VISIT TO THE SENATE BY KING ABDALLAH BIN HUSSEIN

Mr. HELMS. Mr. President, the distinguished Senator from West Virginia, as always, is gracious, and I thank him very much. As he indicated, we have today a distinguished son of a distinguished father who has visited many times. His Majesty, King Abdallah bin Hussein of Jordan.

He has been visiting with the Senate Foreign Affairs Committee and I present him to the Senate.

RECESS

Mr. HELMS. Mr. President, I ask unanimous consent the Senate stand in recess for 3 minutes.

There being no objection, the Senate, at 3:37 p.m., recessed until 3:42 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer.

Mr. BYRD. Mr. President, I yield 5 minutes to the very able and eloquent distinguished Senator from California, Mrs. BOXER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I rise for the first time since I have been in the Senate to oppose a supplemental appropriation. It hurts my heart because there is so much in this bill that is good. But I have to say there is a lot in this bill that does not belong in it, and there are some things left out of this bill, one or two things, that I thought were real emergencies that should have been in there.

What started out as requests to fund unexpected emergencies has turned into a flurry of spending and riders that simply do not belong in this bill. The one area that I particularly cared about, violence in our schools—which is an emergency by anybody's measure when parents are telling us, 75 percent of them, they are concerned about their children when they go off to school—a very modest proposal by the Senator from Illinois was turned down by the House members of the conference after it was approved by the Senate members of the conference. So all kinds of dollars were found for many things, but they could not find it in their hearts to do something about violence in the schools by providing some counselors, some afterschool money so desperately needed in our country today.

I am happy for the Senator from West Virginia, that he was able to get a commitment for a crisis he is facing in the steel industry in his State. I agreed with him, that particular piece of legislation and those funds should have been placed into this bill, and they were not. So I found this a very strange conference. I miss the Appropriations Committee. I was on it for two beautiful years. So I sat and watched at 1 in the morning as Senators and House Members debated. You may wonder, why would the Senator from California do that? Very simple: It is a very important bill that is before us.

I believe in what NATO is trying to accomplish. I agreed with the President that we needed to find about $6 billion for the military. It turns out it is almost double that, that winds up in this bill. The pay raise is taken care of. I wanted to do an even higher pay raise, but that pay raise—it is not an emergency, it is an obligation. We have to back the pay raise in the regular appropriations bills. This is just another way to push dollars around.

I do not think it is fair to say that is an emergency. I supported the funds in there for America's farmers, for Hurricane Mitch; those things were fine. But some of the riders in this bill really were wrong, not only wrong in substance but wrong to put in this bill. For example, the rider that deals with the tobacco funds from the tobacco lawsuit. It is not that I object that the Federal Government will not get a share of that—because I am willing to say it is fine, the Governors are the ones who put their names out there and they should get these funds. But to say to the Governors who are getting our part of the reimbursement: By the way, spend it any way you like—we are going to see Governors use that money to put a swimming pool in the Governor's mansion; we are going to see Governors use that to build a little street in the neighborhood where maybe some of their donors live.

I do not come from the school of thought that Governors are better than Senators. I think we run on a platform and most of us, most of us from both parties, believe we need to take care of the health care needs of our people. Comes along this bill, comes along a rider that says: Governors, you can spend that any way you want. Build a running track for your friends around the Governor's mansion? Fine, no problem, no strings. I have a problem with that. We should make sure our Governors are taking care of the health needs of their citizens since part of that money rightly comes from a recovery that included Federal programs—Medicaid, as an example.

Then there are three riders that deal with the environment in one way or the other. One has to do with oil royalties. This is about the third time that antienvironmental rider has been placed in this bill, because colleagues know they cannot get the votes here. It is stopping the Interior Department from collecting the rent payments or the royalty payments from oil companies who drill on Federal land, taxpayers' land. That money is being stolen from us. How do I know that? Because there have been lawsuits. And every time the Federal Government wins those lawsuits—I ask for 1 additional minute, if I might.

Mr. BYRD. Mr. President, how much time do I have remaining under my control?

The PRESIDING OFFICER. The Senator has 18 minutes remaining.

Mr. BYRD. I yield 1 more minute to the Senator.

Mrs. BOXER. So here we have a situation where the Interior Department could use the money to help with our parks and open space, and the oil companies get another special rider on this bill. It is the third time that has happened. Mr. President, I do not think that is the way to legislate.

Then we have an environmental rider placed in the bill by Senator GORTON who now, I understand, is not even going to vote for this bill which has his rider in it that does tremendous damage to the State of Washington by permitting a mine up there.

There are so many things in this bill that do not belong in it. So it is with a heavy heart I say to my friends, for whom I have great respect, I cannot vote for this. I do not think everything in there is truly an emergency. Yet I think those things that were emergencies were left out.

I look forward to working with my friends in the regular order so we can debate some of these important measures outside this so-called emergency designation.

I yield the floor.

Mr. CLELAND. Mr. President, I will vote against the pending conference report because I believe it, and the policy and process behind it, represent a shameful failure on behalf of our American servicemen and women now in harm's way in the Balkans.

This legislation before the Senate today displays exactly what's wrong with Washington, including the United States Senate. There is much in the pending conference report on Supplemental Appropriations which is urgently needed and which I support. American farmers need and deserve the disaster assistance included in this legislation. The Kosovar refugees need and deserve massive resettlement and reconstruction assistance, of which the pending measure provides at least a down payment. Our servicemen and women need and deserve the pay raise it provides and above all, those who are on the front lines in the Balkans and elsewhere in the world need supplies and equipment.

However, in spite of these positive features, I will be voting ''no'' because of the bill's funding for an expanded, open-ended war against Yugoslavia, which in my opinion, has not been adequately and appropriately considered by the Congress, and also because this important legislation has been used for petty provincial interests. In effect, our servicemen and women are being held hostage while the bill has been loaded up with narrow amendments to assist special interests, such as a gold mine in Washington state, a dormitory for Congressional pages, and reindeer ranchers.

While I have certainly observed this same game of special interest influence on the legislative process all too often since I have been in the Senate, this current case is particularly egregious

because of the boldness of the special interests and the apparent willingness of too many of our national leaders to allow those interests to be placed above consideration of the interests of our troops in the field.

Our troops deserve better from all of us.

I have spoken before my reservations about NATO's current policy in the Balkans and Congress' abdication of our Constitutional responsibilities with respect to war powers. To say the least, neither of those reservations have been alleviated in this conference report.

Our leadership, including both the Clinton Administration and NATO, have failed to clearly state what our mission is in the Balkans, what specific goals we intend to achieve, and how we will end this mission.

As perhaps the leading military analyst of the Vietnam War, Colonel Harry Summers, wrote in his excellent book ''On Strategy: The Vietnam War in Contest:''

The first principle of war is the principle of ''The Objective.'' It is the first principle because all else flows from it. . . . How to determine military objectives that will achieve or assist in achieving the political objectives of the United States is the primary task of the military strategist, thus the relationship between military and political objectives is critical. Prior to any future commitment of U.S. military forces our military leaders must insist that the civilian leadership provide tangible, obtainable political goals. The political objective cannot merely be a platitude but must be stated in concrete terms. While such objectives may very well change during the course of the war, it is essential that we begin with an understanding of where we intend to go. As Clausewitz said, we should not ''take the first step without considering the last.'' In other words, we (and perhaps, more important, the American people) need to have a definition of ''victory.''

Colonel Summers continues:

There is an inherent contradiction between the military and its civilian leaders on this issue. For both domestic and international political purposes the civilian leaders want maximum flexibility and maneuverability and are hesitant to fix on firm objectives. The military on the other hand need just such a firm objective as early as possible in order to plan and conduct military operations.

Mr. President, we've been here before, and speaking personally, I know all too well the kind of price that is paid by our men and women in uniform when our political leaders fail to lay out clear and specific objectives. More than thirty years ago, in Vietnam we also lacked clear and specific objectives. We attempted to use our military to impose our will in a region far from our shores and far from our vital national interests, and without ever fully engaging the Congress or the American people in the process. The result was a conflict where the politicians failed to provide clear political objectives, but intruded in determining military strategy, and where our policy was never fully understood or fully supported by the American people.

Too many Americans never came home from that war, and others came home unalterably changed in mind or body. I cannot in good conscience sit here and watch it all appear to be happening again. I will not support putting American ground troops into Kosovo, and I cannot vote for this conference report which, in my opinion, moves us further in that direction.

Mr. KOHL. Mr. President, I rise in strong opposition to the conference report before us. It uses funds for undeniably urgent needs—our operations in Kosovo, our rescue of struggling family farmers, our efforts to dig out from the hurricanes of last year and the tornados of this month—to mask spending on unnecessary and unbudgeted urges. That is more than dishonest; it is disgraceful. It is like agreeing to let your neighbors use your car to take their sick child to the hospital—if they also agree to pick up and pay for your groceries, your dry cleaning, a set of new tires for the car, and a pizza.

It is no surprise that people are cynical about talk that comes out of Washington. By adopting this conference report, we prove our work means very little. We prove that the budget we endorsed just two months ago was not a promise—it was posturing. We prove that we are more interested in sound bites than sound accounting.

Mr. President, I understand that there are genuine emergencies that require us to spend beyond what we had anticipated for a given fiscal year. I will vote to fund such emergencies immediately and work out the budget details later. I also understand that there are supplemental spending requirements that can come up during the year. And I will also support passing supplemental appropriations bills and paying for them within the budget limits we have set for ourselves. What I find unconscionable is what we are doing here today: attempting to get around the draconian budget resolution we passed in March by stuffing as much supplemental spending as possible in this bill and then treating it as an emergency.

Given my strong feelings on this, I would like to clarify my vote to waive the Gramm point of order. Senator GRAMM, rightly I believe, raised many of the same issues that concern me. His point of order, however, did a surgeon's job with a hatchet. His point of order would have brought down spending that was truly emergency, and therefore was not offset—spending for humanitarian aid for the Kosovar refugees, for infusions of cash into the struggling farm credit system, for helping areas hit by natural disaster. The point or order would also have brought down domestic spending that was not an emergency, but that the Appropriations Committee went to great pains to offset. There are over $2 billion in offsets in this bill, and the great majority come from cuts in nondefense programs.

So, while I understand Senator GRAMM's desire to make this bill fiscally honest and responsible, I cannot support his methods. Instead, we should defeat this bill and start again—passing only what the Department of Defense says they need to continue their operations in Kosovo, only what is truly a domestic emergency, only what is non-emergency and offset.

I have voted in support of the use of air power in Kosovo, a decision I made solemnly, and I am willing to vote to support funding the mission. This conference report, however, contains money the Pentagon never asked for and that will never have an impact on the situation in Kosovo. Almost five billion dollars in non-emergency defense spending has been attached to the President's request without even allowing the Senate an opportunity to vote or debate these additions. Calling some of these new military construction projects an ''emergency'' is shameful. Those projects cannot compare with the urgency in hurricane ravaged Central America, the economic hardship faced by our family farms, or the plight of refugees on the desolate hillsides of Albania.

Obviously a great deal of munitions, fuel, and material have been expended in our mission over Yugoslavia. The need to fund these operations, however, should not be an excuse to fund other special-interest projects that were never high enough priorities to be placed in the tight military budget. Suddenly these projects are so important they are given emergency designation, when a few months ago they hardly deserved mentioning, and were certainly not worth including in the budget resolution Congress adopted in March.

It is wrong for those who want a much larger defense budget to hold hostage the emergency funds needed for the Kosovo operation, Central America, and the devastated rural America—and it is wrong to go to the American taxpayers to pay their ransom.

Thus, it is with some regret that I must vote against this conference report. Regret, because there are a number of very good things in this bill, including funding that I worked hard to ensure would be there to help respond to the desperate situation of our family farmer.

This bill provides $43 million for Farm Service Agency personnel and $110 million and for the farm credit program requested by the Administration in response to the tremendous credit crunch facing our Nation's farmers. The Farm Service Agency funds are needed to provide the support staff so USDA can deliver disaster assistance promised to farmers last fall. The additional $110 million for USDA's farm credit program will provide essential loan guarantees to farmers as they struggle through historically low prices.

The conference report also includes $63 million for FY 1999 and FY 2000 to

allow the USDA to provide technical assistance to landowners as they enroll in USDA's Natural Resource Conservation Service environmental programs. Because of funding shortfalls, Wisconsin's NRCS has already stopped providing technical assistance. That means thousands of acres of land, ready to be returned to their pristine state through the joint efforts of farmers and the USDA, are lying fallow.

