

that one of my staff, Mr. Jim Dohoney, be granted floor privileges during my remarks this morning.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

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

#### IMPLEMENTATION OF THE FOOD QUALITY PROTECTION ACT

**MR. LOTT.** Mr. President, it is rare for both Houses of Congress to reach a unanimous agreement—fully bipartisan legislation. The Food Quality Protection Act (FQPA) was enacted in this manner in 1996. This new law eliminated the famed Delaney Clause for residues in raw and processed foods—replacing it with a scientific, rational standard of "reasonable certainty of no harm." Food and agricultural interest, as well as the pesticide industry, saw the passage of FQPA as an opportunity to assure that sound science is paramount in EPA's determinations on use of crop protection chemicals. It is worth saying it again—a scientific, rational, sound and reasonable standard.

Mr. President, sound science is what the authors intended and expected. This is what Congress wanted—sound science as the rule's foundation. Further, the new law provided an additional safety factor to protect infants and children, and new ways of assessing pesticide benefits and risks. This is something Congress fully supported. Despite a unanimous Congressional vote, implementing the law at the regulatory level has been a very difficult and unnecessarily complex process.

In fact, only a few months after the law was passed, the entire FQPA implementation process broke down. Members of Congress voiced their concern. The problems were so great and concerns from America's agriculture industry so substantial that Vice President GORE sent a Memorandum to both the Department of Agriculture and the Environmental Protection Agency on April 8, 1998. This memorandum laid out the White House's plan for getting FQPA's implementation back on track.

The White House's plan for FQPA implementation contained four basic principles. It included sound science in protecting public health, regulatory transparency, reasonable transition for agriculture, and consultation with the public and other agencies. The Vice President's approach was supported by America's agriculture community. Everyone's hopes were high.

Mr. President, today, almost a year after the White House got directly involved in FQPA's implementation process, it is still off track. It is becoming clear to me that Congress may again have to revisit FQPA.

Mr. President, Congress wanted a law to eliminate the scientifically inadequate and outdated Delaney Clause. What Congress and the Nation got was

much worse. In fact, the EPA has failed to provide scientifically sound guidance to the regulated community. The EPA approach follows a path toward great economic harm for both agricultural producers and urban users of these products—an EPA approach which is without scientific foundation.

Farmers, the food industry, pest control interests, and many others are understandably concerned. Americans want and deserve a fair, workable implementation of this bipartisan law. Americans want and deserve rules that are based on real information and sound science. Americans want and deserve rules that follow the Vice President's memo. Americans want and deserve rules which fit FQPA's requirements.

In order for these rules to be achieved EPA must:

Allow development of the best scientific methodology and data;

Base its decisions on actual pesticide uses rather than model assumptions; and

Operate in an open, transparent manner to establish uniform, scientific and practical policies.

Mr. President, this is simple and straightforward, and makes scientific common sense. This request is consistent with the intent of the unanimously passed law. This request is also consistent with the Vice President's memo of nearly a year ago.

The requirements of the law are achievable. I have confidence that EPA can do this right—EPA just needs to take the time, invest the effort with the proper focus.

EPA must recognize the problems that will be created if FQPA is improperly implemented. It is estimated that the economic impact for agricultural producers is tremendous. For just one class of chemicals being analyzed by EPA, estimates have shown a 55% yield loss in my state for corn if these products were eliminated. For cotton in Mississippi, the yield loss has been estimated at 8 percent. Crops across the United States would also be negatively impacted.

However, Mr. President, FQPA is not just about farming. Poor implementation of FQPA could also have consequences in the public health area. FQPA's passage was not just about reassessing old products, it was more about getting new, safer crop protection products on the market. FQPA's passage was bipartisan & unanimous because Congress also wanted new products and a rational scientific process. One such new product intended for use on cotton is currently under review by EPA. This new cotton insecticide, PIRATE, is extremely important to Mississippi cotton producers and we need full registration of this product before the growing season this year.

Mr. President, EPA must implement FQPA properly. EPA should not make any final decisions on important pesticide products until they have completely developed a clear and trans-

parent process for implementing the law and have evaluated the impacts of product loss. With that done—FQPA will meet the expectations of Congress.

