

Mr. DOMENICI. I am going to. Sometimes it takes a little while. I am getting tired and sleepy.

The only amendment that could be ahead of all of this would be Senator SPECTER's amendment. And if you have not used all your time tonight, you will get some in the morning.

Mr. HARKIN. That's right.

Mr. DOMENICI. So when that is finished, when they have completed the pending amendment, then I ask unanimous consent that the next six amendments be alternatively spread between Democrat and Republican and that the three Democrat amendments, when they are supposedly to be called up, will be first—

Mr. REID. First, Senator KENNEDY; second, Senators DASCHLE and DORGAN; and third, Senator JOHN KERRY.

Mr. DOMENICI. Could you tell us what the second one is?

Mr. REID. One is dealing with agriculture.

Mr. DOMENICI. OK. Then the Republicans will appropriately assign their amendments. We will make our own arrangements on this side as to which ones go when.

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

Mr. CRAIG. Mr. President, is the pending business the Specter amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. The Senator from Iowa would debate that; is that the intent at this time? Would the Senator from Iowa mind if I introduced and laid aside an amendment at this moment? It would take me a half minute.

Mr. HARKIN. Yes, of course.

#### AMENDMENT NO. 146

(Purpose: To modify the pay-as-you-go requirement of the budget process to require that direct spending increases be offset only with direct spending decreases)

Mr. CRAIG. Mr. President, I ask unanimous consent that I be allowed to introduce an amendment without laying the Specter amendment aside. That amendment is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG], for himself, Mr. KERREY, Mr. HELMS, and Mr. INHOFE, proposes an amendment numbered 146.

The amendment is as follows:

At the end of title II, add the following:

#### SEC. . REQUIREMENT TO OFFSET DIRECT SPENDING INCREASES BY DIRECT SPENDING DECREASES.

(a) SHORT TITLE.—This section may be cited as the "Surplus Protection Amendment".

(b) IN GENERAL.—In the Senate, for purposes of section 202 of House Concurrent Resolution 67 (104th Congress), it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that provides an increase in direct spending unless the increase is offset by a decrease in direct spending.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the af-

firmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of direct spending for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

Mr. CRAIG. Mr. President, this is a pay-go style amendment that would be applied to all new mandatory spending. I would seek to debate that in the morning, and I ask unanimous consent that it be laid aside.

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

Mr. CRAIG. Mr. President, I thank the Senator from Iowa for yielding.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### AMENDMENT NO. 157

Mr. HARKIN. Mr. President, may I ask the chief cosponsor of the Specter amendment how much time is left on our side?

The PRESIDING OFFICER. The Senator from Iowa has 15 minutes on the proponent's side of the amendment.

Mr. HARKIN. Five zero?

The PRESIDING OFFICER. Fifteen.

Mr. HARKIN. I thought we had an hour at a time, and I thought the only person who spoke on it is Senator SPECTER. How much time do we have on our amendment?

Mr. DOMENICI. It was cut in half by unanimous consent.

The PRESIDING OFFICER. By a previous order, the time on the amendment was reduced to an hour evenly divided, and the Senator from Pennsylvania consumed 15 minutes.

Mr. DOMENICI. Mr. President, I wonder if when the Senator is finished, obviously, we will not have used any time—we haven't yet, have we?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I do not know whether we would do that tonight or not. But Senator HUTCHINSON would like to follow that with 5 minutes. I would ask consent that he be allowed 5 minutes following that amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. He will be joined in that 5 minutes, 2 minutes that you requested of me.

Mr. REID. Reserving the right to object, there have been arrangements made on this side for tonight—

Mr. HARKIN. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I believe I have the floor. I just hope this time is not running against my 15 minutes.

The PRESIDING OFFICER. The time is not being charged the Senator from Iowa.

Mr. HARKIN. I thank the President.

Mr. REID. Mr. President, I say to the manager of the bill, both managers of the bill, it is my understanding that on this side tonight the order of offering amendments was going to be Senator DODD, Senator REED, Senator GRAHAM, two for Senator GRAHAM; is that right?