Finally, I want to highlight another provision I worked on in this conference report: food assistance to the Kosovar refugees. We have all seen the news accounts, the pictures, and have heard the terrible stories of tragedy that the people in the Balkans are facing daily. Reports from that region include hunger as another major problem that is hitting hardest among the children, the elderly, and the most vulnerable. Humanitarian food assistance, or PL–480 funds, have been diverted to Kosovo from other regions of the world where serious needs exist. Funding for Kosovo food assistance was not included in initial versions of this bill, but without it, people in Africa, Bangladesh, and other troubled regions will continue to suffer from hunger and deprivation. It is never good policy or sense to rob Peter to pay Paul, but it is disgraceful when Peter and Paul are innocent, starving children on opposite sides of the world.

However, even with all these good things, this conference report is the harbinger of terrible things to come. By trying to slip so much non-emergency spending into this bill, the conference committee has acknowledged that we cannot meet the genuine needs of our citizens within the budget that was laid out in March.

Mr. President, the American people deserve an honest budget, and they deserve to know that we will meet their emergencies in a forthright manner. I regret that we could not do that today. If we pass this conference report, we will further and deservedly lose the trust of those who send us their hard earned tax dollars. I urge my colleagues to vote no.

Mrs. MURRAY. Mr. President, I will reluctantly vote for this supplemental appropriations bill for three primary reasons: to provide our agricultural producers at least a portion of the support they need; to support our troops in Kosovo; and to assist the desperate Kosovar refugees and Hurricane Mitch victims. I strongly oppose the mining rider added in the middle of the night to this emergency spending bill and am saddened this Congress will not require States to spend of the tobacco settlement funds on actually preventing teen smoking or protecting public health.

I very enthusiastically support the $109 million in this bill for direct and guaranteed loans to provide credit for American agricultural producers. This and the other agriculture-related provisions in this bill are vitally important to our growers, providing more than $700 million for important agricultural programs. Every single dollar of this aid is all the more critical because Congress failed to support a funding level that would help producers weather these difficult economic times. I support the Harkin-Dorgan amendment to add $5 billion to this agricultural aid package during the conference committee's consideration of this bill. Unfortunately, the amendment was rejected. Meanwhile, our growers are left waiting for more meaningful assistance as they struggle under the so-called Freedom to Farm Act.

This bill also contains vital funding for our military forces in the Balkans. I strongly support the Administration's original request for monies to support the Kosovo effort. I am fully prepared to meet our responsibilities to our troops and personnel involved in this important NATO effort. It is unfortunate the House insisted on adding billions of additional, unrequested funding for defense projects, many of which are unrelated to the NATO action in the Balkans. I also endorse our commitment to assist the millions of refugees, who are victims of this unfortunate conflict.

I, too, am pleased this bill provide critical assistance to the victims of Hurricane Mitch. This deadly and destructive hurricane decimated several Central American countries, and has been particularly difficult on families already surviving on subsistence levels. The U.S. should have long ago signaled our commitment to lead the international effort to aid the victims of Hurricane Mitch.

These important issues aside, I strongly oppose the rider on mining included in this bill. I do not accept the argument put forth by several of my colleagues on the conference committee that the supplemental appropriations bill was the proper place to address an administrative interpretation of the 1872 Mining Law. Within this bill are two provisions that simply are not emergencies and do not belong. One is the further blockage of the Department of Interior's implementing regulations on hard-rock mining.

The other provision is particularly troubling to me for it affects a proposed mine in my State of Washington. Included in this bill is a provision that blocks the Department of Interior from enforcing a recent solicitor's opinion interpreting allowable mill site acerage. That opinion reinterpreted the 1872 mining law and limited the amount of mining waste companies could dump on public lands. For many years, my constituents and people across the nation have been calling for true reform of the 1872 mining law. This late-night change is not what they have been asking us to do. The industry knows these provisions would not win approval in the normal legislative process, so they sought riders on a military and disaster relief appropriations bill. These are issues that deserve to be debated in full and in public, not in a mere 10 minutes, late at night among conferees without the necessary expertise to determine whether this is the correct policy.

I want to add that I have spoken with officials at the White House who have shared their concern about these mining provisions. I told them we must not allow this action to be a precedent for how we authorize new open pit mines on our public lands. We should debate reform of the 1872 mining law fully and in the bright spotlight of public review. Protecting the public's interest in their federal lands must be a top priority. They agree.

I am also extremely disappointed this bill will allow the states to allocate the federal share of the multi-state agreement (MSA) with the tobacco companies to any program or project they desire. I strongly believe we have missed an historic opportunity to reverse the destruction caused by smoking. It is tragic to think that every day we delay reducing underage smoking, 3,000 children will try this deadly habit. Five million children today will face illness and premature death due to smoking. Yet we are allowing the states to spend the federal share on any program they may chose.

I am proud that in Washington state, the state legislature and Governor Locke chose to do the right thing and spend the settlement money working to eliminate the plague of tobacco. However, Washington state is only one of three states using the MSA settlement funds to support public health efforts and smoking cessation.

There is some irony in this debate about the role of the federal government in spending so-called settlement monies. The tobacco companies win immunity from future prosecution or liability from the states of federal government and because of states' inaction, the companies will be guaranteed a whole new generation of smokers. By not standing firm and using these monies to eliminate underage smoking and reduce adult rates, the cost of care for these individuals will be the burden of the federal government and federal taxpayers. As members of the Senate, we will have to find the additional funding to pay for increases in Medicare, FEHBP, CHAMPUS, and VA health care costs.

I am disappointed that we could not reach an acceptable compromise that would have protected our children, allowed states' reasonable spending discretion, and shielded the federal budget. I am hopeful we can continue to work at the federal level to enact tough, anti-tobacco restrictions, including FDA regulation of tobacco and increased efforts by CDC to help the states reduce the burden of tobacco.

Let me address one more topic. This bill transfers the Disaster Recovery Initiative (DRI) program, commonly known as the unmet needs program, from HUD to FEMA. While I do not oppose this transfer, my concerns about

it grew as Congress delayed its consideration of this supplemental bill. President Clinton declared two disasters in Washington state during calendar year 1998, including a slow-moving, on-going landslide in the Aldercrest community in Kelso. For a variety of reasons, FEMA public assistance dollars will not reach Aldercrest victims for some time. That makes the unmet needs money—now administered by FEMA—all the more critical. While I am frustrated with the delay in this process, I am pleased we are moving forward once again. This conference report highlights the conferees interest in ensuring Aldercrest victims get this disaster assistance as quickly as is possible.

Mr. President, this is a very difficult vote for me. I chose not to sign the conference report, but I support the bill to help our ailing agricultural producers, support our troops, and provide assistance to refugees and disaster victims.

EFFECTIVE HUMAN RIGHTS RESPONSE TO KOSOVO

Mr. KENNEDY. Mr. President, an important provision in the Statement of the Managers on the 1999 Kosovo Emergency Supplemental Appropriations Act recommends $13 million above the administration's request for the International Criminal Tribunal for the Former Yugoslavia. It also recommends $10 million more than the administration requested for the State Department's Human Rights and Democracy Fund.

The conferees on this legislation have recommended these additional resources to help support a more effective human rights response to the Kosovo crisis. Many of us are deeply concerned over the escalation of human rights abuses in Kosovo since the breakdown of the Rambouillet negotiations. The additional funding for the War Crimes Tribunal will enable it to expand its investigative efforts to see that justice is done.

Justice Arbour has made a strong case that this funding is needed immediately for forensic investigative teams, mass grave exhumations, investigations, Albanian translators, equipment, and other associated costs. America is the strongest support of the War Crimes Tribunal, and it is essential for us to provide provide the additional resources the tribunal needs without delay to ensure that those responsible for the gross violations of international law in Kosovo are brought to justice.

I also strongly support the work of the State Department's Human Rights and Democracy Fund. The HRDF's ability to respond quickly to emergencies has enabled the Department to begin documenting mass executions, rape, deportations, and torture. Unfortunately, its resources are stretched thin as a result of the large scale of these atrocities.

the additional funds recommended by Congress for the HRDF will enable the State Department to enhance its ability to obtain information promptly and methodically from fleeing refugee victims and witnesses and provide the information to the U.S. Government, the War Crimes Tribunal, and the public to ensure that those responsible for these atrocities will be held accountable.

The funds will also enable the State Department to provide documents to refugees whose passports, identity papers, and property titles were stripped from them when Serb forces compelled them to leave Kosovo. Doing so will help counter President Milosevic's cynical policy of ''identity cleansing'' and facilitate the return of the refugees to their homes. The funds are also intended to enhance our government's efforts to ensure that victims receive proper counseling for the unconscionable trauma they have suffered.

I commend the conferees for making these additional resources available to achieve an effective human rights response on Kosovo.

Mr. LEAHY. Mr. President, in 1996, I authored the Justice for Victims of Terrorism Act to provide assistance to victims of terrorism and mass violence, wherever it occurred. This assistance is limited to victims who are citizens or employees of the United States who are injured or killed as a result of a terrorist act.

Unfortunately, that legislation is not doing the job as we intended. There are still too many victims of terrorism who are not getting the help they need and deserve—the help that Congress meant to give them in 1996. Among those left out in the cold are the families of those killed in the downing of Pan Am flight 103 over Lockerbie in 1988, and the victims of last year's embassy bombings in West Africa.

Section 3024 of the emergency appropriations bill will provide a limited but immediate response by providing much-needed assistance to the families of the Americans who were killed in the bombing of Pan Am 103. I am proud to have worked to get this emergency provision included in the conference report.

Currently, in cases involving terrorist acts occurring outside the United States, the Office of Victims of Crime (OVC) may only give supplemental grants to the States, for compensation of state residents. This formulation has not provided the intended help to victims of terrorism who reside overseas and do not have a clear State residence, even though they are U.S. citizens. It is of little assistance to the non-citizen victims employed by our embassies in Kenya and Tanzania, who also deserve our support and assistance. And due to an overly restrictive interpretation of the 1996 law by the Department of Justice, it has not provided help to the victims of the Lockerbie bombing and other victims of terrorist acts that occurred before the Justice for Victims of Terrorism Act went into effect.

The current law has led to slower implementation than I intended when emergency aid is desperately needed, and has not enabled OVC to provide emergency relief, crisis response or training and technical assistance for victim service providers, as I intended.

Accordingly, this week I offered an amendment to the juvenile justice bill, S. 254—which was accepted in the mangers' amendment—which would improve the law even further. It would ensure that OVC can provide efficient and effective assistance—and really make a difference—for Americans whose lives are torn apart by acts of terrorism and mass violence occurring outside the United States.

In the meantime, the trial in the Pan Am 103 case is getting under way, and the families of those victims need our help *now*. This is an urgent matter, and I am glad that we are addressing it in this emergency bill.

OUTSTANDING CLAIMS

Mr. INOUYE. I have a few questions for my colleague from Alaska on Section 3021 of the bill which authorizes the Attorney General to transfer funds available to the Department of Justice to pay outstanding claims of Japanese Americans under the Civil Liberties Act of 1988 and outstanding claims of Japanese Latin Americans under the settlement agreement in the case of *Carmen Mochizuki et al* .v. *United States* (Case No. 97–294C, United States Court of Federal Claims).

Am I correct that this provision would allow the Attorney General to pay redress of $20,000 to Japanese Americans who were interned by the United States during World War II and who filed a timely claim for redress under the Civil Liberties Act of 1988?

Mr. STEVENS. That is correct. Under the Civil Liberties Act of 1988, the United States has paid redress to more than 82,000 eligible individuals over the 10 year life of the program. Eligible individuals under this Act had to file a claim for redress by August 10, 1998. There were a number of individuals, however, who did not complete the documentation necessary for the Department of Justice to determine, prior to the termination of the Civil Liberties Public Education Fund and the expiration of the redress program six months later, whether they were eligible for redress under the Act. This provision would allow those individuals, if they filed timely claims, to provide any necessary information to the Department of Justice, and allow the Department to complete its review of their files. If the Department determines that they are eligible, this provision allows the Attorney General to pay the claimants restitution under the Act.

Mr. INOUYE. In the case of Carmen Mochizuki et al versus United States, plaintiffs brought a class action against the United States seeking redress for Japanese Latin Americans who were interned by the United States during World War II. The United States settled this case. The settlement provides that each eligible class

member would receive a $5,000 restitution payment, to the extent there were funds available in the Civil Liberties Public Education Fund. Even though this Fund has now terminated, does this provision also allow the Attorney General to pay restitution to Japanese Latin American individuals who are found eligible under the Mochizuki settlement agreement and who filed timely claims covered by the agreement?

Mr. STEVENS. That is correct. Some of the class members in this lawsuit were paid $5,000 restitution before the funds in the Civil Liberties Education Fund were exhausted. However, there are a number of class members who filed timely claims under the Mochizuki settlement who were not provided with restitution because there were no funds remaining. In addition, some class members were not able to complete the documentation necessary for the Department of Justice to determine, prior to the termination of the Civil Liberties Public Education Fund and the expiration of the redress program six months later, whether they were eligible for redress under the settlement agreement. This provision would allow those individuals, if they filed timely claims, to provide any necessary information to the Department of Justice, and allow the Department to complete its review of their files. If the Department determines that they are eligible, or has already done so, this provision allows the Attorney General to pay them restitution under the settlement agreement.