#### NATIONAL MISSILE DEFENSE

**MR. GRAMS.** Mr. President, I wish that I could say that Congress and the President of the United States are doing everything possible to protect the American people and preserve the values that we hold dear. But that is not the case.

At this time, the United States is defenseless against a ballistic missile attack. Clearly, that is an unacceptable state of affairs. Recent events demand the United States move forward and deploy, as soon as technologically possible, an effective National Missile Defense (NMD) system which can defend U.S. territory against any limited ballistic missile attack, whether from an accidental, unauthorized, or deliberate launch.

It is my sincere hope that President Clinton's recent decision to request \$6.6 billion over 6 years for missile defense research in his budget reflects a new commitment to deploy the most extensive, effective national missile defense system in the shortest amount of time. I am pleased the President finally understands the need for a missile defense system and hope he will continue that commitment. Any President sworn to protect our Nation must support the deployment of a system that would protect Americans from annihilation.

We know that the threat of a missile attack is growing stronger as more emerging powers, such as North Korea and Iran are developing long-range ballistic missiles that could reach the United States. As recent events have shown, we cannot rely on the intelligence estimates this administration has been using as a security blanket. Remember, our intelligence community projected that Iran could not field its medium-range ballistic missile (the 800-940 mile range Shahab-3) until 2003, but Iran flight-tested this system 6 months ago. We were also surprised by North Korea's test firing of a two-stage missile over Japan last August. It is simply not reasonable to assume that the United States will get 3 years' advance warning, thus allowing 3 years to deploy a limited defense under the Clinton administration's "3+3 deployment readiness program."

As the congressionally mandated bipartisan Rumsfeld commission noted, Iran has acquired and is seeking advanced missile components that can be combined to produce ballistic missiles with sufficient range to strike all the way to St. Paul, Minnesota. As the Senator from Minnesota, I must say that I take that threat to heart. In addition, North Korea is close to testing a new missile that will have sufficient range to strike the continental United States. When that occurs, the threat to

the United States could increase exponentially, because North Korea has announced that it had and would continue to sell ballistic missiles and production technology to any interested buyer.

We live in a very dangerous world that is growing more and more volatile—a world where rogue regimes and terrorist groups are developing and purchasing the means to attack our Nation. We have to make a choice. We can rely on leaders like Saddam Hussein to show restraint, which seems unlikely—or we can develop a national missile defense that will provide the United States with means to counter a ballistic missile attack.

America can no longer afford to hide behind the outdated ABM Treaty. It does not offer any protection from the threats emerging at the end of this century. It was negotiated and ratified to address the cold war era when the Soviet Union was our major threat. At present, rogue states consider ballistic missiles valuable instruments to intimidate countries that are unable or unwilling to defend themselves. As a member of the Senate Foreign Relations Committee who supports a strong leadership role for the United States in the global arena, I am concerned that the U.S. vulnerability to missile attack could undermine our Nation's capacity to defend our national security interests abroad. For the sake of our Nation's security, I hope this administration will move forward to embrace the most effective national defense system possible. The future of our great nation literally depends on it.

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

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, it is my understanding I have been given some 10 minutes in morning business, but I am coming up against an 11 o'clock scheduled floor debate. If the manager of the bill is not on the floor, I would like to proceed with my 10 minutes in morning business.

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

Mr. DURBIN. Thank you, Mr. President.

#### THE SURPLUS, SOCIAL SECURITY AND MEDICARE

Mr. DURBIN. Mr. President, I just left a hearing of the Senate Budget Committee, and I thought it was ironic that we are now in a debate over the disposition of America's surplus. I am sure the President will recall that 2 years ago, almost to the day, we were here on the floor of the U.S. Senate

where the chairman of the Senate Judiciary Committee, Senator ORRIN HATCH of Utah, brought out virtually every budget report from the last 30 years that he believed to be in deficit, in red ink, and stacked them up. They were higher than the height of the Senator from Utah, and he is a tall man, making the point that we had been embroiled in deficit spending for so long we had no recourse, nothing we could do, other than to amend the Constitution of the United States and to give the Federal courts the authority to force Congress to stop spending, to stop deficits, with the so-called balanced budget amendment. That amendment lost by 1 vote 2 years ago. It was the hottest item on the Senate calendar 2 years ago.

