democracy.

The National Center for the Preservation of Democracy will be headquartered in the renovated and transformed Historic Building of the Japanese-American National Museum in Los Angeles, CA. The Historic Building is a National Historic Landmark as designated by the National Trust for Historic Preservation. This space will keep alive and teach about a remarkable time in U.S. history, a period of shame and sacrifice and insult that ended with a burst of glory demonstrating the majesty of our government to recognize its errors and make a public apology and some restitution.

The Japanese-American story illustrates the splendor of the United States and the magnificence of the Constitution. Since their initial immigration in the late nineteenth century, Japanese-Americans have believed

strongly in the American dream and have sought to make America their home. Although confronted by prejudice and discrimination, Japanese-Americans have utilized that very democratic process in the spirit intended by the Framers of the Constitution. The story of Japanese-Americans is about democracy in action.

Like other immigrants, Japanese journeyed to the United States seeking opportunity and dreams of a better life. From the moment they arrived in the late nineteenth century, however, they were confronted with social prejudice and discriminatory laws already in place. The Naturalization Act passed by Congress on March 26, 1790, which restricted naturalization to ''free white men,'' was unavailable to persons of Japanese ancestry. Designated as ''aliens ineligible for citizenship'' (the only racialized group so defined until 1952), Japanese immigrants were rendered as perpetual aliens, a condition that prevented their full enjoyment of life, liberty and property. Nonetheless, the Issei—Japanese immigrants—courageously maintained their belief in America and moved forward to establish their new lives in the United States. More than that, through hard work and perseverance, Japanese enterprise prospered in the face of indifference.

Without citizenship, Japanese immigrants were subject to alien land laws, which prohibited ownership of land by ''aliens ineligible for citizenship.'' Although denied full participation as Americans, Japanese immigrants consistently sought, through non-violent legal efforts, to undo the intent of discriminatory laws through public campaigns, litigation, and other peaceful strategies. Their hopes in becoming citizens were further hindered, however, when on November 13, 1922 the U.S. Supreme Court ruled on the Ozawa case, definitively prohibiting Japanese immigrants from become naturalized citizens on the basis of race. Moreover, the future of the Japanese in the United States was further restricted when President Calvin Coolidge signed the Immigration Law of 1924, which was based on race and omitted Japanese from the quota system.

When Japan bombed Pearl Harbor on December 7, 1941, America was stunned and angered. For Japanese Americans, who had been subject to discrimination because of their ancestry, the whole world turned dark. However, as the United States confronted the threat of fascism in Asia and Europe, American democracy itself was put to a challenge and, for Japanese Americans, it fell short. Because they ''looked like the enemy'' and were thought to be a military threat, 120,000 individuals of Japanese ancestry, two-thirds of whom were American born citizens, were excluded from the West Coast, forcibly removed, and incarcerated in concentration camps. These prison camps were at first operated by the Army, and then the War Relocation Authority. This event has become the largest violation of constitutional rights in American history.

For Japanese-American males, the beginning of the war was especially humbling and painful as the Selective Service designated them as, IV–C, enemy aliens. Although they were loyal to the United States, these American born citizens were rendered ineligible to enlist in the armed services. Nonetheless, when the government announced the formation of the 442nd Regimental Combat Team, a segregated unit of Japanese-Americans, thousands of young Japanese-American men enthusiastically volunteered to serve. Stigmatized by the classification as enemy aliens, they were eager to prove their loyalty to the United States. Government officials were surprised by the overwhelming response. While family and friends were incarcerated behind barbed wire, the soldiers of the 100th Infantry Battalion and the 442nd Regimental Combat Team, as well as the Military Intelligence Service fought and died for the United States and for the preservation of democracy with no guarantee that their civil rights would be restored. There service demonstrates the ultimate in patriotism and love of country.

