

AMENDMENT NO. 4925

(Purpose: To establish an illegitimacy reduction bonus fund)

Beginning on page 202, line 20, strike "a grant" and all that follows through line 13 on page 203, and insert the following: "an illegitimacy reduction bonus if—

"(i) the State demonstrates that the number of out-of-wedlock births that occurred in the State during the most recent 2-year period for which such information is available decreased as compared to the number of such births that occurred during the previous 2-year period; and

"(ii) the rate of induced pregnancy terminations in the State for the fiscal year is less than the rate of induced pregnancy terminations in the State for fiscal year 1995.

"(B) PARTICIPATION IN ILLEGITIMACY BONUS.—A State that demonstrates a decrease under subparagraph (A)(i) shall be eligible for a grant under paragraph (5).

On page 203, line 19, strike "(B)" and insert "(C)".

On page 204, line 7, strike "(C)" and insert "(D)".

On page 204, lines 13 and 14, strike "for fiscal year 1995" and insert "the preceding 2 fiscal years".

On page 214, between lines 10 and 11, insert the following:

"(5) BONUS TO REWARD DECREASE IN ILLEGITIMACY.—

"(A) IN GENERAL.—The Secretary shall make a grant pursuant to this paragraph to each State determined eligible under paragraph (2)(B) for each bonus year for which the State demonstrates a net decrease in out-of-wedlock births.

"(B) AMOUNT OF GRANT.—

"(i) IN GENERAL.—Subject to this subparagraph, the Secretary shall determine the amount of the grant payable under this paragraph to a low illegitimacy State for a bonus year.

"(ii) TOP FIVE STATES.—With respect to States determined eligible under paragraph (2)(B) for a fiscal year, the Secretary shall determine which five of such States demonstrated the greatest decrease in out-of-wedlock births under such paragraph for the period involved. Each of such five States shall receive a grant of equal amount under this paragraph for such fiscal year but such amount shall not exceed \$20,000,000 for any single State.

"(iii) LESS THAN FIVE STATES.—With respect to a fiscal year, if the Secretary determines that there are less than five States eligible under paragraph (2)(B) for a fiscal year, the grants under this paragraph shall be awarded to each such State in an equal amount but such amount shall not exceed \$25,000,000 for any single State.

"(C) BONUS YEAR.—The term 'bonus year' means fiscal years 1999, 2000, 2001, 2002, and 2003.

"(D) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for fiscal years 1999 through 2003, such sums as are necessary for grants under this paragraph.

MORNING BUSINESS

Mr. ROTH. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

THOMAS R. BURKE

Mr. HATCH. Mr. President, I rise to today to speak a few words in remem-

brance of Thomas R. Burke, whose recent, tragic death at the young age of 57 has robbed America of one of its leading health care policymakers.

Many of us in this body remember Tom Burke for his outstanding work at the Department of Health and Human Services. Indeed, I first came to know Tom over a decade ago during the confirmation process for one of the great HHS Secretaries of all time, Dr. Otis Bowen. I quickly came to admire Tom's forthright style, which some may have called gruff. But everyone respected Tom for his vigor, honesty, and impact.

In the early 1980's, Tom served as the staff director of the Advisory Council on Social Security, chaired by Dr. Bowen. When Dr. Bowen joined the Reagan administration as Secretary of Health and Human Services in 1985, he made a wise decision and chose Tom Burke as Chief of Staff of the 110,000 employee department. This was a significant honor and great responsibility—and Tom didn't let Dr. Bowen down. He stood as "Doc's" top-most advocate, defender, and protector, until President Reagan left office.

While many remember Tom for the Medicare catastrophic legislation, which I will discuss in a moment, Tom must be remembered for his many, many other accomplishments at HHS, including initiatives to: Strengthen patient-outcomes and medical effectiveness research; launch a public awareness campaign against alcohol abuse; propose reforms in the medical liability system; and, undertake managerial changes to elevate the Indian Health Service and rejuvenate the Commissioned Corps of the Public Health Service.

Tom Burke worked diligently on behalf of our Nation's seniors in the area of catastrophic health insurance. While we know that this legislation proved to be controversial, there is one aspect of this issue about which there can be no disagreement: Tom Burke worked hard to accomplish what he thought was in the best interest of the American public.

Indeed, the record must reflect that the original Bowen-Burke proposal was a much, much more modest proposal than that which the Congress ultimately expanded, approved and repealed. I remember well the initial idea which Tom had such a large hand in bringing to the forefront of public debate. It was a small add-on to the amount seniors pay for Medicare, under \$5 a month, in exchange for which seniors would have the peace of mind of knowing they had unlimited hospitalization coverage. Unfortunately, this was not the provision which became law.