Mr. INOUYE. I thank my colleague from Alaska for the clarification on this provision in the bill.

CLEANUP FROM SPRING TORNADOES

Mrs. LINCOLN. Mr. President, I would like to thank my colleagues, Senator COCHRAN and Senator KOHL, the chairman and ranking member of the Senate Appropriations Subcommittee on Agriculture, Rural Development and Related Agencies, for their help regarding clean up needs in my state following the devastating tornadoes that struck on January 21, 1999. On that day, an estimated 38 tornadoes touched down in at least 16 counties in Arkansas, a one-day record for the number of tornadoes in a single state in one day. Eight deaths and scores of injuries resulted. The storms damaged or destroyed two thousand homes, at least 126 businesses, and various utilities in eleven counties. As you might imagine, a tremendous amount of debris is scattered throughout the damage area.

When the Senate considered S. 544, the supplemental appropriations bill which is now before us as the conference report to H.R. 1141, an amendment of mine was adopted that would direct the Natural Resources Conservation Service (NRCS) to assist in the removal of debris left from those storms. It is extremely important that we provide assistance necessary to remove this debris in order to help restore lands to a more productive state, but even more importantly, to prevent more serious emergencies that will result if this debris is allowed to obstruct stream flows and cause flooding, erosion, and other economic and environmental problems. Could the Senators please explain how his conference report addresses this situation.

Mr. KOHL. I thank the Senator for her comments and I understand her concern about the need to provide debris removal assistance following the violent storms in her state and other states. The amendment of the Senator, to which she refers, would have expanded the statutory authority of NRCS to exercise debris removal activities on lands not covered by current law. This would not only have included the lands of which the Senator speaks, but could be interpreted to cover a wide array of other lands. It is our understanding that statutory authority does exist for the debris removal activities about which the Senator speaks, making bill language unnecessary. However, certain administrative actions by the Department will be necessary before these activities can be carried out.

From time to time, we are asked to provide emergency funds in response to natural disasters. Too often, there is a human cost to these disasters that we have no power to compensate. In other instances, the level of our assistance is appropriate and necessary for the task. There are times, however, when the sums required could have been reduced had a little prevention been in place before the crisis struck.

Obviously, the force of a tornado is such that mankind may never be able to control or overcome. The devastation we all have witnessed this Spring in several states including Arkansas, and more recently Oklahoma and Kansas, was of such a magnitude in economic and human costs that calls for our assistance must not go unheard. Now, however, we are faced with choices about actions that might, at this point, prevent future damage and future costs.

The debris of which the Senator describes is not only that which currently is obstructing stream flows or causing flooding or erosion, but it also includes debris located in the immediate vicinity of those streams and waterways. It takes little imagination to envision another, far less intensive storm in the region that would cause that debris to be removed directly into the steambed with substantial damage and cost as a result, costs for which we and the American taxpayers might very well be asked to compensate in the near future. in this case, a little prevention today may save substantial sums tomorrow. That is why the Senator is precisely correct and why we must ensure these needs are met.

The conference report now before the Senate does not include the bill language the Senator offered earlier due to the fact that, as mentioned above, the statutory authority for those activities of concern to her and to others currently exists. The Statement of Managers makes that point. However, the purpose of her amendment is well taken in bringing to the attention of the Department that necessary administrative actions must be taken immediately to address the emergency situation that remains. We do not here suggest that the Watershed and Flood Prevention Operations authorities be broadened to include ''any'' lands. Instead, it is important for us all to recognize that reasonable steps by the Department should be taken to remove the debris in question before it becomes the cause of more substantial losses in the future.

Mr. COCHRAN. I thank the Senator from Arkansas for raising this issue and I appreciate the comments of my other colleagues on this subject. I agree with the Senator from Wisconsin that the Department should exercise any preventive measures practicable as the best way to avoid more costly restoration and rehabilitation in the future.

Mrs. LINCOLN. I thank my colleagues for this explanation.

Mr. GRAMS. Mr. President, I rise to oppose the 1999 Supplemental Appropriations legislation. Let me make a few brief remarks explaining why I will vote against it. I do so reluctantly because some of this funding is necessary, such as the agriculture spending, and some is offset. I co-sponsored and strongly supported the Enzi amendment to fully offset spending in this bill. Since our colleagues on the other side of the aisle blocked this effort to be fiscally responsible, thereby giving their support to this spending of Social Security surplus funds, I cannot endorse this irresponsible spending.

The Concord Coalition, a bipartisan watchdog of fiscal policy, calls this bill a ''SAYGO'' bill, and SAYGO stands for spend-as-you-go. According to the Concord Coalition, ''Congress is using the emergency spending loophole to create a new budgetary concept—spend as you go (SAYGO). I fully agree with the Concord Coalition. Sadly, the term ''SAYGO'' has captured the essence of this legislation.

However, there is nothing new about this practice. Congress has repeatedly used this old trick on the American taxpayers as a way to expand government programs and escape budget disciplines.

Let me remind my colleagues about what happened last year.

As you recall, Mr. President, despite the rhetoric of President Clinton and Congress to use every penny of the budget surplus to save Social Security, last year, we spent nearly $30 billion of the Social Security surplus for alleged ''emergency spending.'' This was more than one third of the entire Social Security surplus for 1998. In last year's omnibus spending legislation alone, Congress spent $22 billion, and nearly $9.3 billion in regular appropriations was shifted into future budgets, a new

smoke-and-mirrors gimmick, since we are now hearing how impossible it will be to live within budget caps for FY 2000. No wonder!

In addition, few of these ''emergency spending'' items were true emergencies. Many of these dollars could have been included in the annual appropriations process.

Last year's irresponsible spending used up the Social Security surplus we were supposed to save, broke the statutory spending caps we promised to keep, and as a result made the caps even tighter for this year.

Clearly, that was a big mistake. That's why many of us believe we should end this practice before it becomes automatic and even more egregious in the future. In fact, that's why we passed this year's Budget Resolution with a new enforcement mechanism which allows any Senator to raise a point of order against non-defense emergency designations in an appropriations conference report. In my judgment, this should include defense as well.

Unfortunately, Mr. President, we are repeating the same mistake in the 1999 Supplemental Appropriations bill. It includes $15 billion of spending with an estimate of only $2.5 billion actually outlayed this fiscal year. So it is quite obvious this spending is a way to relieve some of the pressure on the FY 2000 spending caps. If the spending caps need to be lifted, let's vote on that up front, not this way. I would not vote to lift the caps anyway, but it is a more responsible way of handling what some believe is a budget crisis.

The legislation was originally intended to provide disaster relief to Central America and was later expanded to cover our military action in Kosovo, which are necessary and important spending. Even the agriculture spending is necessary. But conferees also added significant funding that is not emergency-related and was not requested by the President in the conference report.

The conference report for this year's emergency spending bill includes $15 billion with only $1.9 billion offset. This means Congress is spending $13 billion of the Social Security surplus, which is over 10 percent of this year's Social Security surplus.

The President requested $5.5 billion for military operations in Kosovo and Southwest Asia. But the conferees have doubled that amount. As a result, American taxpayers now have to pay $10.9 billion additional for defense, much of which should be considered in FY 2000 appropriations and was not an emergency. These add-ons include $1.84 billion for military pay and pension increases and $2.25 billion for spare parts, depot maintenance and readiness training.

I believe we must allocate sufficient resources to ensure our national security and I am concerned about readiness. We must provide adequate funding to maintain our military operations and support our troops in Kosovo and elsewhere. However, I don't believe we can use our immediate needs as a vehicle for non-emergency defense spending. General defense readiness needs, such as a military pay raise and a pension benefits increase, is not an emergency and should be handled through the normal budget, authorization and appropriations process. Again, if the spending cap is a problem, we should deal with that problem head on, not by this back-door approach.

Further, this conference report is a Christmas tree that's loaded not with ornaments, but with plenty of non-emergency spending items under the guise of an emergency, totaling over $200 million. Even some emergency related funding is far above what is needed and requested. For example, the President requested $370 million funding for FEMA, but the conference report has almost tripled that amount. This is not right. Attached is a copy of Senator MCCAIN's list on the objectionable provisions contained in this conference report.

My biggest concern is that we have promised the American people we will save every penny of the Social Security surplus exclusively for Social Security. In the recently-passed budget resolution we included a provision to lock in $1.8 trillion of the Social Security surplus to save and strengthen Social Security. We are continuing to pursue Social Security lockbox legislation to prohibit Washington from continuing to loot the Social Security surplus for unrelated government spending. Now we are backing off from that promise, claiming we will make it up next year. I've heard that before. I believe this will damage our credibility and accountability with the American people, as well as further endanger our already damaged Social Security system.

As I mentioned earlier, there are some good provisions I strongly support in this bill. Frankly, some of the provisions and funding will help my own state of Minnesota. But the non-emergency spending which is not offset overshadows these good provisions. I cannot in good conscience vote for this legislation.

Finally, the Concord Coalition challenges us, I quote: ''Fiscally responsible Members of both parties should put an end to SAY–GO by rejecting this emergency supplemental.'' They are right. Above all we must maintain the fiscal discipline and responsibility we promised the American people. We must keep our commitment to protect Social Security. I hope my colleagues will reject this measure.

Mr. President, I ask unanimous consent this list of objectionable provisions in H.R. 1141 be printed in the RECORD.

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

OBJECTIONABLE PROVISIONS CONTAINED IN H.R. 1141, THE EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR RECOVERY FROM NATURAL DISASTERS AND FOREIGN ASSISTANCE FOR FISCAL YEAR ENDING SEPTEMBER 30, 1999

BILL LANGUAGE

Bill language directing that funds made last year for maple producers be made available for stream bank restorations. Report language later states that the conferees are aware of a recent fire in Nebraska which these funds may be used. (Emergency)

Language directing the Secretary of the Interior to provide $26,000,000 to compensate Dungeness crab fisherman, and U.S. fish processors, fishing crew members, communities, and others negatively affected by restrictions on fishing in Glacier Bay National Park, in Alaska. (Emergency)

A $900,000,000 earmark for ''Disaster Relief'' for tornado-related damage in Oklahoma, Kansas, Texas, and Tennessee. This earmark is a $528,000,000 increase over the Administration's request and is earmarked for ''any disaster events which occur in the remaining months of the fiscal year.'' (Emergency)

Report language providing FEMA with essentially unbridled flexibility to spend $230,000,000 in New York, Vermont, New Hampshire, and Maine, to address damage resulting from the 1998 Northeast ice storm. Of this amount, there is report language acknowledging the damage, and the $66,000,000 for buy-outs, resulting from damage, caused by Hurricane George to Mississippi, and report language strongly urging FEMA to provide sufficient funds for an estimated $20,000,000 for buy-out assistance and appropriate compensation for home owners and businesses in Butler, Cowley, and Sedgwick counties in Kansas resulting from the 1998 Halloween flood. (Unrequested)

$1,500,000 to purchase water from the Central Arizona project to maintain an appropriate pool of stored water for fish and wildlife purposes at the San Carlos Lake in Arizona. (Added in Conference)

An earmark of an unspecified amount for Forest Service construction of a new forestry research facility at Auburn University, Auburn, Alabama. (Unrequested)

Language directing that the $1,000,000 provided in FY 99 for construction of the Pike's Peak Summit House in Alaska be paid in a lump sum immediately. (Unrequested)

Language directing that the $2,000,000 provided in FY 99 for the Borough of Ketchikan to participate in a study of the feasibility and dynamics of manufacturing veneer products in Southeast Alaska be immediately paid in a lump sum. (Unrequested)

Language directing the Department of Interior and the Department of Agriculture to remove restrictions on the number or acreage of millsites with respect to the Crown Jewel Project, Okanogan County, Washington for any fiscal year. (Added in Conference)

Language which prohibits the Departments of Interior and Agriculture from denying mining patent applications or plans on the basis of using too much federal land to dispose of millings or mine waste, based on restrictions outlined in the opinion of the Solicitor of the Department of Interior dated November 7, 1997. The limitation on the Solicitor's opinion is extended until September 30, 1999. (Added in Conference)

Specific bill language providing $239,000 to the White River School District #47–1, White River, South Dakota, to be used to repair damage caused by water infiltration at the White River High School. (Unrequested)

A $3,760,000 earmark for a House Page Dormitory. (Added in Conference)

A $180,000,000 earmark for life safety renovations to the O'Neill House Office Building. (Added in Conference)