Today, we are deeply embroiled in a debate in the Senate Budget Committee on how to spend the surplus. We have turned the corner as a nation, and the President has come forward and said, "I think we should take this surplus and use it in a sensible way for the future of America." I hope we engage in debate here in the 106th Congress, House and Senate, Democrats and Republicans, in a way to do that responsibly.

I think we should take the President's advice that at least 62 percent or so of this surplus be dedicated to Social Security, to retire the debt in Social Security, to give it a longer life. But then we seem to break down after we kind of reach that agreement on 60 percent or so of that surplus, and it is that breakdown I would like to address for just a few moments on the floor of the Senate this morning.

One of the things that concerns me is that there are other programs in need of help, not just Social Security, not the least of which is Medicare. And after we have taken some 60 percent of the surplus and spent it to solidify Social Security, the President is suggesting we take some 15 percent of that surplus and invest that in Medicare, adding about 10 years to the Medicare Program.

We have to do more. Just putting that money in may buy some time. We know the fundamentals of the program need to be addressed. And if I am not mistaken, this week, or soon, we will have a report from a bipartisan commission on what to do with the future of Medicare. It won't be easy, whatever it might be.

But I am concerned that the Republican Party, in addressing this same surplus, does not speak to the need for more money into Medicare. Instead, what they are proposing is \$776 billion in tax cuts. I cannot think of two more popular words for a politician to utter than "tax cuts." People just sit up and listen. "Are you going to cut my taxes? I want to hear about it." It is a very popular thing to say.

But I hope we will step back for a moment and realize that a program like Medicare needs an infusion of capital to make sure it can survive. Gene

Sperling, the economic advisor to the President, said the other day, in a bipartisan meeting, he is hoping the Republican leadership will join us in not only dedicating surplus to Social Security but also to Medicare because so many millions of Americans are dependent on that.

I might also say that I think there is need and room for some tax cuts after we have taken the surplus and put it into Social Security and Medicare, things we need to do. But I do not believe the tax cut which has been proposed, at least initially, by the Republican Party is one that is fair, because, frankly, it is not progressive. Inasmuch as it is not progressive, this chart demonstrates what happens.

For the bottom 60 percent of wage earners in America, those making \$38,000 a year or less, a 10-percent across-the-board tax cut means a savings of \$99 a year, about \$8.25 a month—hardly enough to pay the cable TV bill, let alone change a lifestyle—\$99 in tax cuts for the bottom 60 percent of wage earners in America.

The same Republican tax cut, though, for the top 1 percent of wage earners, those making over \$833,000 a year—over \$833,000 a year—for them the Republican tax cut is worth \$20,697. Ninety-nine dollars for 60 percent of America; for 1 percent of America, \$20,000 in tax breaks.

That offends me. And I think it is worthy of a debate. I think it is more sensible for us to focus tax breaks on working middle-income families—families who are trying to pay for day care, families who are trying to save a few dollars for their kids' college education, families who are trying to get by. Keeping this kind of a tax break for the wealthiest of Americans may make them happy but I do not think it is good for this country.

I think the single best thing for us to do with this surplus is to retire our public debt. The President's proposal of focusing 62 percent of it in retiring the debt in Social Security and another 15 percent into Medicare is eminently sensible. Before we take the money that could be used to save Medicare and give it away in tax cuts that really benefit the wealthiest of Americans, I hope we will stop and think twice and remember that only 2 years ago we heard passionate speeches on this floor that, without an amendment to the Constitution of the United States giving the Federal courts the authority to clamp down on Congress' runaway spending, deficits would loom for generations to come.

We have turned that corner. With the leadership of the administration, with the cooperation and leadership of a bipartisan Congress, we are here today discussing surpluses. Let us do it in a sensible way—retire the national debt, take that burden off future generations, put the money into Social Security and Medicare, so that those programs will be sound for generations to come.