In 223 days of combat, the 100th Infantry Battalion and 442nd Regimental Combat Team became one of the most decorated units in United States military history. Among the many awards and decorations received by the men of the 100th Infantry Battalion and the 442nd Regimental Combat Team are 20 Congressional Medals of Honor, 354 Silver Star Medals, 33 Distinguished Service Crosses and over 3600 Purple Heart Medals. Their distinguished record includes the rescue of the ''Lost Battalion'' and participation in the assault that cracked the Gothic Line of Nazi strongholds. Affirming the unending truth that loyalty to one's nation is not modified by racial origin, these soldiers fought two wars, one for democracy overseas and the other for racial discrimination back home in the United States. As President Harry Truman said, ''You fought not only the enemy but you fought prejudice—and you have won.'' Indeed, these brave and courageous young men believed that their sacrifices would make life better not only for Japanese-Americans but for all Americans. The privileges of democracy that Americans enjoy today are the result of the blood shed by these American heroes. The sacrifices of officers and men of the 442nd Regimental Combat Team, the 100th Infantry Battalion, the Military Intelligence Service, and others have helped to make America a more democratic nation, and their valiant service continues to be a source of pride for all Americans.

In response to their heroic achievements, President Harry Truman challenged ''Keep up the fight and we will continue to win and to assure that this republic stands for what the Constitution says it stands for: the welfare of all of the people, all of the time.'' Many members of the 442nd Regimental Combat Team took President Truman's words to heart. Several soldiers went on to fight for democracy through their service as elected officials while others continued to serve in the armed forces. Eventually Japanese-Americans went on to fight in the Korean War and later the Vietnam War. Unlike Japanese-American soldiers during World War II who, after being designated as ''enemy aliens,'' served to prove their loyalty, Japanese-American soldiers in the Korean war and the Vietnam war served in the Armed Forces as Americans, full-fledged citizens of the United States. Without the need to prove their status as Americans, the reason for these courageous men to serve was purely for the love of country.

Inevitably, the impact of the heroic service of Japanese-American soldiers during World War II went on to enhance the civil liberties of all Americans. In 1948, segregation in the armed services ended in large part from the efforts of the 442nd and in 1952 the Walter-McCarran Act made all races eligible for naturalization and eliminated race as a bar to immigration. Thus, Japanese immigrants, many of whom were parents of World War II veterans, were able to finally attain their citizenship as Americans.

One of the more magnificent examples of American democracy at its most powerful form is the passage of the Civil Liberties Act of 1988, signed into law by President Ronald Reagan, in which the United States recognized its grave and fundamental injustice of violating the civil liberties of its own citizens. Advanced by many Japanese-American war veterans, the law makes a formal apology and provides token restitution to former internees. No other country in the world can make the claim of acknowledging and apologizing for its mistakes—a point that further illustrates the grand majesty of the United States. More importantly, to demonstrate its commitment of assuring that similar events do not happen, the Civil Liberties Act of 1988 provided funds to educate all Americans about the lessons from the incarceration.

While $50 million was authorized in the Civil Liberties Act of 1988 for educational purposes, the appropriations were significantly reduced because of the lack of funds available to pay the eligible individual claimants. The Civil Liberties Public Education Fund received only $5 million to fulfill its congressional mandate to educate the public about the lessons learned from the incarceration. With limited funding, the education of the exclusion, forced removal, and incarceration of Japanese-Americans during World War II was dramatically compromised and the government's commitment to educating the public has yet to be effectively fulfilled. The National Center

for the Preservation of Democracy established in the Historic Building of the Japanese-American National Museum will achieve that objective.

Through their efforts since the late 19th century, Japanese-Americans have secured the civil rights of all Americans, contributing to the most basic tenets of America's foundational ideals and promises—of life, liberty, and property. Although clearly denied many of those freedoms at various times throughout history, Japanese-Americans consistently sought, through nonviolent legal efforts, to secure Constitutional guarantees and the promise of the American dream. With that, they deepened and enriched the meaning of the American identity—the notion of who is an American—and the rights, privileges, and obligations that comprise the Republic's very core.