An earmark of $25,000,000 to provide for the construction and renovation of family housing units at Fort Buchanan, Puerto Rico. (Unrequested)

Bill language, added by the conferees, directing that $2,300,000 be made available only for costs associated with rental of facilities in Calverton, NY, for the TW 800 wreckage. (Added in Conference)

$750,000 to expand the Southwest Border High Intensity Drug Trafficking Area for the state of New Mexico to include Rio Arriba County, Santa Fe County, and San Juan County. (Unrequested)

Bill language directing $750,000 to be used for the Southwest Border High Intensity Drug Trafficking Area for the state of Arizona to fund the U.S. Border Patrol antidrug assistance to border communities in Cochise County, AZ. (Added in Conference)

A $500,000 earmark for the Baltimore-Washington High Intensity Drug Trafficking Area to support the Cross-Border Initiative. (Added in Conference)

Earmarks $250,000 in previously appropriated funds for the Los Angeles Civic Center Public Partnership. (Unrequested)

Earmarks $100,000 in previously appropriated funds for the Southeast Rio Vista Family YMCA, for the development of a child care center in the city of Huntington Park, California. (Unrequested)

Earmarks $1,000,000 in previously appropriated funds for the Maryland Department of Housing and Community Development for work associated with the building of Caritas House and for expansion of the St. Ann Adult Medical Day Care Center. (Added in Conference)

Bill language permitting the Township of North Union, Fayette County, Pennsylvania to retain any land disposition proceeds or urban renewal grant funds remaining from Industrial Park Number 1 Renewal Project. (Added in Conference)

$2,200,000 earmark from previously appropriated funds to meet sewer infrastructure needs associated with the 2002 Winter Olympic Games in Wasatch County, UT, for both water and sewer. (Unrequested)

$3,045,000 earmarked for water infrastructure needs for Grand Isle, Louisiana. (Added in Conference)

The conference report language includes a provision which makes permanent the moratorium on the new entry of factory trawlers into the Atlantic herring and mackerel fishery until certain actions are taken by the appropriate fishery management councils. (Added in Conference)

Additional bill language indicating that the above-mentioned limitation on registered length shall not apply to a vessel used solely in any menhaden fishery which is located in the Gulf of Mexico or along the Atlantic coast south of the area under the authority of the New England Fishery management Council for so long as such vessel is used in such fishery. (Added in Conference)

Bill language directing Administrator of General Services to utilize resources in the Federal Buildings Fund to purchase, at fair market value, not to exceed $700,000, the United States Post Office and Federal Courthouse Building located on Mill Street in Fergus Falls, Minnesota. (Added in Conference)

REPORT LANGUAGE

A $28,000,000 earmark in FY 99, and a $35,000,000 earmark in fiscal year 2000 to the Commodity Credit Corporation to carry out the Conservation Reserve Program and the Wetlands Reserve program. (Emergency)

The conference agreement provides $70,000,000 for the livestock assistance program as proposed by the Senate, and adds language providing that the definition of livestock shall include reindeer. (Emergency)

$12,612,000 for funds for emergency repairs associated with disasters in the Pacific Northwest and for the full cost of emergency replacement of generating equipment at Midway Atoll National Wildlife Refuge. (Emergency)

Report language acknowledging the damage caused by Hurricane George to Kansas. (Unrequested)

Report language urging FEMA to respond promptly to the appropriate disaster needs of the City of Kelso, Washington. (Unrequested)

Language where the Conferees support the use of the emergency supplemental funds to assist organizations such as the National Technology Alliance for on-site computer network development, hardware and software integration, and to assess the urgent on-site computer needs of organizations assisting refugees. (Unrequested)

$200,000,000 earmarked for the Coast Guard's ''Operating Expenses'' to address ongoing readiness requirements. (Emergency)

Report language detailing partial site and planning for three facilities, one which shall be located in the mid-Atlantic region, to house non-returnable criminal aliens being transferred from the Immigration and Naturalization Service (INS). (Unrequested)

A $1,300,000 earmark, for the cost of the World Trade Organization Ministerial Meeting to be held in Seattle, WA. (Added in Conference)

$1,000,000 earmarked for the management of lands and resources for the processing of permits in the Powder River Basin for coalbed methane activities. (Unrequested)

$1,136,000 earmarked for spruce bark beetle control in Washington State. (Unrequested)

A $1,500,000 earmark to fund the University of the District of Columbia. (Added in Conference)

$6,400,000 earmarked for the Army National Guard, in Jackson, Tennessee, for storm related damage to facilities and family housing improvements. (Unrequested)

A $1,300,000 earmark of funds appropriated under P.L. 105–276 under the EPA's Programs and Management for Project SEARCH water and wastewater infrastructure needs in the state of Idaho. (Unrequested)

Report language clarifying that funds appropriated under P.L. 105–276 under the EPA's Programs and Management for Project SEARCH water and wastewater infrastructure needs for Grande Isle, Lousiana, may also be used for drinking water supply needs. (Added in Conference)

Report language which authorizes the use of funds received pursuant to housing claims for construction of an access road and for real property maintenance projects at Ellsworth Air Force Base. (Unrequested)

The conference agreement includes language proposed by the Senate directing a statutory reprogramming of $800,000 for preliminary work associated with a transfer of Federal lands to certain tribes and the State of South Dakota and for cultural resource protection activities. (Unrequested)

The conference agreement includes a provision proposed by the Senate that clarifies the scope of certain bus and bus facilities projects contained in the Federal Transit Administration's capital investment grants program in fiscal year 1999. The conferees direct that funds provided for the Canton-Akron-Cleveland commuter rail project in the Department of Transportation and Related Agencies Appropriations Act for fiscal year 1999 shall be available for the purchase of rights-of-way in addition to conducting a major investment study to examine the feasibility of establishing commuter rail service. (Unrequested)

Mrs. LINCOLN. Mr. President, this marks the third time I have been to the floor to discuss the emergency supplemental bill. For months now I have been trying to get my colleagues' attention about the extreme urgency of the items included in this bill. There are provisions included in this bill that were deemed an ''emergency'' back in March of this year. In addition to the tornado-related funding we just referenced, I have received call after call from farmers who have been anxiously awaiting the loan money that is tied up in this supplemental appropriations bill. Mother Nature does not wait for Congress to act. The ideal planting window has already come and gone for several commodities in the South, and yet, many producers have not been able to put a crop in the ground because they do not have adequate funds for operating expenses. The money is included in this bill and it is critical that we act on this matter as quickly as possible.

While I am pleased that these funds are included, I am disappointed that more assistance is not provided to the agriculture community. If ever there was an emergency in this country, we are seeing one now in rural America. I commend the distinguished ranking member of the Senate Agriculture Committee, Senator HARKIN, on his efforts to provide additional assistance to farmers. I hope that my colleagues will be ever mindful of the potential consequences this country will face if we allow our producers to simply die on the vine, and I strongly urge this body to revisit the agricultural crisis as soon as possible.

Some of my colleagues have chosen to use this bill, which is designed specifically for emergency needs, to fund projects that would have a hard time passing the laugh test of emergency spending. In spite of this, I will be casting a vote in favor of this bill on behalf of the brave servicemen and women representing our nation in the conflict in Kosovo, and on behalf of our nation's family farmers.

I thank the President, and I yield the floor.

EMERGENCY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Ms. SNOWE. Mr. President, I rise regarding the conference report language in the supplemental bill regarding the transfer of emergency Community Development Block Grant funding from HUD to FEMA.

January 1998 will long be remembered in the State of Maine because of the extraordinary and historic Ice Storm that crippled the State. The combination of heavy rains and freezing temperatures left much of the State under a thick coat of ice which downed wires, toppled transformers and snapped utility poles in two. At the peak of the storm more than 80 percent of the entire State was literally in the dark. Vice President GORE best summed up the situation during his visit on January 15, 1998, when he said,

''We've never seen anything like this. This is like a neutron bomb aimed at the power system.''

The response from the federal government to our plight was for the most part remarkable. The Federal Emergency Management Agency (FEMA), the Small Business Administration, and the Department of Defense all answered Maine's call for immediate help. In addition, utility workers from up and down the East Coast came to work in freezing temperatures and hazardous situations to kill live wires and free remaining wires from downed trees and poles. These men and women worked side by side with Maine's utility companies around the clock until the lights were back on in every house in the State.

I am here today, however, because while the storm brought out the best in people across the State and in many federal agencies, we still have not received the assistance we need from the Department of Housing and Urban Development. In fact the lack of help from HUD has surpassed the storm in many people's minds as the truly extraordinary event.

To understand fully, one has to know the history. The Stafford Act which provides FEMA's guidelines for assistance covers public power companies. It will reimburse 75 percent of the costs related to a disaster. Because Maine and much of the Northeast have utilities that are investor-owned rather than government-owned, we were ineligible to receive assistance from FEMA for this purpose, despite the fact that, FEMA's own Ice Storm ''Blueprint for Action'' noted that the greatest unmet need from the storm is the cost of utility infrastructure. The ''Blueprint'' also noted that ''(The) HUD Community Development Block Grant Program can supplement other federal assistance in repairing and reconstructing infrastructure, including privately-owned utilities . . .''

Utility reimbursement is of great concern to Maine as it was not only the largest unmet need from the Ice Storm, but ratepayers in our State already pay the fourth highest utility costs in the country. Without some federal help, ratepayers would have been called on to cover utility infrastructure repair costs through increased rates.

So the Maine Congressional Delegation joined with the delegations from Vermont, New Hampshire and New York to obtain funding in the 1998 Supplemental Appropriations Act to provide money for the CDBG program to help our States complete their recovery from the Ice Storm. Working with Senator BOND, Chairman of the VA/HUD Appropriations Subcommittee, Senator MIKULSKI the Ranking Member; and Appropriations Chairman STEVENS, we secured $260 million in the Senate's 1998 Supplemental.

When the Senate considered this legislation, members from the Northeast spoke of the need for, and reasons behind, this additional funding and in a colloquy between Senators BOND and D'AMATO, it was noted that $60 million of this funding was meant specifically for the Northeast to help with the recovery costs from the Ice Storm. During the subsequent conference, that amount was dropped to $130 million, as the House version of the bill only contained $20 million for this purpose.

The Supplemental was signed into law on May 1, 1998. On November 6, 1998, 11 months after the disaster and six months after the bill had been signed into law, HUD announced that it was allocating approximately half of the $130 million, including $2.2 million for Maine. With an unmet need of more than $70 million, this funding was simply unacceptable and made all the more so because HUD would not or could not explain the rationale behind the numbers. Phone calls were made, meetings were held, letters were sent and still we received no explanation.

In the 1999 Omnibus Appropriations bill adopted by Congress at the end of the 105th Congress, $250 million was provided for emergency CDBG money to cover disasters occurring in both FY98 and FY99. Secretary Cuomo told me in a phone conversation on March 2, 1999 that he would use some of this money to allow States dissatisfied with their original allocation to reapply. This discussion occurred a few days before the Senate Appropriations Committee marked up the 1999 Supplemental that included language to transfer the remaining CDBG emergency funding from HUD to FEMA because, according to the Senate Appropriations Committee report,

> The Committee is concerned over HUD's continuing failure to implement an effective emergency disaster relief program for the ''unmet needs'' of states with Presidentially-declared natural disasters. Instead, the Committee believes that FEMA is the appropriate Federal agency for addressing these unmet disaster needs since FEMA has primary responsibility for assessing and responding to all natural disasters and for administering most primary programs of disaster assistance.
>
> In particular, FEMA is urged to review and respond appropriately to the needs of the Northeast for damage resulting from the ice storms of last winter. HUD failed to respond properly to these needs despite congressional concern over the ice damage.

On March 5, 1999 I spoke again with Secretary Cuomo when he called to express his concern that he could not publish the notice as OMB said that the Senate Appropriations Committee's actions on March 4 to transfer the money from HUD to FEMA prevented him from doing so. After conversations with OMB, I sent a letter to the Secretary detailing OMB'S response that it was permissible to publish the notice as long as funding was not allocated.

On March 10, the Federal Register (p. 11943 to p. 11945) contained a notice from HUD that provided a review for states unhappy with their original funding allocation. Maine began work at once on an application for this funding.

On March 23, we learned that HUD had allocated the rest of the money from the 1998 supplemental and that Maine was slated to receive another $2.158 million. HUD took this action despite the fact that they had been informed by the VA/HUD Subcommittee Chair and Ranking member, Senators BOND and MIKULSKI respectively, that they ''wait for final action by the Congress on the program structure for the award of emergency funding for ''unmet'' disaster needs'' and that ''because of a number of outstanding program issues, we believe that HUD should ''hold'' all final award allocations pending final congressional action on S. 544.'' So HUD's allocation announcement was somewhat confusing as they did not have the authority to release the money. I request unanimous consent that a copy of the HUD notice be included in the RECORD.