Tom was widely recognized by his peers for these accomplishments, a fact recognized by the special awards he received from Secretary Bowen and Surgeon General C. Everett Koop.

Tom Burke had a long career in public service. In addition to his work at

HHS, Tom was a member of the Green Berets and also became Director of Health Policy Analysis for the Assistant Secretary for Health Affairs at the Department of Defense. These two assignments served him well in his later Government service.

Mr. President, after Tom's untimely passing, a number of us who worked closely with him wanted to express our admiration of his service to the government and of his achievements in health care policy. At this time, I ask unanimous consent that the statements of two of this body's most distinguished health care leaders—now retired—Senator Dave Durenberger, and Senator George Mitchell, be printed in the RECORD at this point.

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

STATEMENT OF SENATOR DAVID DURENBERGER

Tom Burke will always be my friend. He represents all that is good in making public policy in Washington D.C. We made a lot of it in the 1980's, especially through the Medicare program. It was Republicans and Democrats, Senate and House.

Our most significant effort was Burke-Bowen or Bowen-Burke or whatever. Neither was elected to Congress, but HHS Secretary Otis Bowen and his Chief of Staff, Tom Burke, made us who were in Congress make sense out of Medicare. They insisted we protect every elderly and disabled American from financial catastrophe because of medical, long-term care, drug price or medigap premium expenses. They created a "Secretary's Task Force" to iron out all the varied views; they marched it through all the Committees and the finale—a conference committee in the LBJ. Room on the Senate side of the Capitol.

I was the most recent Republican chair of the Health Sub-Committee of Finance, just replaced by George Mitchell, so Tom treated me with just enough of the deference due my office. But not so much that I didn't know he believed strongly enough in what we were privileged enough to do for America and that he'd find a way to get it done even if we had some disagreements.

America misses the policy that legislation changed. Its repeal has cost billions. And we all miss Tom now that the Lord has repealed his lease on our lives. Our last joint effort—a year ago—was his initiative too. When I retired from the Senate he called and put me to work helping him convince his beloved Indian University that its Otis Bowen Health Policy Center could really impact Washington if it had a presence here. And of course he'd carry on a part of that presence. Doing all the policy reform work that was left undone during his time with Secretary Bowen.

STATEMENT OF SENATOR GEORGE MITCHELL

Tom was a very devoted public servant who I came to know during the policy debates over Medicare Catastrophes Health Insurance in the late 1980's. Tom believed in the need to help the elderly better cope with the complexities and shortcomings of health insurance. He helped design and promote a Medicare Catastrophic benefit, even when doing so made him unpopular with some members of his political party. He cared deeply for the Medicare program and wanted to improve it for all beneficiaries. Tom fought long and hard for the passage of Medicare Catastrophic, and then renewed his fight during the ultimate repeal of the legislation. He took the defeat particularly hard,

but refused to believe that he couldn't continue to serve the public by turning his attention and expertise as an economist to other public policy issues.

Tom brought a passion to public service. As Chief-of-Staff under Secretary Otis Bowen, he was fiercely loyal to the programs of the Department of Health and Human Services. Tom devoted each day to finding ways to improve upon the services provided to millions of Americans. He was especially concerned with the Medicaid program, and believed that the application of managed care principles could help the poorest of our society. His style was often gruff and "take no prisoners," but his heart was always focused on the right place. His need to be popular fell second to his belief that through hard work he could make a difference to the people served by government.

Seeing the need to get more value from America's escalating health care expenditures, Tom firmly believed in the need for more and better information about what treatments and therapies work. He concurred with visionaries on the need for a significant investment in health services research to bring about more rationale and science-based medical care. He strongly supported my legislation on outcomes research and was a major force to help establish "effectiveness research" as a bona fide organizational responsibility of the Department.

I am sorry that we have lost such an unusually dedicated and forward thinking public servant. He put politics aside in order to accomplish goals he thought were in the best interest of the public. He was a man of great ideas, the will to make them reality, and a sense of humor that encased a heart dedicated to the American people.

Mr. HATCH. Mr. President, one of the things I remember fondly about Tom is that his measure of a man's judgment was often to look up and question, Is he a long-ball hitter? Judging Tom by his own measure, we all must conclude he could hit the home run ball.

More important than his many professional achievements, Tom Burke was a good family man. I want to take this opportunity to offer my condolences to his wife, Sharon; daughters, Rosemary, Heather, and Kerry; and son, Brendan. Although the love of a husband and father can never be replaced, with God's help and strength, his family will make it through this trying time.

It seems to me that far too often in this institution we get so engrossed in partisan and policy battles that we forget that ultimately it is people that matter. In losing Tom Burke we have lost a good public servant and a good man. We will all miss him.