The National Center for the Preservation of Democracy will be assisted by the Japanese-American National Museum in the examination of the rights and freedoms of Americans in the United States through the Japanese-American experience. Because its mission is dedicated to the study, preservation, and interpretation of democratic issues, the National Museum maintains extensive expertise that will enable the National Center for the Preservation of Democracy to:

Develop and exhibit nationwide programs about the issues of democracy;

Have ready access to significant collections relating to these issues, especially the legacy of Japanese-American military service, including artifacts of the 442nd Regimental Combat Team and other military units;

Benefit from the relationships established and maintained by the National Museum, especially with federal institutions and related community organizations; and

Provide a dynamic visitor experience in a historic building.

The National Center for the Preservation of Democracy will be created as a dedicated space where visitors can learn about the enduring fragility and ultimate success of individual and constitutional rights. The headquarters will be established in a renovated and transformed historic building provided by the Japanese American National Museum.

Some of the historical highlights of the building, which was constructed in 1925, include:

Served as the first Buddhist temple in Southern California and as a center for social and religious life for the immigrant community;

Site where priests, who lived in the building, were arrested without due cause immediately following the bombing of Pearl Harbor;

Used as one of the sites where the Army instructed "aliens and non-aliens of Japanese ancestry to assemble for transportation to Santa Anita Racetrack, which had been transformed into an Assembly Center;

Served as a storage site for personal articles that could not be taken by those forced to leave; and

Served as a hostel for many returning from camp and had no where to go.

The National Center for the Preservation of Democracy will provide educational programming that includes exhibitions, media arts presentations, public programs, conferences, and civic dialogue/public forums. The National Center for the Preservation of Democracy will:

Present a permanent, audience-focused exhibition addressing American democracy through the Japanese-American experience, including the military service of Japanese-Americans (in World War I, World War II, the Korean war, and the Vietnam war);

Maintain and pursue key civil and military materials for a comprehensive collection;

Create and esttablish new opportunities for civil and military research, especially through collaboration with federal institutions such as the National Archives and the Smithsonian Institution to make documents more accessible;

Conduct education and public programs examining democracy in action; and

Produce educational media arts productions that present and interpret related issues of democracy for broad national and international broadcast and distribution as well as for on-site exhibitions.

I respectfully believe that the National Center for the Preservation of Democracy is most worthy of our support.

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

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

AMENDMENTS NOS. 3175, AS MODIFIED, 3284, AS MODIFIED, 3288, 3289, 3291 AS MODIFIED, 3298, 3299, 3300, AS MODIFIED, 3301, AS MODIFIED, 3305, 3312, 3314, AS MODIFIED, 3315, AS MODIFIED, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, AS MODIFIED, 3334, 3335, AS MODIFIED, 3336, AS MODIFIED, 3337, 3338, 3339, AS MODIFIED, 3342, 3343, 3344, 3352, 3357, AS MODIFIED, AND 3293, AS MODIFIED, EN BLOC

Mr. STEVENS. Mr. President, I am now prepared to present the first managers' package that we worked out with my good friend from Hawaii. These amendments have now been cleared in a modified form, or in the original form. But I call attention of the Chair to the numbers of the amendments that are included in our package.

It is: 3175 by Senator COLLINS; 3284 by Senator BINGAMAN; 3288 and 3289 by Senator SHELBY; 3291 by Senator KYL; 3298 and 3299 by Senator HELMS; 3300 and 3301 by Senator ROBB; 3305 by Senator ABRAHAM; 3312 by Senator LEAHY; 3314, 3315, and 3316 by Senator KENNEDY; 3321 by myself; 3323 by Senator ROBERTS; 3324 and 3325 by Senator SNOWE; 3326 by Senator LANDRIEU; 3329 by Senator GREGG; 3331 and 3332 by Senator FEINSTEIN; 3334 and 3335 by Senator WARNER; 3336 and 3337 by Senator NICKLES; 3338 by Senator ALLARD; 3339 by Senator COVERDELL; 3342 by Senator BINGAMAN; 3343 and 3344 by Senator INHOFE; 3352 by Senator ROTH; 3357 by Senator ROBERTS; 3293, as modified, by Senator LANDRIEU.

I send a modification to the desk of the last item, amendment No. 3293, which I just mentioned, of Senator LANDRIEU.

Mr. President, I believe all of those amendments are before the desk. To the extent they be modified, they have been agreed to by Senator INOUYE and myself pursuant to the unanimous consent agreement last night.