Secretary Cuomo told me on March 24 that the State should get their application in response to the March 10 Federal Register in as soon as possible, and the State delivered it to HUD on March 25.

On May 4, as conferees were working on the Supplemental, I received a letter from Cardell Cooper, Assistant HUD Secretary for Community Planning and Development, announcing that Maine would receive an additional $17,088,475 based on the State's March 25 application under the March 10 Federal Register notice. This letter also noted that Maine's money was subject to Congressional action.

Mr. President, mere words cannot explain the frustration that Mainers have experienced with HUD throughout this process. I am deeply grateful for the leadership that Senator BOND, Senator MIKULSKI, Chairman STEVENS and the entire Senate Appropriations Committee have demonstrated in their willingness to work with us and to help us address Maine's unmet needs.

The conference report language on this bill states that:

> The Department is directed to award the remaining funds in accordance with announcements made heretofore by the Secretary, including allocations made pursuant to the March 10, 1999 notice published in the Federal Register, as expeditiously as possible.

This language directs HUD to live up to its March and May promises of funding for Maine to help pay for the unmet needs of the Ice Storm.

Mr President, with passage of the Supplemental, Maine's fifteen month journey for equity will hopefully end. We can now complete the recovery that began in January, 1998 and has dragged on far too long.

Mr. ROCKEFELLER. Mr. President, I would like to comment today on the Emergency Steel Loan Guarantee Program which my distinguished colleague from West Virginia, Senator BYRD, worked so hard to have included in the Senate-passed Emergency Supplemental Appropriations bill. Despite his tireless efforts, the measure was stripped from the bill at the eleventh hour for reasons which are beyond me.

I take umbrage with the misleading moniker that some Members of the House Leadership have shamelessly placed upon this vital program for partisan political purposes.

This program, far from being a handout for any one company in my state of West Virginia or anywhere else, would provide emergency relief for more than a dozen American steel producers who have been stricken by the effects of the unprecedented surge in steel imports into the U.S. over the last year. This crisis, which has caused as many as 10,000 layoffs at steel factories across the nation and threatens as many as 100,000 more jobs, has unfairly injured the credit ratings of America's steel manufacturers by forcing them to compete with dirt cheap foreign steel, which is often being sold in the U.S. at costs below that of production.

If you ask me, this important crisis, without question, is appropriately classified as an ''emergency''. If you ask the steelworkers who've either been laid off or who are the next to go, I bet they say the same thing. Ask their families and communities if this is an emergency, and you'll get the same answer. The emergency is that our American steel industry is being pummeled by illegal foreign competition, and that the imports are taking a very real and devastating toll on the people who depend on steel for their livelihood.

The program that Senator BYRD proposed in the Senate-passed version of the Supplemental Appropriations bill would have made it possible for many of the most financially-unstable steel producers in this country to persevere until we in the Senate can take decisive and comprehensive action to address the underlying cause of our domestic steel industry's current predicament—imports. The Emergency Steel Loan Guarantee Program would have made much-needed capital available to those companies who have been the hardest hit by the import surge, and it would have done so at minimal expense to the American taxpayer. The program just made good sense, and I was extremely disappointed to hear that Members of the House Leadership insisted that it be eliminated.

The argument was, from what I hear, that Senator BYRD's provision was too expensive and of benefit only to Weirton Steel Corporation in West Virginia. The fact is, Mr. President, that Weirton was just one of more than a dozen companies which the Department of Commerce determined would be eligible for loans under this program. All of these distressed companies have been doing everything in their power to survive the current crisis. I know first hand the great lengths to which Weirton Steel has gone through simply to keep its head above water. In my state alone we've had nearly 1,000 layoffs as a direct result of the import surge. The Emergency Steel Loan Guarantee Program would have made it possible for companies across the nation to make upcoming debt payments which many steel producers are in jeopardy of defaulting on because of the current crisis. Moreover, the cost of the program was $140 million to leverage $1 billion in loans—that's a good investment. I deeply regret that the unwillingness of some Members of Congress to open their eyes to the plight of America's steelworkers has resulted in the loan program being removed from this vehicle. That is very bad news for the many steel companies who stood to benefit from the program. Some of them are now that much closer to joining the other four major American steel producers who have already been forced into bankruptcy by this crisis.

However, there remains time to reverse this mistake. I hope that the Members of Congress, who did not understand the details of how this loan program functions or the benefits that it would bestow upon a large number of steel companies across the nation, will reassess their position. We still have an opportunity to support this important program. I intend to work with Senator BYRD in moving this program on another legislative vehicle.

Each of my colleagues knows how strongly I believe that this body must act to address the import surge in a comprehensive way. However, I also know how vital the Emergency Steel Loan Guarantee Program is to many U.S. steel producers. It is a critically important stop-gap measure which would allow companies like Weirton steel to remain in business long enough for the United States Senate to take the tough and comprehensive action which is necessary to protect our domestic industry from unfair foreign competition.

Mr. President, I truly hope that we seize the opportunity to take up this measure again. Without it, steel companies in a number of different states may soon find themselves the next victims of our failure to aggressively enforce our unfair trade laws.

Mr. NICKLES. Mr. President, I do not support the adoption of the conference report on H.R. 1141, the fiscal year 1999 emergency appropriations act.

My decision to oppose this bill was not an easy one, Mr. President. This legislation contains funding for our U.S. military forces in Kosovo, Iraq, Bosnia, and elsewhere around the world. Regardless of my deep concerns about NATO's Kosovo operations, I realize that our military, already stretched to the limit by numerous foreign deployments, needs the resources provided by this legislation. Further, this bill contains funding to help farmers in Oklahoma who are finding it hard to get credit, and it will make sure disaster assistance for Oklahoma tornadoes does not deplete FEMA's funding reserves.

Unfortunately, it is also fiscally irresponsible.

H.R. 1141 provides $15 billion in new spending authority, $13 billion of which is provided for fiscal year 1999 and $2 billion of which is provided for fiscal year 2000.

The outlays flowing from this budget authority will reduce our budget surplus by $14.6 billion over the next five years. In fiscal year 1999 and 2000, when the entire budget surplus is attributable to the Social Security trust fund, this bill spends $11 billion of the surplus.

Additionally, $14.7 billion of the bill's total spending is designated as emergency spending, so that it is outside of the spending caps. $10.9 billion of the emergency spending is attributable to defense.

Unfortunately, the efforts of my colleague Senator GRAMM to remove the nondefense emergency designations failed earlier today. I supported him in that effort, and I am disappointed that more of my colleagues did not join us.

This legislation makes a mockery of our budget process. I believe Congress cannot continue to squander the economy's good fortune on a bigger, more invasive government. I believe the fiscal restraints we all agreed to in 1997 should be enforced, and I believe the budget we passed just a few weeks ago must be complied with.

A soaring economy and the 1997 budget agreement combined last year to produce the first budget surplus since 1969. What was Congress' reaction?

We abandoned all fiscal restraint and passed a monstrous Omnibus spending bill which included a record $22 billion in emergency spending.

With CBO predicting an even bigger budget surplus this year, $111 billion, we are rushing to enact a $15 billion emergency spending bill.

Since spending caps were instituted in the 1990 budget deal, Congress has appropriated $132 billion in emergency spending; $70 billion since the end of the Gulf War. The average annual emergency appropriation from 1993 to 1997 was $8 billion.

I believe that Senators must decide if they truly intend to abide by the budgets we pass, or simply ignore them.

As I have already mentioned, this bill includes $1.13 billion in new spending for the Federal Emergency Management Agency, partially offset by a $230 million transfer from the Community Development Block Grant program. This $1.13 billion is in addition to the $1.2 billion Congress has already appropriated to FEMA for fiscal year 1999.

While I support the work FEMA is doing to help my state recover from massive tornado damage, I believe the funding in this supplemental is far more than the agency needs. In fact, after touring Oklahoma tornado damage two weeks ago, the President asked for an additional $372 million for FEMA. I have been assured by FEMA that they do not require resources beyond this request to accommodate the Oklahoma disasters.

Unfortunately, the conferees on the supplemental decided to pile on $758 million more than the President requested. This extra funding has nothing to do with FEMA's current needs.

It has everything to do with the appropriations committee's desire to ''prefund'' the agency in an attempt to avoid the fiscal year 2000 spending caps.

Mr. President, I commend the majority leader for his efforts to keep the cost of this bill down and remove some of its objectionable provisions. However, I deeply regret that I cannot support this emergency supplemental spending bill. I believe we are losing our grip on fiscal sanity, and I fear that worse is coming later this year. I plan to work aggressively throughout this year to make sure we comply with the budget we enacted last month.

Mr. REED. Mr. President, I rise in support of the supplemental appropriations conference report.

Mr. President, this bill is not perfect, and I realize that some of my colleagues do not believe it is worthy of support. I disagree. This legislation meets several pressing demands that we have a responsibility to meet. First, this compromise provides essential funding for our military operations in Yugoslavia as well as humanitarian aid for Kosovo refugees. Without this funding our fighting men and women will face equipment and material shortfalls and view a ''no'' vote as a lack of support for them and their mission. Second, this legislation follows through on a commitment we made to provide a long-overdue pay raise for our troops. Third, this legislation provides disaster assistance to help our Latin American neighbors recover from the hurricane which struck that region so viciously earlier this year, and it contains funds to aid recovery from the recent spate of tornadoes here at home. Lastly, it extends the Airport Improvement Program which helps our nation's airports reduce aircraft noise and ensure aviation safety.

However, I am disappointed that the Conference Committee decided to retain the Hutchison-Graham tobacco settlement recoupment provision in this year's Supplemental Appropriations bill. This amendment clearly does not deal with an ''emergency'' situation and should, therefore, not be included in this legislation. I am also deeply concerned that we have not thoroughly considered the potential impact this provision will have on the federal budget in years to come.

In essence, this provision usurps the ability of the Congress to engage in a healthy debate about the use of the federal share of the tobacco settlement. While many argue that the federal government has absolutely no claim to this money, those assertions simply are not true. Current law dictates that the federal government rightly has a say over the percentage it contributes to the Medicaid program. Yet, instead of bringing this matter to the floor and considering it in an honest fashion, we are allowing an unprecedented opportunity to make a real difference in the lives of millions of Americans completely slip away from us. It is unfortunate that proponents of turning over the federal share of the tobacco settlement to the states without any guidelines have taken this backdoor approach.

In essence, we have allowed our hands to be tied by the states, who wish to use this money to cut taxes, fix roads and build new buildings, among other things. According to a recent survey conducted by the Campaign for Tobacco Free Kids, the majority of states, as of today, have no definite plans to spend a portion of the settlement on programs to prevent children from starting to smoke or to help current smokers quit the habit. This action is in direct contrast with the desires of the majority of Americans who would like to see a major portion of this money set aside for tobacco prevention and cessation programs and health care to cover the cost of tobacco related illness. In my state, Rhode Islanders have resoundingly supported dedicating a significant amount of the settlement for tobacco related activities.

I am saddened that we appear to have lost sight of the fact that the process of suing the tobacco companies was not so states could get more money for roads or schools, but because for decades these companies purposefully deceived the American public about the dangers of smoking. As a result, generations of Americans have suffered the adverse health effects of this campaign of deceit, and the federal government spent billions addressing the health care needs of these folks. While states were triumphant in reaching this monumental agreement, what will the effort have been for if there is no change in teen smoking rates in this country?

Lastly, I am concerned that the conference report contains a number of dubious environmental riders that should be more fully debated as well as several budgetary off-sets that raise a number of questions. In particular, as a Senator who serves on the Banking, Housing, and Urban Affairs Committee, I believe that the rescission of $350 million worth of Section 8 funds could jeopardize the renewal of affordable housing contracts for thousands of elderly and low-income Americans, which would be a step backwards in our effort to increase the amount of affordable housing in our nation.

Thank you, Mr. President.

Mr. KERRY. Mr. President, I regret that I have to come to the floor to cast my vote against the emergency supplemental appropriations bill before the Senate today. When we face crises in this country, when you have American men and women serving courageously in Kosovo, when you have the borders in Macedonia and Montenegro overflowing with refugees, and when you have hundreds of thousands of hurricane victims in Central America, you would expect that the U.S. Senate would be capable of coming together—unanimously—to address these challenges. It used to be that way in the Senate. It's not that way anymore. Now we fund our operations in Kosovo, and we help the refugees, and we aid the hurricane victims, but at the same time we practice legislative extortion—we say to every Senator, ''You want to vote for Kosovo? You want to vote for aid for hurricane victims? Go ahead—but you have to vote to cut vital housing programs for working Americans across this country. And you need to vote to eliminate environmental regulations.'' That's not the way we ought to do business in the U.S. Senate, and I think it's time we start to talk about changing that course before it contaminates public life any further. That is why I will cast my vote against this emergency supplemental appropriations bill: to register my frustration and my sadness with the way we now do business in the U.S. Senate.

