

for expectant mothers. That is an exceedingly wise investment.

There are different ways of funding this proposal, Mr. President. My principal interest and I believe all of ours is to get the job done. I will introduce legislation that will ensure that all working families can afford to purchase private health insurance for their children. I support an increase in the tobacco tax to cover this cost because of the relationship between tobacco and children's health. A number of our States are moving forward in terms of addressing the issues of children's smoking and all of the implications that has as a gateway drug. The States know that curbing smoking among young people is a sound and wise way to proceed.

But there are alternative ways to fund this program. I have every intention of working with our leader and those on the other side of the aisle to try and find alternatives.

Our principal interest is getting the coverage for these children. If we achieve very little else in this Congress we should cover our children. We should move in those areas, and also move in the areas of coverage of pensions for working families. We need to make steps in the area of pensions when we realize that close to 60 percent of all working families do not have any pensions at all and that there is an increasing number of working families that do not have pensions.

We are all thankful about Social Security. We know we have challenges that have to be addressed in the areas of ensuring its financial integrity over the period of the years but that is basically a program to prevent people from living in dire poverty. What we are talking about are those working families that have a standard of living who have been participants in our society, in so many instances served in the Armed Forces, want to be part of a pension system, and are not part of it because of various complications that have existed out there. We ought to make it easier for them to participate, encouraging employers as well as employees.

I would say in this area, Mr. President, no one has a greater interest in this area of pension coverage than women in our society. They are the ones that often are the part-time workers. They enter and leave the work force to meet various family needs and family requirements. And they are the ones, if you identify any group, are the ones that are left out and left behind in terms of a national pension system.

We have to be more responsive to their particular needs. And I commend the work that has been done on this by Senator BOXER and CAROL MOSELEY-BRAUN and DIANNE FEINSTEIN, PATTY MURRAY, BARBARA MIKULSKI, and many in our caucus that have provided important leadership in this very important area.

Finally, Mr. President, I want to mention one area that working fami-

lies are very much concerned about. These themes are all related to security for working families. What is more important for working families than they are going to be able to make sure that their children are going to get covered? What is more important for working families than making sure that their children are going to be able to continue in the areas of education? What is more important for working families than if they are going to be able to look to the future with some degree of hope and opportunities and some degree of security with the pension reforms?

I just mention, finally, unfinished business as part of our immigration law last year. We are working to ensure protection for American workers, for American jobs that are being replaced by foreign workers who are displacing those American workers, not being paid the adequate kind of salary, given the decency in terms of benefits. They are replacing an American worker in the first place and then because they are doing that at much less of a wage, much less benefits, being able to be competitive to the disadvantage of other Americans with whom they might be competing in producing widgets, for example, and therefore seeing other Americans that are going to lose their jobs.

There are two basic and fundamental concepts that underlie our basic problems with the issues of immigration—one is addressing the needs at the border in terms of halting illegal immigrants that are coming here and, second, addressing the magnet of jobs—the magnet of jobs.

If you look at the Jordan study, if you look at the Hesburgh study on what is the key issue in terms of attracting immigrants, illegal immigrants, immigrants that are going to abuse the immigration system, you will find out it is jobs. Unless we are going to make sure that Americans are not going to have important jobs, and we are talking about hundreds of thousands of jobs a year in many instances—we have really failed on the other extremely important effort in terms of immigration reform. We had important provisions in the immigration bill last year that Senator SIMPSON supported, many of us supported. Those were dropped in the conference. We will come back to that particular issue in this year.

#### HEALTH CARE IN THE 105TH CONGRESS

Mr. KENNEDY. Mr. President, if we act on health care in a spirit of bipartisanship this year and build on the accomplishments of last year, the new Congress can be the Health Care Congress.

There are several significant health care goals that this Congress can and should accomplish:

We should expand health insurance coverage for children and the unemployed.

We should deal with the serious problem of abuses by HMO's by adopting needed patient protections and standards for care.

We should put Medicare on a sound fiscal footing for the next decade, without dismantling the program or adding to the already high health care costs that burden senior citizens.

We should protect Medicaid, as we did last year, against any attempts to undermine protections for children, senior citizens, and the disabled.

The final months of the last Congress were a period of considerable accomplishment. We finally broke the long stalemate over health care reform. We passed a health insurance reform act. We made a start toward long-overdue parity for mental health coverage. We put an end to the insidious practice of drive-through deliveries, by guaranteeing newborn infants and their mothers a 48-hour stay in the hospital if they need it.