I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent that they be agreed to en bloc.

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

The amendments (Nos. 3175, 3284, 3288, 3289, 3291, 3298, 3299, 3300, 3301, 3305, 3312, 3314, 3315, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, 3334, 3335, 3336, 3337, 3338, 3339, 3342, 3343, 3344, 3352, 3357, 3293, and 3293, as modified) were agreed to, as follows:

AMENDMENT NO. 3175, AS MODIFIED

(Purpose: To provide for the continued design and analysis under the reentry systems applications program for the advanced technology vehicle)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", up to $2,000,000 may be made available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

AMENDMENT NO. 3284, AS MODIFIED

(Purpose: A substitute to amendment No. 3284, offered by Mr. Bingaman that provides for the conversion of the configuration of certain AGM–65 Maverick missiles)

At the appropriate place in the bill, insert the following new section.

SEC. . Of the funds made available in Title III of this Act under the heading "Missile Procurement, Air Force", up to $5,000,000 may be made available for the conversion of Maverick missiles in the AGM–65B and AGM–65G configurations to Maverick missiles in the AGM–65H and AGM–65K configurations.

AMENDMENT NO. 3288

(Purpose: To increase funding for carrier modifications)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available under the heading "Weapons and Tracked Combat Vehicles, Army" in Title III of this Act, up to $10,000,000 may be made available for Carrier Modifications.

AMENDMENT NO. 3289

(Purpose: To increase funds for End Item Industrial Preparedness)

At the appropriate place in the bill, insert the following:

SEC. . Of the fund available under the heading ''Research Development Test and Evaluation, Army'' in Title IV of this Act, under ''End Item Industrial Preparedness'' up to $5,000,000 may be made available for the Printed Wiring Board Manufacturing Technology Center.

AMENDMENT NO. 3291, AS MODIFIED

(Purpose: To provide, with an offset, $6,000,000 for research, development, test, and evaluation Defense-Wide for the Arrow Missile Defense System (PE603875C) for enhanced interoperability of the system between the United States and Israel)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be made available for the Ballistic Missile Defense Organization International Cooperative Programs for the Arrow Missile Defense System in order to enhance the interoperability of the system between the United States and Israel.

AMENDMENT NO. 3298

(Purpose: to provide funding for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Army'', up to $3,000,000 may be made available for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory.

AMENDMENT NO. 3299

(Purpose: to provide funding for the Innovative Stand-Off Door Breaching Munition (ISODBM) technology)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Navy'', up to $4,500,000 may be made available for the Innovative Stand-Off Door Breaching Munition.

AMENDMENT NO. 3300, AS MODIFIED

(Purpose: To make available $3,000,000 for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $3,000,000 may be available for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels. The coating shall meet the specifications for Type II fire protectives as stated in Mil-Spec DoD–C–24596.

AMENDMENT NO. 3301, AS MODIFIED

(Purpose: To make available $2,000,000 for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, AIR FORCE'', up to $2,000,000 may be available for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS).

AMENDMENT NO. 3305

(Purpose: modification of H.R. 4576, Department of Defense Appropriations Bill, 2001)

At the appropriate place, insert the following:

SEC. . Of the funds appropriated in title IV under the heading RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY; up to $15,000,000 may be made available to continue research and development on Silicon carbide research (PE 63005A).

AMENDMENT NO. 3312

(Purpose: To make available $5,000,000 for Other Procurement for the Army for the development of the Abrams Full-Crew Interactive Skills Trainer)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'', $5,000,000 shall be available for the development of the Abrams Full-Crew Interactive Skills Trainer.

AMENDMENT NO. 3314, AS MODIFIED

(Purpose: To make available $5,000,000 for the Environmental Security Technical Certification Program (PE603851D) for technologies for the detection of unexploded ordinance from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $5,000,000 may be available for the Environmental Security Technical Certification Program (PE603851D) to develop and test technologies to detect unexploded ordinance at sites where the detection and possible remediation of unexploded ordinance from live-fire activities is underway.