Before I say more about the damage this bill does to so many of the vital areas of public policy in the United States, I must tell you that in many respects I only have the liberty of voting against this bill—of casting a symbolic stone against legislative blackmail—because I know this bill will pass the Senate overwhelmingly. Critical investments for our troops in Kosovo—which, as a veteran, as a citizen, and as a senator, I have aggressively supported—will be made in spite of my vote against this bill. The truth is, if this were not the case, if my vote would have undermined in any respects our efforts in Kosovo, I would have had to vote for this bill, in spite of the damage it does. I would have had to—regrettably—support this bill because we have a responsibility to support the American troops we have committed overseas, and I would never stand by and allow the Senate to send what I believe is the wrong message to our troops, and the wrong message to Slobodan Milosevic about American resolve . I believe the United States, and NATO as a whole, must remain united against the systematic killing, raping and pillaging of innocent Kosovar Albanian men, women, and children at the hands of Serb forces. The funding included in this supplemental appropriations conference report will provide support for the U.S. service men and women who are putting their lives in jeopardy and will, I believe, give them a greater capacity to achieve our military objectives in Kosovo. It will also provide the desperately needed relief for humanitarian efforts already underway to assist the refugees in that region. And these investments will be made by the U.S. Senate, reflected in our final tally.

I believe this Nation must have a bipartisan foreign policy, and that we can not afford to allow politics to endanger our troops. But I wish that more of my colleagues on the other side of the aisle, those who included provisions which cut directly against the interests of low income working Americans and our environment, would

also have a commitment to bipartisanship on domestic issues of tremendous importance to so many working Americans struggling to keep their heads above water even in this great economy we celebrate on the floor of the U.S. Senate. The rescissions and changes in policy included in this Conference Report will eventually hurt the poorest Americans and will immediately hurt our environment. That should not be acceptable in a Senate which prides itself on its ability to do what is right for all Americans. I can not in good conscience support these measures.

I question what it says about our commitment to helping those who are being left behind in this new economy, that we could find the resources to provide $983 million in disaster relief for those whose lives were disrupted when Hurricane Mitch struck the Central American nations of Honduras, Nicaragua, El Salvador and Guatemala and when Hurricane Georges struck in the Caribbean last year—but we are cutting critical investments in housing for working Americans. Hurricanes in Central America have left almost 10,000 dead and have driven millions from their homes. The cost of damages to businesses, hospitals, schools and individual homes have been enormous. We are right to provide assistance to the victims of these hurricanes. But we ought to be able to do it without abandoning thousands of our neediest citizens here at home.

Today there are more than five million low-income Americans facing severe housing needs, receiving federal housing assistance. At least another 15 million Americans qualify for help but do not receive it because of limited budget appropriations. They suffer from homelessness—600,000 Americans homeless each night; 5.3 million Americans pay rents that are more than 50 percent of their household income, or live in severely substandard conditions—these are the severe housing problems we once hoped to address. These families are one misfortune away from homelessness. A child gets sick, a parent gets laid off—even for a week or two, the car breaks down, and that family ends up on the streets. So what are we doing in this supplemental appropriations bill? We're rescinding $350 million from the Section 8 program that helps these families who are working through the tough times—and we're rescinding this money in spite of the fact that the HUD budget in FY1999 will already be almost $1 billion less than it was in FY1994. This rescission will result in a shortfall that will cause the loss of subsidy and the displacement of approximately 60,000 families. 60,000 families. It will make the current waiting list crisis, where families must sometimes wait years to find some relief, even more difficult to solve.

This isn't the first time this has happened. Year after year, HUD's budget is raided—targeted for cuts in 1995, in 1997, in 1998, and again this year—to pay for emergencies which, by their nature and by law, are not required to be offset with budget cuts. Only a very small portion of this $15 billion bill is offset with spending cuts. I am disturbed, really, that some of my colleagues have chosen to make cuts to this program because they believe it is politically vulnerable. HUD's budget should not fall victim to this type of spending cut—and families struggling to stay off the streets shouldn't fall victim to this kind of politics.

I am not new to this game. I have fought year in and year out against substantial cuts that have been made to the HUD budget. These cuts have jeopardized the existing public housing services and have undermined HUD's capacity to continue the Secretary's ambitious program of reform or even just to make up for previous underfunding of capital needs to meet our Nation's demand for affordable housing. Last year, the Congress passed the first new section 8 vouchers in 5 years. This rescission would reverse in large part the down payment Congress made in addressing unmet housing needs. At least 100,000 new vouchers are needed to begin to address the outstanding needs. This rescission moves us in the wrong direction.

As the ranking member of the Housing Subcommittee, as someone who sees first hand in Massachusetts the struggles of so many families working their fingers to the bone and trying to stay off the streets, I can not support these draconian cuts in housing.

But this bill doesn't stop there. Some of my colleagues have included dangerous environmental riders in this bill—in a practice that is becoming all too common in this Senate. It wasn't this way 15 years ago when I came here, it wasn't that way 30 years ago when Democrats and Republicans worked together to write our first environmental laws, but it's that way now—even basic environmental protections have become a partisan fight—and the riders in this bill do serious damage to our environment. Specifically, the conference report includes three environmental riders that I believe will set back environmental progress, unnecessarily limit federal revenues and undermine the legislative process—and I oppose all of them.

The conference report extends the moratorium on issuing a final rulemaking on crude oil valuation until October 1, 1999. It restricts the implementation of the Department of the Interior Solicitor's opinion on mining that limits the number of millsites to one five-acre millsite per patent.

The environmental rider that I find most egregious prevents the Department of Interior from issuing new rules for hardrock mining on public lands. This is the third time the Senate has attached such a provision to an appropriations bill. As a result, the hardrock mining industry continues to cause environmental damage and costs the taxpayer.

The extraction of hardrock minerals like gold, silver and copper usually includes the excavation of enormous pits and the use of toxic chemicals like cyanide, and its results have been destructive. According to the General Accounting Office, there are almost 300,000 acres of federal land that have been mined and left unreclaimed. Abandoned mines account for 59 Superfund sites and there are more than 2,000 abandoned mines in our national parks.

The Mineral Policy Center estimates that the cleanup costs for abandoned mines on public and private lands may reach $72 billion. Rather than reform the industry through comprehensive legislation or proper execution of existing executive branch authority, we will once again block reform through a rider.

It is time that we put an end to this policy of undermining the environment, of gutting environmental protections, by slipping riders through the back door of every spending bill. We ought to be a better Senate than that. We ought to have our debates on the floor, in public, and if you want to promote a vision of an America where we turn the environment over to polluters, over to those who would destroy our natural resources, if that's your vision, then let's debate it—and let's end the practice of environmental degradation through appropriations bills.

Before I yield the floor, I do want to draw our attention to something in this supplemental bill which I believe is an important victory for Massachusetts, and for our fishermen. I am pleased that $1.88 million was included for NOAA's National Marine Fisheries Service, NMFS, to promote cooperative management and research activities in the Northeast multispecies fishery. These funds will complement the $5 million in emergency assistance that was appropriated for Gulf of Maine fishermen last November.

Many in this Chamber know that too many fishermen in New England are experiencing economic hardship due to new groundfish regulations recently imposed in the Gulf of Maine. In order to help alleviate the negative effects of these new regulations, fishermen have joined with NMFS in developing a spending plan for the $5 million in emergency assistance. The plan proposes to compensate fishermen for lost fishing opportunities that have resulted from inshore groundfish closures. Fishermen, in return, will make their vessels available to take part in cooperative research projects. A portion of the $1.88 million will be used to fund the cooperative scientific projects that will be conducted by NMFS and other institutions. In addition, some of the new funding will be used to employ fishermen as scientific observers. This new partnership will have a twofold benefit. Cooperative research activities will keep fishermen employed on the water while groundfish stocks recover,

and this plan will promote a more constructive relationship between fishermen and NMFS with the goal of improving management activities in the Gulf of Maine groundfish fishery. I express my very real appreciation for the support of Senate Appropriations chairman, Senator TED STEVENS and the Democratic ranking member, Senator BYRD, for including this provision in the conference report and for their continued steadfast support of the New England fishermen.

In conclusion, let me just say that I fully support the American men and women who are putting their lives in jeopardy in the Kosovo region for a mission which I believe in very deeply—as a veteran, I support their interests very personally in fact. I would have liked to have seen the Senate produce an Emergency Supplemental Appropriations Bill that we could all vote for, unanimously. But this bill is a far cry from that kind of legislation, a far cry from the kind of bipartisan foreign policy we demand from our leaders in the United States. I am entirely disappointed that some members of the Senate have used this bill as a vehicle to hurt low-income working families and damage the environment we all share.

Mr. President, we are a great country of Americans who care about each other, who believe that we have a national purpose and that part of the reason we are a special nation is that we help each other make it through the times and make the most of our own lives. We're a great nation. We ought to be a great Senate that reflects that sense of commitment to one another, and I look forward to the day when those values return to this Chamber.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I have three additional speakers. I sent word to them. Does the distinguished Senator from Mississippi have any suggestions at the moment?

Mr. COCHRAN. Mr. President, I intend to reserve our time until just before the vote, if that is satisfactory.

Mr. BYRD. Mr. President, if it is agreeable with the distinguished Senator from Mississippi, I ask unanimous consent there be a recess for 3 minutes and it not be charged against the time.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. We would just suggest the absence of a quorum for that time.

Mr. BYRD. We can't call off a quorum in 3 minutes if anybody objects.

Mr. COCHRAN. I do not intend to object and I hope no one would.

Mr. BYRD. Mr. President, I agree with the Senator. I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the time will not be charged.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, I have no more requests for time. I yield my time back.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, there has been some conversation about disaster assistance for farmers and complaints that this bill does not go far enough to address the needs in the agriculture community for disaster assistance.

I point out to Senators that there are funds in here that will provide guaranteed loans for those farmers who are having difficulty getting financing for this year's crop so that the Government will guarantee the repayment of that loan. That will allow them to get loans they otherwise would not be able to get because of the inability to show that this year's crop will produce a profit.

This is a real problem, and we are sensitive to that. We have had hearings on that subject, and we are aware of it. In this conference report, we spell out, in addition to the funds I have talked about already in the bill, the following:

> The conferees recognize the problems facing agricultural producers today and understand that the actual needs for disaster assistance funds provided last year likely will exceed the projections of the Department of Agriculture. The Department of Agriculture has projected that net farm income will decline $3 billion below last year. The conferees expect the administration to monitor the situation closely and if necessary, submit requests for additional funds to the Congress for consideration.

This acknowledges that the problems are real. We know they are real. Last year was a big disaster in agriculture, and the Congress and the administration agreed to respond with a multibillion-dollar disaster assistance program. Some of the farmers have not gotten the benefits of that program yet. We provide funds to accelerate the availability of those benefits from the Department of Agriculture, and we are meeting every request that has been submitted by this administration for additional funds for that purpose.

The conference is sensitive to those needs. We did reject an amendment that was offered to increase the funding, and we hope the administration will let us know if additional funds are truly needed.

In many cases, it is impossible to determine what the assistance needs will be until after the crop year has begun. In many places, we have not even seen planting, but we do think this is responsive to that problem.

Mr. DOMENICI. Mr. President, I rise in support of the conference report accompanying H.R. 1141, the fiscal year 1999 emergency supplemental appropriations bill.

The pending bill includes emergency funding to finance the United States participation in NATO military operations in Kosovo and Yugoslavia. This supplemental makes available $11.0 billion in emergency, and contingency emergency, defense appropriations based on the crisis in Kosovo and the closely related readiness crisis in our armed forces.

Of these funds, $10.8 billion are appropriated to the Department of Defense:

The supplemental provides the $5.5 billion the President requested for military operations in Kosovo and Department of Defense refugee assistance.

It also provides some very needed readiness funding, specifically: $1.0 billion for procurement of depleted munitions stocks; $1.1 billion for spare parts, stocks of which have reached crisis proportions for some weapon systems; $700 million for overdue maintenance of these same weapons systems; $100 million for recruiting to address DoD's retention crisis; $200 million to improve the declining training of military personnel in high priority military specialties, and $200 million to repair aging bases.

These are important additions that clearly merit this additional funding and an ''emergency'' designation. Some will argue that these adds for defense are too much; others will argue, correctly I believe, that these readiness increases are overdue. I have received both official and unofficial reports of extremely serious readiness problems in our armed forces. This additional funding will just begin to address these problems correctly.