TRIBUTE TO THE REVEREND DR. OTIS A. HERRING

Mr. BIDEN. Mr. President, with the death of the Reverend Dr. Otis A. Herring on Friday, July 12, the Wilmington, DE, community—and indeed a much larger community of family, friends and faith—suffered a loss we can not help mourn.

It is the loss of a husband and father, a son and brother, a grandfather and uncle, a nephew and cousin—a man who deeply loved and was deeply loved by his family

It is the loss of a inspiring preacher and inspired pastor who devoted 35 years of spiritual leadership of Wilmington's Union Baptist Church and the surrounding community.

It is the loss a morally engaged citizen who spoke fearlessly and worked tirelessly for the less fortunate among us; the loss of a man who created out of his own determined faith and the conscience of the community resources to serve the poor and the disadvantaged.

It is the loss of a friend and mentor, whose example made better people and a better community out of all of us.

But despite that catalog of loss we feel so keenly, Reverend Herring's death is not, in fact, an occasion fit only for grieving.

In the first place, if we can ever be sure that any man has attained the spiritual goal that is the promise of the faith many of us share, Otis Herring was beyond a doubt just such a man.

His memorial service was rightly called a "Homegoing Celebration," for the most important thing about Reverend Herring was that he believed. His whole life was an expression of that belief, and even as we sorrow for our loss, we must celebrate the final victory that he never for one moment doubted.

And we celebrate, too, with lasting gratitude, the living legacy of Otis Herring, a legacy that endures because he lived his faith with a steadfastness and a power that literally reshaped the community to which he was so devoted.

It is a legacy that lives in Union Baptist Community Services, a nonprofit organization that Reverend Herring founded and served for 22 years as executive director, and that counts among its neighborhood-designed programs a day-care center, anti-drug outreach, crisis assistance, mentoring and counseling for at-risk youth and families, housing for the disabled, tutoring and job training, a housing corporation, a neighborhood-improvement program, and a food closet.

It is a legacy that lives because Reverend Herring was a leader who called on us to come together as members of one community, a leader who made us not only see but feel our common bond and common obligation to one another as citizens and as children of God.

Reverend Herring's own exceptional citizenship earned widespread respect and recognition. In addition to high honors from the State of Delaware and the city of Wilmington, he received tributes from numerous organizations and institutions, including the University of Delaware and Delaware State University, the Delaware Businessmen's Association and the Brandywine Professional Association, the News Journal newspaper and the Jefferson Awards, the National Conference of Christians and Jews, the Mental Health Association, the National Urban Coalition, and many fraternal and civic organizations.

The record of Otis Herring's achievements and contributions, and the list

of awards and tributes recognizing them, is all the more extraordinary when we recall that he began to lose his eyesight when he was just a senior in high school, and that he was blind throughout his adult life.

Otis Herring was, in fact, a magnificent irony among us.

He lived in darkness, yet he illuminated the world around him; he was blind, yet he saw his way through life with a clarity both humbling and inspiring to the rest of us; he lost his sight, but he never lost his way, and he never failed to lead us to a higher ground.

As an editorial in Delaware's News Journal paper said, accurately and eloquently, of Reverend Herring, "His vision of his role in the world was unimpaired." And to that I would add only that our vision of our role in the world is brighter, more challenging and more rewarding because of the way he lived his life among us.

In extending our sympathies to Reverend Herring's wife, Carol, to his son, Steven, to his mother, brother, sister, grandson, and loving extended family, we do indeed share their deep sadness and sense of loss.

But we also share their sure and certain faith that, long after the sadness of his death has passed, Otis Herring's life will stand as a triumph and as a never-ending cause for celebration.

THE REALITY BEHIND CANDIDATE BOB DOLE'S VOUCHER PROPOSAL

Mr. KENNEDY. Mr. President, Yesterday Candidate Bob Dole claimed to offer Americans an "Education Consumer's Warranty." Today, we saw the reality behind the claim—a recycled plan called Opportunity Scholarships that gives opportunity to the few at the expense of the many.

Candidate Dole's \$2.5 billion plan would pay \$500 toward \$1,000 vouchers for elementary school students and \$750 toward \$1,500 vouchers for high school students. States would have to match the Federal voucher.

Candidate Dole's new-found appreciation of the importance of education comes on the heels of a long and distressing anti-education record, including opposition to public school choice and grants for higher education.

Last year, as majority leader, Senator Dole voted to cut \$25 billion from education programs that help 52 million students learn reading and math skills, that help teachers to teach, and that prevent violence and drug abuse in school. With strong leadership from President Clinton, Congress rejected those devastating Republican cuts.

Candidate Dole claims that his voucher plan is modeled after the G.I. Bill of Rights and other Federal programs that help students afford college. But in Congress, Bob Dole has a 3-decade-long record of opposition to Federal college aid. In 1965, as a member of the House of Representatives, he voted against the creation of the first