The Health Insurance Portability and Accountability Act of 1996 ends some of the worst abuses in the current insurance system. It guarantees that, as long as you faithfully pay your premiums, your insurance cannot be taken away—even if you become seriously ill, or change your job, or lose your job. In addition, insurance companies can no longer impose new exclusions for pre-existing conditions, as long as you do not let your insurance lapse.

The legislation on mental health parity was a first step toward the day when those who suffer from mental illness will receive the care they need and deserve. The ban on drive-through deliveries is a wake-up call to unscrupulous health plans that exalt profits over patients' needs.

Now, we have a new Congress and a new opportunity to build on these achievements. The crisis that put health care on the front-burner of public policy has not gone away. In fact, it has become worse. Between 1990 and 1994, the number of uninsured Americans rose from 34 to 40 million, and it continues to climb.

A quarter of the uninsured—over 10 million—are children. One in every seven children in America today have no health insurance. Almost all of these children have parents who work. Cutbacks in employer coverage are worsening this problem, as more and more employers decide to cut costs.

Many firms are shifting from full-time to part-time employees. Others are contracting out work to firms that typically don't provide benefits. Large employers with generous benefits are reducing the number of employees eligible for the benefits. Other employers are dropping coverage for early retirees, or even all retirees. Cost-sharing is going up, and coverage of spouses and children is going down. Every 35 seconds another child loses private insurance. Parents should not have to live in fear that their employer's failure to provide coverage will deny their children good health care.

Every Member of Congress knows that those who are uninsured or underinsured can see the savings of a lifetime swept away by a single serious illness. Every Member of Congress knows that those who are uninsured are vulnerable to financial catastrophe, and are too often denied the timely, quality care they need to avoid disability or death. Children in particular often suffer premature death or a lifetime of unnecessary suffering because they lack the access to quality care that insurance provides.

All children deserve the health care they need for a healthy start in life. Every family deserves the security of knowing their children will get the health care they need. Unfortunately, too many American children lack that care, and too many families lack that security.

Uninsured children are less likely to see a doctor regularly. As they grow, they tend to receive little or no treatment, even when they need it for injury or illness. If the case is serious enough, they go to the hospital. The only family doctor they know is the hospital emergency room.

More than half of uninsured children with asthma never see a doctor. A third of uninsured children with recurring ear infections never see a doctor, and many suffer permanent hearing loss.

Providing health care for children is sound public policy and also sound economics. It's an investment in the future. Dollars spent immunizing a child or providing prenatal care can save hundreds or even thousands of dollars in future medical costs.

At the end of the last Congress, Senator JOHN KERRY and I introduced a program to make private health insurance coverage accessible and affordable for all children through age 18. Working families will have the financial assistance they need to purchase such coverage, including care for pregnant women, so that every baby has a healthy start in life. We intend to reintroduce this legislation with other Members of the Senate early this year. A similar plan is being introduced today by Senator DASCHLE, and I am hopeful action in this area will be high on the agenda of both parties.

The legislation that Senator KERRY and I intend to offer will make Federal assistance available to the States on a sliding scale to help families purchase health insurance for their children at group rates, if they do not already have coverage under an employment-based plan or an existing public program. The covered benefits will include in-patient, out-patient, and preventive care—all comparable to the coverage available under good group health plans.

The plan does not guarantee that every child will have insurance coverage. But it will give every family the opportunity to cover their children at a cost the family can afford.

I hope this program will receive broad bipartisan support. The Health

Insurance Reform Act passed by the last Congress was based on the common elements of proposals that had previously been introduced by Republicans and Democrats alike. Our current plan for coverage of children also meets that test. Every Republican proposal and every Democratic proposal introduced in the first 2 years of the Clinton administration expanded coverage by providing financial assistance to low and moderate income families to purchase private insurance. Almost all of these proposals included extra assistance to purchase children's coverage. Members of Congress on both sides of the aisle recognize the importance and priority of covering children.

Our legislation establishes no Government mandates. It relies on the private sector to provide insurance and deliver care. It imposes no price controls. It builds on the efforts of 14 States that already have similar programs in place.

Our plan will be financed by an increase in the tobacco tax, because that tax is an especially appropriate means of funding children's health coverage. Society pays dearly for the health costs of smoking. We know that the tobacco industry is targeting children. If children start smoking, the industry will live. If children stop smoking, the industry will ultimately die. It's as simple as that.