Mr. LAUTENBERG. Right.

Mr. REID. Then following that, Senator BOXER, if she chose, for a couple of amendments. And Senator SCHUMER also had one after Senator BOXER.

Mr. LAUTENBERG. OK.

Mr. DODD. Mr. President, a further inquiry. What does that do tomorrow to voting? Does this mean those are the first votes?

Mr. DOMENICI. The first votes we have decided upon, the three that the Senator asked me for.

Mr. DODD. So these will come after the first?

Mr. DOMENICI. In some order. Let me just say to the Senator, I understand what you have agreed to among yourselves, but the Senate hasn't agreed to that.

Mr. REID. We certainly understand that.

Mr. DOMENICI. What we would like to do is ask, on our side, if we might see if there are any Republicans that want to offer amendments, and they ought to be able to be worked into that.

Mr. REID. We understood that.

Mr. LAUTENBERG. I agree with that.

Mr. DOMENICI. Why don't we attempt to do that. Who do we have on our side that has anything this evening? Senator COLLINS, you have an amendment? OK. So we—

Mr. DODD. Why doesn't Senator HARKIN start talking?

Mr. DOMENICI. HARKIN is going to go, and then Senator COLLINS. Then you can go after that.

Mr. DODD. Are you going to stay and listen to the debate?

Mr. DOMENICI. I am going to have somebody in my stead who will whisper everything to me in the morning when I arrive.

Mr. REID. Mr. President, I know the hour is late. I do not want to take from Senator HARKIN's time. I ask unanimous consent that I be allowed to speak for 2 minutes as in morning business. Senator BRYAN is a grandfather for the first time today, and I would like to take a couple minutes to recognize my friend.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. I don't object, but I would like to couple that with—do you want to go now or after he finishes his time?

Mr. REID. He has agreed that I could speak prior to him.

Mr. DOMENICI. Then immediately following the completion of your debate, then I would like Senator HUTCHINSON—Senator, how much time did

you want with Senator HUTCHINSON? Why don't we give you 2, if you wanted 1.

Mrs. LINCOLN. One or 2 minutes.

Mr. DOMENICI. That they be allowed to speak for 7 minutes, and then we will proceed with whatever order is decided here.

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

The Senator from Nevada.

Mr. REID. Mr. President, I yield to the Senator from Florida.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that three congressional fellows in my office, Sean McCluskie, Matt Barry, and Angela Ewell-Madison, be granted the privilege of the floor during further consideration of the legislation.

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

The Senator from Nevada.

#### CONGRATULATIONS TO SENATOR BRYAN

Mr. REID. Mr. President,

How confusing the beams from memory's lamps are;

One day a bachelor, the next a grandpa.

What is the secret of the trick?

How did I get old so quick?

—by Ogden Nash.

Mr. President, my friend, RICHARD BRYAN, is a grandfather today for the first time. His lovely wife Bonnie and he are extremely excited. Their oldest son, who is a cardiologist in Reno, at 5:30 eastern time last evening had a baby, their first child, and Senator BRYAN's first grandchild.

I can't think of a person I know who is a better role model for a child than Senator BRYAN. I hope he and Bonnie have all the happiness that a grandchild can bring. I know that they will. I hope this beautiful boy, Conner Hudson Bryan, will follow in the footsteps of his father and enter public service.

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 157

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield myself 10 minutes.

I am pleased to join my chairman, Senator SPECTER, in offering this amendment. Two years ago, the Senate went on record, 98 to 0, committing to double the NIH budget over 5 years.

Last year, Senator SPECTER and I were able to make good on that pledge by providing the biggest increase ever for medical research. We worked hard to make it happen. I thank all my Senate colleagues for working with us on that historic accomplishment.

The omnibus appropriations bill for this year contains a \$2 billion, or a 15-

percent, increase for the National Institutes of Health. That 15 percent puts us on track to meet our commitment to double the NIH budget for 5 years, which, I repeat, was voted on here 98 to 0.

Unfortunately, if we pass this budget resolution as it is, we will fall far short of the 15-percent increase necessary to maintain that commitment.