The legislation also makes $475 million available to the Secretary of Defense for Military Construction for him to use, under proper controls, as he sees fit. Another $1.8 billion is provided for military pay and pensions, subject to authorization legislation that Congress may choose to enact.

Both of these latter additions are deemed ''contingent emergencies.'' The money will only be expended if the President agrees that the needs constitute an emergency and the funds should be spent for the stated purpose. The President need not spend these funds if he so selects. This, I believe, is an appropriate way to make these funds available.

I strongly support these funds for our troops in the Balkans and for those in other parts of the world who may soon find themselves also involved in this troubling conflict. Regardless of our views regarding the conflict in the Balkans, we must fully support our armed forces being employed there and ensure that their equipment and training is fully and completely supported. It would be dangerous and foolish to do anything less.

The conferees also provide $1.1 billion for humanitarian assistance to refugees from Kosovo. Congress provided an additional $548 million above the President's request to aid refugees that have fled Kosovo and the 20,000 that are temporarily resettling in the United States. This is a significant infusion of

resources to address an increasingly desperate situation in the nations bordering Kosovo.

I commend the managers of the conference report for including the emergency aid to Central American countries who suffered form the ravages of Hurricane Mitch. This aid is for our neighbors who faced devastation of Biblical proportions last fall. The final aid package totals $814 million for the region.

I remind my colleagues that the United States has worked for more than a quarter of a century to help develop democratic movements in this region. The need to move quickly and pass this funding cannot be overstated. When I visited the region in December, I was gratified to hear government agencies and relief groups emphasize over and over again, ''We want your help, not forever, but so we can begin to help ourselves and continue building stable and democratic societies.''

In addition to these critical items, the final bill addresses the President's request for a $100 million appropriation for Jordan under the Wye Peace Accord. The Congress also provides an additional $574 million for aid to America's farmers following the $5.9 billion in emergency aid approved by Congress last October. It is also important to note that the conferees have taken swift action to ensure that sufficient disaster aid through the Federal Emergency Management Agency, FEMA, is available for Oklahoma, Kansas, and other Midwestern states that have been severely damaged by recent tornadoes.

Mr. President, I will ask unanimous consent to print in the RECORD at the conclusion of my remarks a table by the Congressional Budget Office that summarizes the spending in the pending bill.

Mr. President, including offsets to some of the nondefense emergency and non-emergency spending in the bill, the net total of the final bill is $11.35 billion in BA and $3.7 billion in outlays for fiscal year 1999. An estimated $2.0 billion in BA and $7.4 billion in outlays will be expended in fiscal year 2000 according to CBO estimates of the bill.

Finally, I address an issue raised by the inclusion of a provision in the conference report concerning the Overseas Private Investment Corporation, OPIC. Because this language in the conference report attempts to change the way we treat an OPIC program under title V of the Budget Act (The Federal Credit Reform Act), it violates section 306 of the Budget Act.

We have consulted with CBO and OMB, and both agencies say they will not change their treatment of OPIC programs from past practices because of this provision. Therefore I will not challenge this language, because I do not think the conference report will have any practical effect on credit reform or our budgetary treatment of OPIC programs.

I support this bill. It is largely an emergency spending package that responds to serious natural disasters at home and abroad, and to the NATO military campaign in the Balkans and the resulting tragedy of thousands of Kosovar refugees displaced during this conflict. I urge the adoption of the conference report.

Mr. President, I ask unanimous consent that the table to which I referred be printed in the RECORD.

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

SUMMARY OF FY 1999 SUPPLEMENTAL APPROPRIATIONS, H.R. 1141

[Conference agreement, by fiscal year, in millions of dollars]

		1999	2000	2001	2002	2003	2004	2005	Beyond	Total
Discretionary:										
Emergencies:										
Defense	BA	9,049	1,838							10,887
	O	2,509	6,168	1,437	438	174	18	10	4	10,758
Nondefense	BA	3,733	43							3,776
	O	1,073	1,090	741	497	346	226	24	10	4,007
Total emergencies	BA	12,782	1,881							14,663
	O	3,582	7,258	2,178	935	520	244	34	14	14,765
Non-emergencies:										
Defense	BA	1								1
	O	19	17	−13	−13	−4	−1	−1	3	7
Nondefense	BA	−300	74	8	8	8	8	8	8	−178
	O	76	85	18	−4	−5	−4	−4	−351	−189
Total non-emergencies	BA	−299	74	8	8	8	8	8	8	−177
	O	95	102	5	−17	−9	−5	−5	−348	−182
Total discretionary:										
Defense	BA	9,050	1,838							10,888
	O	2,528	6,185	1,424	425	170	17	9	7	10,765
Nondefense	BA	3,433	117	8	8	8	8	8	8	3,598
	O	1,149	1,175	759	493	341	222	20	−341	3,818
Total	BA	12,483	1,955	8	8	8	8	8	8	14,486
	O	3,677	7,360	2,183	918	511	239	29	−334	14,583
Mandatory [1]	BA	−1,135								−1,135
	O									
Total Bill	BA	11,348	1,955	8	8	8	8	8	8	13,351
	O	3,677	7,360	2,183	918	511	239	29	−334	14,583

[1] Includes Food stamp rescissions of −$1,250 million (assigned to appropriations committee) and grants-in-aid for airports supplemental of $115 million (assigned to authorizing committee).

Source: Congressional Budget Office.

KOSOVO: A LONG ROAD TO NOWHERE?

Mr. MURKOWSKI. Mr. President, we will soon vote on a $15 billion spending bill that will, among other things, further fund the war against Yugoslavia. Although the Administration requested some $6 billion for military and humanitarian needs for the Kosovo operation, this amount has almost doubled, and is well over $11 billion. Sadly, this higher figure will not get our readiness back where it needs to be—where we could, at the drop of the hat, successfully wage two full scale wars at the same time—as directed in the ''Quadrennial Defense Review.''

It also illustrates something seriously gone wrong here in Washington, D.C. Only a small amount of these funds are subject to offsets—its as if there is this notion, both in the Administration and in Congress, that this is ''free money.'' Well it's not, Mr. President. For every dollar spent, another priority loses out. And I can think of a whole host of areas where this money would be better spent than in fighting a war in a part of the world where most Americans can't clearly identify on a map. Tax cuts, Social Security, Education, to name just a few.

I will vote against this bill for two reasons: (1) our Kosovo policy is seriously flawed and the only way we in Congress can truly voice our opposition is voting where it hurts the most—the pocketbook; and (2) this is a spending bill gone mad—there is no fiscal accountability here, nor is there any notion of fiscal responsibility.

This vote, at least for me, will be one of the toughest I have had to cast in my tenure in the United States Senate. I strongly support our military, and am proud of our men and women in uniform. I certainly do not want to jeopardize our people who are charged with carrying out this war. But even so, this is not a vote against our military—rather, it is a vote in opposition

to the Administration's seriously flawed, if not inept Kosovo policy.

No one disputes that Milosevic is a bad person and that he should be stopped. His brutal, persistent attacks on the Albanian Kosovar people is akin to Germany in the Second World War. But air strikes alone are not going to do it—they will level Yugoslavia, destroy most of its infrastructure, terrorize its civilian population, and most likely, not be successful stopping Milosevic.

I do not believe that our war fighters' are being given sufficient latitude to make this mission a success. Their decisions are subject to dual-review: (1) the ''political'' review of the White House; and (2) the ''consensus'' of our NATO allies through every step of the war.

A few examples. General Clark's request to deploy gunships continues to be denied by ''senior military advisors in Washington, D.C.'' Who are these people? The Joint-Chiefs of Staff? Or Sandy Berger and Madeleine Albright?

It took over a month to get Apache helicopters to the region; and they sit grounded because the ''polls'' show no support for a ground campaign.

It seems to me that one of the first priorities in waging a war is to cut off the supply lines of the other side—and oil, in particular, so that they cannot fuel their tanks and planes.

Unbelievably, the NATO alliance refused to cut off the flow of fuel that fires Milosevic's war machine. Although the U.S. proposed a blockade to stop the oil, it was defeated by France which opposed implementing a blockade without a formal declaration of war.

We are executing massive, full scale air bombings every day; people are being killed; but the French believe a declaration of war must be a precondition for a blockade.

Our bombs have gone off course several times, hitting refugee convoys, the country of Bulgaria, and the Chinese embassy in Belgrade—which is technically Chinese soil in Yugoslavia.

At least in the case of the Chinese embassy, it wasn't the bombs at fault, it was our intelligence. Although the tourist maps in Belgrade accurately place the Chinese embassy in that locale, our intelligence was using an outdated map that led them to believe it was a procurement center for the Serbian military.

The Chinese people are outraged, and well they should be. But the American people should be just as outraged—not just by this bombing, but by the continued incompetence which has come to typify this policy.

I fail to understand how waging this war by NATO consensus is getting us anywhere except more deeply involved militarily, and less likely to find a diplomatic solution to this crisis. Mr. President, wars should not be waged by consensus, and diplomacy should not be directed by polls.

Internationally, the world is a much less stable place than it was even two months before. There was a sense of optimism that Russia might help broker a diplomatic solution to Kosovo. The possibility remains, but Russia is far less stable than previously thought: President Yeltsin survived an impeachment proceeding, but he has again disbanded his government to the degree that it is unclear who in Russia has the power to help negotiate an end to this crisis.

The Chinese are no longer just a sideline observer. While China has opposed the NATO bombings from the outset, it didn't have a dog in this fight until we bombed their embassy in Belgrade. If a deal on Kosovo is reached, it will have to pass muster with the Chinese who hold veto authority on the U.N. Security Council.

We continue to bomb Iraq daily—stretching our Air Force readiness even further. Saddam Hussein shows no signs of letting up, and will most likely use this as an opportunity to push us even further.

And last, but not least, the Korean Peninsula continues to be a crisis in waiting. Starvation in North Korea is rampant, food supplies are gone, and the country is undergoing one of the worst droughts in history. If the North Koreans decide to engage us militarily, we will be fighting three wars at the same time—beyond that envisioned by our military strategists in the Quadrennial Defense Review, and perhaps much more than we are currently prepared to do.

Again, we will soon vote on this supplemental funding package. Over $15 billion. And when the war is over, we will be asked to vote on additional funding to rebuild Yugoslavia. We will probably vote to rebuild the Chinese embassy in Belgrade. And if we approve additional funds for the military campaign, the end costs of rebuilding Yugoslavia will only continue to mount.

My vote does not undermine my support, concern or pride for our military. But I do believe that a diplomatic solution to this problem should have been found, can still be found, and must be found if we are to avoid the further escalation of this war. Failure to do so will cost us precipitously—not just in dollars, but in American lives.

I yield the floor.

Mr. ASHCROFT. Mr. President, I rise in opposition to the $15 billion supplemental appropriations conference report before us. The supplemental spends far more than is necessary to support our effort in Kosovo and, worse, will take vitally needed money out of the Social Security surplus, thereby raiding the Social Security Trust Fund.

Protecting the Social Security trust fund is one of my highest priorities. The Social Security system is expected to go into deficit in 2014 and we will need every dollar of that surplus today in order to be prepared for the tomorrows ahead of us.

Until this point, the Senate has been headed in the right direction on Social Security. The Budget Resolution, which I strongly supported, called for reduced debt and taxes, increased funding for education and national defense, and maintaining the spending caps so necessary to control spending.

Perhaps most importantly, the budget resolution built in on-budget surpluses from the year 2001 and beyond. This is significant because surpluses that are accumulating in the Social Security Trust Funds will no longer be used to finance on-budget operations of government. Social Security surpluses should not be used to finance deficits in the rest of government.

The Budget Resolution stood in stark contrast to President Clinton's budget, which, over the next five years, proposed spending $158 billion of the Social Security surpluses on non-Social Security programs.

The Budget Resolution, in addition to preserving every penny of Social Security surpluses, also contained procedural hurdles blocking future budgets from spending Social Security surpluses.

These procedures included a point of order against on-budget deficits and an amendment calling for reducing the debt ceiling by the amount of the Social Security surplus—the lockbox provision.

The Senate voted in favor of both the point of order and the lockbox by unanimous votes during the budget resolution.

In addition, the Abraham-Domenici-Ashcroft lockbox legislation, which is still pending in the Senate, would put these procedures into law, and ensure that Congress could not spend the Social Security surpluses on non-Social Security purposes.

Unfortunately, the supplemental appropriations package before us would undo some of the good work that we have already done this session.

By not offsetting $13 billion of the spending, the supplemental takes money from the Social Security surpluses, money that is necessary to protect the Social Security trust funds.

Thus far, Congress has been committed to stopping the raid on Social Security. This Congress has passed a budget that is balanced without using Social Security funds.

This conference report, however, not only spends Social Security funds, but also contains $1.2 billion in traditional pork spending.

I refer to such spending as $45 million for Census funding, $3.76 million for the House page dormitory, and $1.8 million for the O'Neill House building.