AMENDMENT NO. 3315, AS MODIFIED

(Purpose: To make available $5,000,000 for the Strategic Environmental Research and Development Program (PE603716D) for technologies for the detection and transport of pollutants resulting from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' up to $5,000,000 may be available for the Strategic Environmental Research and Development Program (PE6034716D) for the development and test of technologies to detect, analyze, and map the presence of, and to transport, pollutants and contaminants at sites undergoing the detection and possible remediation of constituents attributable to live-fire activities in a variety of hydrogeological scenarios

AMENDMENT NO. 3316

(Purpose: To make available $5,000,000 for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature superconductor electric motor)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $5,000,000 may be available for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature super-conductor electric motor.

AMENDMENT NO. 3321

(Purpose: To provide $1,000,000 from Operation and Maintenance, Navy to continue a public service initiative)

At the appropriate place, insert the following:

SEC. . Of the funds provided in Title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $1,000,000 may be available to continue the Public Service Initiative.

AMENDMENT NO. 3323

(Purpose: To provide research and development funds for a chemical and biological defense program)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $3,500,000 may be made available for Chem-Bio Advanced Materials Research.

AMENDMENT NO. 3324

(Purpose: to set aside $3,000,000 for the Navy for operation and maintenance of a Navy benefits center)

At the appropriate place in the bill, insert:

SEC. 8126. Of the total amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $3,000,000 may be available only for a Navy benefits center.

AMENDMENT NO. 3325

(Purpose: To clarify that the authority to enter into contracts for LPD–17 class ships on an incrementally funded basis is to provide for two such ships)

On page 25 of the substituted original text, line 9, insert ''two'' after ''and''.

AMENDMENT NO. 3326

(Purpose: to add funding to the Navy Information Technology Center)

At the appropriate place in the bill, insert the following:

SEC. .Of the funds available in Title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $8,000,000 may be made available for the Navy Information Technology Center.

AMENDMENT NO. 3329

(Purpose: To provide research and development funds for the Solid State Dye Laser project)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $7,000,000 may be made available for Solid State Dye Laser project.

AMENDMENT NO. 3331

(Purpose: To make available $1,000,000 for Middle East Regional Security Issues)

At the appropriate place, insert:

SEC. . Of the amount available in Title II under the heading ''OPERATIONS AND MAINTENANCE, DEFENSE-WIDE'', $1,000,000 shall be available for Middle East Regional Security Issues.

AMENDMENT NO. 3332, AS MODIFIED

(Purpose: To make available $5,000,000 for research, development, test, and evaluation for the Navy for continuation of the Compatible Processor Upgrade Program (CPUP))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the total amount available under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $5,000,000 may be made available for continuation of the Compatible Processor Upgrade Program (CPUP).

AMENDMENT NO. 3334

(Purpose: To provide, with an offset, funds for five additional Weapons of Mass Destruction Civil Support Teams (WMD–CST) and for additional equipment for the Weapons of Mass Destruction Civil Support Team program)

At the appropriate place, insert the following:

SEC. ____. (a) ADDITIONAL FUNDS FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby increased by $3,700,000, with the amount of the increase available for the activities of five additional Weapons of Mass Destruction Civil Support Teams (WMD–CST).

(b) ADDITIONAL FUNDS FOR EQUIPMENT FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM PROGRAM.—(1) The amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'' is hereby increased by $11,300,000, with the amount of the increase available for Special Purpose Vehicles.

(2) The amount appropriated under title III under the heading ''PROCUREMENT, DEFENSE-WIDE'' is hereby increased by $1,800,000, with the amount of the increase available for the Chemical Biological Defense Program, for Contamination Avoidance.

(3) Amounts made available by reason of paragraphs (1) and (2) shall be available for the procurement of additional equipment for the Weapons of Mass Destruction Civil Support Team (WMD–CST) program.

(c) OFFSET.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' for the Defense Finance and Accounting Service is hereby reduced by $16,800,000, with the amount of the reduction applied to the Defense Joint Accounting System (DJAS) for fielding and operations.