This budget resolution shortchanges Americans' health and shortchanges our efforts to control health care costs and keep Medicare solvent in the long run.

At the same time that this budget shortchanges basic investments in health care, the budget before us increases the Pentagon budget by \$18 billion—\$8.3 billion more than the President's request—to defend America against some ill-defined international threat.

What this budget should do is spend at least \$2 billion more to defend us against the very real threats here at home every day—the threat of cancer, the threat of Alzheimer's, the threat of diabetes, the threat of osteoporosis.

Recently, under the leadership of Senator SPECTER, we had a hearing, and one of our witnesses was Gen. Norman Schwarzkopf. He was in town to urge Congress to increase its investment in medical research. He understands better than most that we cannot mount a strong defense without adequate resources. While we made some progress last year, we still have a long way to go.

Under the budget before us, NIH will only be able to fund about one in four meritorious research proposals. Those are research proposals that have gone through the peer review process deemed worthy of investigation. Only one in four will be funded.

In the next 30 years, the number of Americans over age 65 will double. Medical research is essential to help reduce the enormous economic and social burdens posed by chronic diseases that impact our elderly from Alzheimer's and arthritis to cancer and Parkinson's and stroke.

Take Alzheimer's disease. It alone costs the Nation over \$100 billion a year. We know that simply delaying the onset by 5 years could save us over \$50 billion a year. Delaying the onset of heart disease by 5 years would save over \$69 billion a year. That is why I often say to my colleagues and others, if you really want to save Medicare, invest in medical research. That will take care of the looming deficit in Medicare. We are on the verge of breakthroughs in these and other areas. Now is the time to boost our investment to make sure that our Nation's top scientists can turn these opportunities into realities.

In addition to funding more research grants, another area that is critical to making the breakthroughs we know are possible is making sure we have state-of-the-art laboratories and equipment. However, most of the research is

currently being done in laboratories built in the 1950s and 1960s.

According to the most recent National Science Foundation study, 47 percent of all biomedical research performing institutions classified the amount of biological science research space as inadequate, and 51 percent indicated they had an inadequate amount of medical research space. So the need is great.

Our amendment is very simple. It ensures that the budget resolution will provide a \$2 billion increase to the National Institutes of Health for fiscal year 2000, and it is fully paid for. It is paid for by the very industry that has caused most of the death and disease in this country.

As I said before, Mr. President, tobacco kills more Americans each year than alcohol, car accidents, suicides, AIDS, homicides, illegal drugs, and fires all put together.

Simply put, our amendment turns tobacco profits toward the cure for the cancer, emphysema, and heart disease that it causes.

During the dealings that led to the tobacco settlements, the tobacco lawyers made sure that all the payments they made to the States would be considered "normal and necessary business expenses." But there is nothing ordinary about this settlement. The tobacco industry has peddled a product that has killed millions of Americans through their deceptive advertising and sales practices. As a result of that loophole in the settlement, the tobacco industry can write off 35 percent of their entire settlement payment. That means American taxpayers, not big tobacco, will have to cough up as much as 35 percent of the cost, \$2 billion this year alone, and continuing the next 25 years of the tobacco settlement.

In effect, the tobacco settlement is a \$70 billion tax on the American people. What our amendment says is that basically the tobacco companies will not be able to deduct from their Federal taxes the amount of money that they pay to the States for this settlement. The American people have paid enough. To make them pay an additional \$70 billion to cover up for the tobacco companies' tax deductions for their settlements is adding insult to death and injury.

Let me add one other thing, Mr. President. I have heard there is some misinformation floating out there about our amendment. Let me be clear. Our amendment would have absolutely no impact on the amount of settlement funds going to the States. The settlement has a clause that requires a dollar-for-dollar reduction in payments to the States if additional taxes are raised on tobacco and spent by the States, if the money is remitted to the States. Not one penny of the SPECTER amendment would go to the States but would all go to the National Institutes of Health. Therefore, it in no way violates that provision of the settlement.

Mr. President, I have a letter dated today from the Congressional Research