According to the Centers for Disease Control and Prevention, if nothing more is done, 5 million of today's children will die prematurely as the result of smoking. An increase in the tobacco tax is the most important single step we can take to reduce childhood smoking, save lives, and lower the health costs of smoking over the long run.

In addition, we must do more to provide health care for the unemployed. For too many workers between jobs, coverage is difficult or impossible to afford. Too often, they are forced to let their insurance lapse in order to meet other needs. Modest financial assistance can make all the difference in making coverage available and affordable. Massachusetts has already shown that such coverage can be provided at reasonable cost.

Another key area to address is managed care. In many ways, its current growth is a positive development. Managed care offers the opportunity to extend the best medical practice to all medical practice. Good managed care plans provide more coordinated care and more cost-effective care for people with multiple medical needs.

It compares favorably with fee-for-service medicine in a variety of ways, especially preventive care and early diagnosis of illness. But the same financial incentives that make HMO's and other managed care organizations so cost-effective can also lead to under-treatment or excessive restrictions. Some managed care plans put their bottom line ahead of their patients' well-being—and pressure physicians in their networks to do the same.

Some of the worst abuses include failure to inform patients of treatment options; excessive barriers against referrals to specialists; irresponsible attempts to slash hospital care; unwillingness to order appropriate diagnostic tests; inadequate support for clinical trials and academic health centers; refusal to pay for potentially lifesaving treatment; and lack of fair ways to resolve disputes or redress grievances. Some of these problems affect conventional insurance as well. In many cases, these failures have tragic consequences.

The ban adopted in the last Congress on drive through deliveries was a first step in dealing with these problems. We also attempted to deal with another flagrant HMO abuse—the so-called gag rules that prohibit doctors from mentioning certain treatment options with patients. Time ran out before we could complete action, but the issue is high on our agenda for 1997. Managed care plans themselves have recently taken a strong position against this abuse. But there continues to be strong bipartisan support for additional steps to guarantee consumer protections and adequate care—and this Congress should be the Congress that enacts needed legislation in this area.

As we try to pass measures to improve the health of the American people, we must not undermine effective programs already in place. In the last Congress, a destructive proposal to slash Medicaid and convert it to block grants to the States threatened to strip children and parents, senior citizens, and disabled of needed coverage. Senior citizens in nursing homes could have lost their protection of quality of care, and their families would have been increasingly burdened by the high cost of long term care. Fortunately, that assault on Medicaid failed. In this new Congress, I hope that a bipartisan approach will keep such extreme measures from serious consideration.

Finally, we need to act responsibly on Medicare. President Clinton has proposed responsible steps to protect patients while extending the life of the trust fund for a decade. Senior citizens deserve fair action by this Congress on Medicare. But we should continue to reject proposals to slash Medicare to pay for tax cuts for the wealthy, or to force senior citizens to give up their own doctor and join private insurance plans under the guise of expanding patient choice, or to pile additional out-of-pocket costs on hard-pressed senior citizens.

This Congress can be the Congress that puts Medicare and Medicaid on a stable basis for the next decade. This can be the Congress that guarantees quality and consumer protection in managed care. This can be the Congress that gives every family health security for their children and every child the opportunity for a healthy start in life. This can be the Congress that grants the unemployed needed protection for health insurance. If we

work hard together, this Congress can achieve these goals, and both Republicans and Democrats will deserve a real vote of thanks from the American people.

#### SENATE DEMOCRATS' LEADERSHIP BILLS

Mr. KERRY. Mr. President, I want to commend the Democratic leader for the package of initiatives he has developed on behalf of Senate Democrats. Most of these proposals came out of the 1996 Families First agenda. I was proud to be involved in that attempt to meet the real needs of everyday Americans and I am proud to be a cosponsor of these bills today.

The Education for the 21st Century Act, S. 12, continues Democrats' historic commitment to education. Federal support for education is one of the best investments our Nation can make to ensure a prosperous future. The bill would provide tuition assistance, restore the student loan interest deduction, subsidize State and local bond issues used to finance school construction and repair, fund the Parents as Teachers Program to assist parents who want to help their children become successful readers, and create a technology literacy challenge fund to catalyze and leverage State, local, and private efforts to increase technology literacy among our Nation's schoolchildren.

The Children's Health Coverage Act, S. 13, would help working families purchase private health insurance for their children. Although Senator KENNEDY and I have a bill which uses a subsidy approach rather than a tax credit approach, our bills are fundamentally similar. Both would provide assistance to children 18 and under and pregnant women to purchase private health insurance, both would provide a comprehensive benefits package, and both would provide assistance on a sliding scale to the working parents of uninsured children. I look forward to working with Senator DASCHLE, my fellow Democrats, and my Republican colleagues to pass a bill this year to provide children the health insurance they need and working parents the peace of mind they deserve.