AMENDMENT NO. 3335, AS MODIFIED

(Purpose: To add $30,000,000 for information security initiatives; and to provide offsets)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. (a) Of the funds available in title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', $30,000,000 may be available for information security initiatives: *Provided*, That, of such amount, $10,000,000 is available for the Institute for Defense Computer Security and Information Protection of the Department of Defense, and $20,000,000 is available for the Information Security Scholarship Program of the Department of Defense.

AMENDMENT NO. 3336, AS MODIFIED

(Purpose: To provide funds for a live-fire side-by-side test of the air-to-air Starstreak and Stinger missiles)

At the appropriate place in the bill, insert the following new section:

Of the funds provided in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' up to $12,000,000 may be made available to commence a live-fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles from the AH64D Longbow helicopter, as previously specified in section 8138 of Public Law 106–79.

AMENDMENT NO. 3337

At the appropriate place in the bill, insert the following new section:

Of the funds appropriated in the Act under the heading ''OPERATIONS AND MAINTENANCE, DEFENSE-WIDE'' up to $5,000,000 may be made available to the American Red Cross for Armed Forces Emergency Services.

AMENDMENT NO. 3338

(Purpose: To set aside for the XSS–10 micro-missile technology program $12,000,000 of the amount appropriated for RDTE, Air Force)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'', up to $12,000,000 is available for the XSS–10 micro-missile technology program.

AMENDMENT NO. 3339, AS MODIFIED

(Purpose: To provide for a demonstration project for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $3,000,000 may be made available for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps.

AMENDMENT NO. 3342

(Purpose: To provide support for the Bosque Redondo Memorial)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', $2,000,000 may be made available for the Bosque Redondo Memorial as authorized under the provisions of the bill S. 964 of the 106th Congress, as adopted by the Senate.

AMENDMENT NO. 3343

(Purpose: To make available, with an offset, $300,000 for research, development, test, and evaluation Defense-Wide for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $300,000 shall be available for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $300,000.

AMENDMENT NO. 3344

(Purpose: To make available, with an offset, $5,000,000 for research, development, test, and evaluation Defense-Wide for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $5,000,000 shall be available for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $5,000,000.

AMENDMENT NO. 3352

(Purpose: to make available $92,530,000 for C–5 aircraft modernization)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', $92,530,000 may be available for C–5 aircraft modernization, including for the C–5 Reliability Enhancement and Reengining Program.

AMENDMENT NO. 3357, AS MODIFIED

(Purpose: To increase by $2,000,000 the amount available for Military Personnel Research (PE61103D); and to offset that increase by reducing the amount available for the AFCC engineering and installation program (PE65123D) by $2,000,000)

On page 110 of the substituted original text, or at the appropriate place, insert the following:

SEC. . Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE WIDE'', up to $4,000,000 may be made available for Military Personnel Research.

AMENDMENT NO. 3293, AS MODIFIED

(Purpose: To make available an additional $21,000,000 for the Information Technology Center and the Human Resource Enterprise Strategy)

At the appropriate place in the bill insert the following new section:

SEC. . Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'' up to $7,000,000 may be available for the Information Technology Center.

Mr. STEVENS. Mr. President, I ask unanimous consent that it be in order to move to reconsider the vote en bloc.

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

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senators LOTT and COCHRAN be added as original cosponsors to the Leahy amendment, No. 3312.

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

Mr. STEVENS. Mr. President, we are going now to our respective party

luncheons. We expect to have additional items to present to the Senate upon our return.

I again call attention of Members to the report of the Parliamentarian on those amendments that are subject to rule XVI. It will be my intention when we return to ask that the Chair rule that rule XVI applies to those amendments, and that they be declared out of order.

RECESS

Mr. STEVENS. Mr. President, pursuant to the previous order, I ask that we stand in recess.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—Continued

AMENDMENT NO. 3308

Mr. STEVENS. Mr. President, I believe the pending business is the Boxer amendment, with 4 minutes equally divided

The PRESIDING OFFICER. Four minutes equally divided.

Mr. STEVENS. Senator BOXER.

Mrs. BOXER. I thank the chairman for his graciousness. I urge my colleagues to vote affirmatively on this. I hope we can get a very overwhelming vote.