If this bill were just for Kosovo and true emergency spending, I would vote for it. If this bill were fully offset, I would vote for it. But this bill is neither all emergency nor all offset. This bill, like the $21 billion omnibus appropriation last fall, is an abrogation of our responsibility to protect the Social Security surplus.

Mr. President, this is not the way that we should handle Congress' responsibility over the federal purse

strings. If we face real emergencies, we should fund those emergencies.

But funding those emergencies is not free. We need to pay for all spending, emergency or not. This is why I support Senator ENZI's attempt to make sure that this entire appropriation is offset.

If we do not offset our spending, the money comes out of the Social Security surplus. There is no getting around this fact. We must pay for any new funding. If we do not pay for it, it comes out of the Social Security surplus.

The Social Security program is too important to be raided. While I recognize the importance of emergency funding, particularly for Kosovo, I also recognize that spending needs to be paid for.

Mr. President, this request is not unreasonable. All across this great land, when families face unexpected expenses, they must offset their spending by readjusting their priorities. No family in America would react to an unexpected crisis by going out and spending more money on other discretionary, non-budgeted items. All I am asking is that the Congress do the same.

This supplemental spends too much money and offsets too little of it. If we are to keep our financial house in order, and to protect the Social Security trust funds, it is time that we in Congress started to change our behavior.

If we are to maintain our Social Security obligations, we need to learn how to spend less money, and offset more. It is with regret that I feel obligated to oppose this conference report.

Mr. LAUTENBERG. Mr. President, I support this supplemental emergency appropriations bill. It is far from perfect, and I have serious reservations about some provisions. At the same time, the legislation would provide vitally important funding for our operations in Kosovo, as well as several other important provisions. So, on balance, I have concluded that the bill deserves my support.

Mr. President, of the $15 billion in new spending this bill contains, $12 billion is to support our important mission in Kosovo, to punish Slobodan Milosevic for his brutal policy of ethnic cleansing, compel a political settlement, and facilitate the return of the Kosovar Albanian refugees to their homeland. The tragedy in Kosovo represents a turning point for NATO, European security, and American leadership in the 21st century. I am glad that Congress has shown its support for the President with the funding contained in this bill for the military operation and the humanitarian assistance.

The bill also contains funds to ensure that the International Criminal Tribunal for former Yugoslavia can effectively investigate and prosecute the perpetrators of the atrocities committed in Kosovo and those in Belgrade who ordered them to carry out this campaign of terror. They must be brought to justice.

I am also glad that after a long delay we have provided the necessary assistance for Central American countries to recover from the devastation imposed last fall by Hurricanes Mitch and Georges.

Mr. President, this bill also contains a provision that helps family members of the victims of the terrible Pan Am 103 bombing to attend the trial of the charged criminals before the Scottish court in the Netherlands. As you know, Mr. President, many New Jersey natives were on that flight. These families have waited too long for justice to be brought, and I am glad that they will be able to see it rendered firsthand.

The bill also provides $100 million for Jordan, to help support its role in advancing the Middle East peace process. The region stands at a critical juncture after the death of King Hussein and the election of Ehud Barak as Israeli Prime Minister. I am glad we provided this down-payment for Jordan. Now we must follow through on our commitment for Israel and the Palestinian Authority per the Wye River Memorandum the U.S. helped broker.

Mr. President, despite these positive elements, the bill before us has many flaws.

It contains more than $6 billion in unrequested defense spending, far in excess of what it will take to prosecute the air war against Milosevic. It stretches the definition of what constitutes an ''emergency'' to such an extent that it mocks the notion of fiscal discipline.

This year's concurrent resolution on the budget established five explicit criteria to guide the use of the emergency designation, which allows funding beyond the discretionary caps. These criteria relate to whether an item is (i) necessary, essential, or vital (not merely useful or beneficial); (ii) sudden, quickly coming into being, and not building up over time; (iii) an urgent, pressing, and compelling need requiring immediate action; (iv) unforeseen, unpredictable, and unanticipated; and (v) not permanent, temporary in nature.

Unfortunately, it is difficult to see how some of this defense spending constitutes an emergency. For example, while increasing military compensation may be a laudable goal, it hardly represents an emergency under these criteria.

I also am disturbed by the apparent disparate treatment of offsets. As my colleagues know, under the Budget Act, funding for emergency spending does not count against the discretionary caps and therefore does not have to be offset. For some reason, however, the Majority feels that offsets are necessary—but for only for the agriculture and humanitarian emergencies, not the military portion. This double standard defies logic. If something is an emergency, no offsets should be required. If it is not an emergency, then we should not use the emergency designation and we should pay for it with spending reductions.

However, of all the problems with this bill, I am most disappointed in the provisions related to the recent multistate tobacco settlement. These provisions waive the Federal government's right to recoup its share of recovered tobacco Medicaid costs without any guarantees that State governments will spend even a penny of these settlement funds on tobacco control programs.

Mr. President, these provisions—stuck into this large emergency supplemental appropriations bill—hand the tobacco industry a big victory. The tobacco lobby wanted to avoid an effective, nationwide anti-youth smoking effort. And unfortunately, it looks like their wish was granted.

Mr. President, some have characterized this recoupment of Federal Medicaid dollars as a Federal ''money grab'' of State dollars. Nothing could be further from the truth.

It is without question that a large portion of the state settlements with the tobacco industry represents a recovery of Federal funds. I should know, because I have been working with the state attorneys general on these cases since they were filed.

In fact, I introduced the first ''Tobacco Medicaid Waiver'' bill back in 1996. At that time, I was joined by Mississippi Attorney General Mike Moore and Minnesota Attorney General Skip Humphrey at the introduction of a bill that would allow States to keep part of the Federal share of Medicaid. At the time, there were only ten states suing, and my bill was aimed at urging more States to bring claims.

Mr. President, back then, none of these pioneering state officials ever said that the Federal Government had no right to Medicaid recoupment. It is a preposterous argument. The states sued under the Federal Medicaid statute—they knew that then and they know that now.

Mr. President, there is no question under current law that a portion of these settlements are Federal funds. It is also important to note that the tobacco settlement signed by the States blocks the Federal government from seeking reimbursement for Federal Medicaid costs caused by tobacco company misconduct in the future. So, in other words, the States waived our rights too.

Let me be clear: I think we should ultimately give this money back to the States—but we must have guarantees that a portion of this tobacco recoupment will be used to reduce youth smoking, assist children and promote public health.

Mr. President, the provisions stuck into this bill are bad policy and primarily benefit one party: the tobacco industry. The losers will be America's children. Because of this provision, more young people will begin to smoke. And many of them, ultimately, will die as a result.

Mr. President, that's not right. And I hope Congress will reconsider this decision in the future.

Still, Mr. President, this conference report does contain several other important provisions, including funding for our operations in Kosovo. So, while I do so with some reluctance, I will support it.

Mr. COCHRAN. Mr. President, I yield the remainder of our time to the distinguished Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. How much time do I have?

The PRESIDING OFFICER. Three minutes 12 seconds.

Mr. STEVENS. I thank the Chair, and I thank my good friend from Mississippi for managing the bill for us as we had a distinguished visitor in the Appropriations Committee room.

Mr. President, there is a lot of controversy about this bill, but I think this bill represents the best of America. We have reacted to crises abroad and crises in this country.

There are items in this bill that are not emergencies. While many people are saying they should not be here because they are not emergencies, they are here because this is a supplemental and an emergency bill. It is a bill that we can all vote for in good conscience, and I hope there will be an overwhelming vote for this.

Again, I point out for the Senate that the men and women of the armed services are aware of this bill. It means a great deal to them. It is a symbol of our commitment to the pay raise for which we have already gone on record.

It is a symbol that we are going to step forward to modernize the armed services. It is a symbol that we are going to provide the money to assure these people when they are sent overseas, whether it is Kosovo or in the area of Iraq or in South Korea, or in Bosnia—wherever it may be in those 93 countries of the world that the American service men and women are now serving—we are going to stand behind them and give them all the support they need not only for their safety but for their comfort.

The passage of this bill will mean that we can now go ahead with the balance of our necessary actions in the Appropriations Committee. We have 13 full bills that come forward. I hope this will be the last supplemental of this year. I join the majority leader in not welcoming supplemental bills. But I know there are times when it is necessary; and this one is necessary.

Anyone who looks at our involvement in the world knows that we cannot calculate in advance the costs of events, such as the Kosovo operation, both militarily and in regard to refugees. These were things that came up after we planned expenditures for 1999 in the fall of last year.

I urge the Members of the Senate to vote for this bill. I urge that we, as quickly as possible, get it to the President so he can sign it today.

I yield back any time I have and ask for the yeas and nays.

The PRESIDING OFFICER (Mr. GORTON). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is all time yielded back?

All time having been yielded back, the question is on agreeing to the conference report to accompany H.R. 1141. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 64, nays 36, as follows:

[Rollcall Vote No. 136 Leg.]

YEAS—64

Abraham	Feinstein	Mikulski
Akaka	Frist	Moynihan
Baucus	Graham	Murray
Bennett	Harkin	Reed
Biden	Hatch	Reid
Bingaman	Hollings	Roberts
Bond	Hutchinson	Rockefeller
Breaux	Hutchison	Roth
Brownback	Inouye	Sarbanes
Bunning	Johnson	Schumer
Byrd	Kennedy	Shelby
Campbell	Kyl	Smith (OR)
Chafee	Landrieu	Snowe
Cochran	Lautenberg	Specter
Collins	Leahy	Stevens
Conrad	Levin	Thompson
Coverdell	Lieberman	Thurmond
Daschle	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wellstone
Domenici	Mack	
Durbin	McConnell	

NAYS—36

Allard	Feingold	Kerry
Ashcroft	Fitzgerald	Kohl
Bayh	Gorton	McCain
Boxer	Gramm	Murkowski
Bryan	Grams	Nickles
Burns	Grassley	Robb
Cleland	Gregg	Santorum
Craig	Hagel	Sessions
Crapo	Helms	Smith (NH)
Dorgan	Inhofe	Thomas
Edwards	Jeffords	Torricelli
Enzi	Kerrey	Wyden

The conference report was agreed to.

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

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

The motion to lay on the table was agreed to.

OFFSET OF EMERGENCY SUPPLEMENTAL SPENDING LEGISLATION

Mr. ENZI. Mr. President, as the supplemental appropriations conference report stands, it is currently $13.3 billion out of balance. Only $2 billion of the spending in this bill is offset and my bill will ensure that Congress follows the rules and not dip into the Social Security surplus to fund all the truly non-emergency items in the supplemental appropriations bill.

The legislation that I have introduced imposes much needed fiscal discipline. I have been working for a balanced budget since I was first elected to the Senate and the supplemental begins the process of undoing that work. Congress must not go back to the old spending rules—just because we have a surplus that does not mean that the battle has been won. It means that we must continue to be watchful and ensure that the surplus continues to grow.

Some of the items in this bill are true emergencies such as disaster relief in Oklahoma, livestock assistance and Hurricane Mitch relief. However, there are many items that are not emergencies, like $48 million for a new satellite for the Corporation for Public Broadcasting and $3.75 million for renovations to the House page dormitory. There is $45 million for unanticipated costs associated with the census, to an accountant it seems that there needs to be better cost control to prevent such things. There are millions of dollars in examples of items that are not emergencies but have been designated as such. Many of these items should have been debated in the fiscal year 2000 appropriations process.

Even while the economy is strong, I remain concerned about the debt that we are in danger of passing on to our children and our grandchildren. In the past, it seemed we were so tied to the immediate gratification we receive from spending money that we didn't see the danger that looms in the not too distant future—the risk associated with spending ''on credit'' with reckless abandon. We still don't acknowledge that danger.

The genesis of this bill was to pay for the current military conflict in Kosovo. I fully support the troops and I was prepared to vote to pay for the costs of supporting our men an women in uniform, but the supplemental goes far beyond what I was prepared to support. Many of these items are best left to the Department of Defense authorization bill or the Soldier's, Sailor's and Airman's Bill of Rights, which passed the Senate and contained a much needed pay raise for the armed services. The pay raise contained in the supplemental jumps the gun. The House should have the opportunity to consider the authorizing legislation before the money is appropriated.

Just passing a balanced budget resolution is not enough. Congress must continue to be on watch for attempts to violate not just the letter of resolution, but the spirit through spending bills that are not offset. This Legislation will ensure that the bill fits under the spending caps and that the surplus is protected.

As a body, we have been seriously debating locking up the Social Security surplus to ensure that the money will be there to honor America' contract with our senior citizens. Now we have a bill that dips into the surplus to pay for a Christmas tree of items under the false pretenses of an emergency. This is exactly what the lock box was designed to prevent. I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.