The Retirement Security Act, S. 14, includes a wide range of proposals designed to help Americans prepare for a secure retirement. These would address the fact that too many Americans lack pension coverage by covering more workers under existing plans, creating new retirement savings options for millions of Americans, and encouraging more businesses to establish plans and more employees to participate in them. The bill would improve pension access and coverage, strengthen pension security, promote pension portability, and increase equity for women.

The Youth Violence, Crime and Drug Abuse Control Act, S. 15, would build on the success of the 1994 Crime Act and other crime fighting initiatives en-

acted during President Clinton's first term. I am proud to have been a leader in securing funding in the 1994 Crime Act for placing 100,000 new cops on the streets of America's communities. Thanks to the presence of the newly funded police officers, a fully funded Violence Against Women Act, and the Brady law—which has prevented more than 60,000 felons, fugitives, and stalkers from purchasing handguns, violent crime is lower than at any time since 1990. This bill balances the need to target and punish violent, young criminals with proven drug prevention programs. We would put 25,000 more police officers on the streets by extending the COPS Program for 2 years, and we would extend the Violence Against Women Act to provide shelter for 400,000 more battered women and their children, increase Federal penalties for juveniles by raising the mandatory release age from 21 to 26, increase penalties for gang violence, and reauthorize the Safe and Drug Free Schools Program.

Senator DASCHLE deserves our thanks for his leadership in spotlighting these issues of education, children's health care, retirement security, and youth violence that are so critical to the future of our Nation and to the well-being of the American people. He and his staff are to be commended for drafting these bills to address the issues. I look forward to working with Senator DASCHLE and other Senators on both sides of the aisle to pass legislation to meet these compelling needs.

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

(The remarks of Mr. DORGAN pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### SERIES OF INITIATIVES

Mr. DORGAN. Mr. President, I intend to discuss at a later time a series of initiatives that Senator DASCHLE discussed in brief form dealing with health care, education, pensions, and a number of other issues, including discussing another issue that is important to me, a piece of legislation that Senator DASCHLE and I and others are introducing dealing with some changes with respect to agricultural programs and family farmers in our country.

I see others are seeking the floor. I yield the floor at this time.

I would like to reserve the remainder of the Democratic time today.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. DOMENICI. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The minority has reserved its time. The Senator from new Mexico may seek time.

Mr. DOMENICI. I ask that I be permitted to speak for 10 minutes.

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

#### THE REPUBLICAN LEGISLATIVE AGENDA

Mr. DOMENICI. Madam President, fellow Senators, I rise to compliment the Republican leader on the announcement today of the first Republican legislative agenda for the 105th Congress. I believe that most Americans would support the principles and the ideas contained in these 10 pieces of legislation. I also believe that within the Senate itself there is a compelling majority that will support these 10 proposals. From my standpoint, I support them all, but I do reserve the right in two or three instances to change some of the things that are in the bills. But in no way does it minimize my admiration of and respect for the leadership for putting these bills forth, and the Republican conference and the hard work they put into coming up with these ideas and these basic premises.

I would like to just run through each one quickly with a few thoughts of my own, and then yield the floor to my friend, the new Senator from Wyoming.

The balanced budget constitutional amendment: I do not think there is any question that that piece of legislation speaks to the wishes of a huge percentage of Americans. I would not be surprised if as many as 70 percent or 75 percent of Americans believe that we ought to build into our institutions a mandate—unless we have a war where we cannot abide by a balanced budget—that we ought to produce a balanced budget every year.

Frankly, I have been working on budgets long enough to on the one hand be pulled by those who say, "Why don't we do it ourselves? Why do we need the force in effect of a constitutional amendment?" I guess the fact that we have all been working on it so long and can't get it done—and that when we look across the industrial nations, all we find is that with the passage of time instead of spending less, all governments spend more; instead of getting their deficits and debts under control there is growing concern, even in Europe, among most of our industrial friends there, that such things as pension plans and deferred obligations are going to bankrupt their countries. We are doing fairly well. But I do not think anybody ought to misconstrue the trend lines in terms of our current deficits to think that it is going to be easy to keep the deficit under control.

In the next couple of weeks the Budget Committee will have a series of hearings to show what the next century is going to look like and what the major problems are, as the President