My amendment simply protects children at the Department of Defense housing or playgrounds, day-care facilities, schools, from poisonous and toxic materials. It is consistent with the DOD guidelines. Frankly, it seems to me we should all support it. Basically, the guidelines say they will stay away from these poisons when they do routine spraying.

We ought to codify this because there is a little bit of ambiguity. I am very proud of the Department of Defense in so many areas that deal with children. For example, child care centers at the Department of Defense are the best in the world, truly, and certainly are a model for so many other child care centers in our country. However, it did take some horrible mistakes before that was straightened out. We don't want to have a horrible mistake, a mistaken spraying. We want to make sure it is done right.

I am very pleased that the EPA is supporting this amendment. They helped with it. We spoke a number of times with Colonel Driggers who said he believed this was, in fact, consistent with the DOD written guidelines. It could be that they would rather not have us do this. I think it would be good for this Senate to go on record stating that for routine spraying against pests in these areas, let's use the less toxic materials. If there is an emergency, an outbreak of something horrible such as encephalitis, we make room for that. We certainly have a clear exception in emergency situations. We are talking about routine situations.

We have seen Administrator Browner, with bipartisan support, ban some of the very harsh pesticides. I think we can work very well together in a bipartisan way to stop the routine spraying of these dangerous toxins.

Mr. STEVENS. Mr. President, last evening I did offer to accept this amendment. It does have some problems, and in conference we will try to work out those problems.

I do believe that the use of pesticides approved by the U.S. Environmental Protection Agency should be assured so that military children and those on military bases can have the same protections, protecting the food supplies of the commissaries and populated facilities on a military base. I think the preparation of homes, for instance, before they are occupied certainly requires the type of spraying approved by the EPA.

We will make certain there is full protection for those in the military. As I understand it, this is an amendment that is designed to prevent the use of the pesticides that would not be subject to approval by the EPA. I intend to support the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessary absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 14, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—84

Abraham	Dorgan	Lincoln
Akaka	Durbin	Lott
Ashcroft	Edwards	Lugar
Baucus	Feingold	Mack
Bayh	Feinstein	McCain
Bennett	Fitzgerald	McConnell
Biden	Frist	Mikulski
Bingaman	Gorton	Moynihan
Boxer	Graham	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Reed
Bryan	Gregg	Reid
Bunning	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee, L.	Hutchison	Sarbanes
Cleland	Inouye	Schumer
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thurmond
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Warner
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden

NAYS—14

Allard	Hutchinson	Sessions
Bond	Inhofe	Smith (NH)
Enzi	Kyl	Thompson
Gramm	Landrieu	Voinovich
Hagel	Nickles	

NOT VOTING—2

Rockefeller	Specter

The amendment (No. 3308) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we are awaiting the offering of other amendments on the Defense appropriations bill. There is no order, as I understand it, agreed upon between the leaders for another amendment to be offered at this time. So for any Senator who has an amendment to this bill, this is a good time to come and offer the amendment. We can have a debate on it.

The leadership has announced—at least the Republican leader has announced he wants to complete action on this bill tonight. To do that, we are going to have to make progress with the amendments. There are several pending amendments on both sides. So we urge Senators to come and cooperate with the managers of the bill so we can dispose of this legislation by the end of this session tonight.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I say to my friend, we have done a pretty good job on our side of the aisle. We literally only have a handful of amendments left. I think you should spend more time urging Members on your side of the aisle. We only have one amendment that is going to take any amount of time. The Senator offering that amendment has been tied up in hearings all day and has been unavailable.

Senator BOXER has offered three amendments. She has said she will be back in an hour to offer her last one. As I say, we have just a few amendments. So I think if you can get rid of a lot on your side, we might be able to make some more progress. We are literally down to maybe seven or eight amendments on our side.

Mr. COCHRAN. Mr. President, I thank the Senator for his explanation and his cooperation with the managers in the handling of the bill. We are equal opportunity expediters here. We want to expedite action on both sides of the aisle. I am sure the Senator understands that.

So we are working hard to try to get Senators to come to the floor now to continue the presentation of amendments, if they have them, on the bill.

In the meantime, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.