

Secretary misspoke once when he said to the Congress and to the people we have taken care of the security problems. That is not a quote. It is just a general notion of what he said.

I noted over the weekend that the new four-star general, retired, has been put in charge of security and counter-intelligence. They called him the czar. I note that he has indicated he is a year away from getting what he thinks is necessary under this dysfunctional department to be able to say we are taking care of the security issues in the best possible way.

Why wouldn't we hurry up and reorganize? Instead of that czar spending all of his time trying to get a structure set up under the old system—which everybody says isn't going to work, and which says, Good luck, general, but when you are finished with all of that, it isn't going to work—we ought to get this reorganization in the hands of that Department, in the hands of the President of the United States, and say, Let's get on with trying to implement.

I submit that it is going to be hard to implement.

There are many ties that are going to have to be broken. There are many parts of the Energy Department that are going to go down swinging in terms of them having little or nothing to say anymore about the nuclear weapons aspect of this. They all have parts in it. It has made it such a bureaucratic mess that even as I look at amendments that want to ease up a little on the semiautonomous nature, my mind immediately goes back to, well, if we open the door a little bit, we are just going to end up in 10 or 5 years right back where we are.

I want to make sure everybody understands that we want to keep it semiautonomous where the Secretary is ultimately engaged, but within that is something similar to the FAA that is doing its own work on nuclear weapons. I think we are close.

However, I suggest to those Senators who want to discuss amendments or who contemplate offering amendments, including the ranking member of the Armed Services Committee, Senator CARL LEVIN, that we hear from him soon as to what he wants to do. We have a proposal we are discussing about going somewhat in his direction but not totally.

I am trying to see if we can minimize amendments and get this done quickly. If not, I think we will just start voting. Some don't want to do that. I think we will have to do that within the next hour or so if we can't put things together. Then I will have a couple amendments, if that is the case. I think they are more acceptable than what I understand others are going to offer. We will get those debated.

Mr. DOMENICI. I ask unanimous consent I be permitted to speak as in morning business for 5 minutes.

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

TAX CUTS

Mr. DOMENICI. Mr. President, on the floor of the Senate today, yesterday in a press conference at the White House, today in a press conference, and this afternoon, the President of the United States will end about 48 hours of White House attack on tax cut proposals that Republicans have put forth. We are very grateful, however, that some Democrats are now espousing the same—in particular, in the Senate. The whole idea of the attack is, we don't have enough surplus to give the American people a tax break.

I hope the American people understand the contentions made by the President, by the Secretary of the Treasury, by those on the floor today from the other side who debated it. I hope they understand that this is an attack that should be called "anything but taxes." That is the philosophy of those who are attacking what we are trying to do—anything but taxes.

For those who think we don't have enough resources, I will take some time today, both on the floor and in other places here at the Capitol, to explain that, indeed, it is a prudent plan. Indeed, there are sufficient resources, and there are sufficient resources in the broadest sense, to take care of our commitment to Social Security. We have done that. We want a lockbox, and we can't get it passed in this Senate. There is ample money for reform of the Medicare system to include prescription drugs.

We will also today let the American people know that the Congressional Budget Office believes the President's prescription drugs are not going to cost only \$48 billion in new money; their estimate is they could cost \$118 billion—a very important difference, more than double the amount. The point of all this is the contention that we can't take care of the rest of government if we have a tax cut.

I will just use a round number here. My recollection is that the surplus is \$3.9 trillion—people can't even fathom \$3.9 trillion—over the next decade. To put it in perspective, the entire budget of the United States on an annual basis, including Social Security payments, Medicare payments, all of the appropriated accounts, is about \$1.8 to \$1.9 trillion. Almost twice the total expenditures of the Federal Government in a given year is the surplus accumulating, according to the best estimators and best economists we can put on this issue—experts at both the Office of Management and Budget and Congressional Budget Office.

I quickly penned some figures. If we have \$3.9 trillion in surplus and we want a tax cut over a 10-year period of \$782 billion, that is 20 percent of the surplus that would be given back to the American people by way of tax cuts and tax changes. That will make for better economic sense in the future.

That is a rough number. That is a gross number. However, it puts it in perspective. We ask the question,

Where is the rest of it going? We will share in detail what we say it is going for and what the Congressional Budget Office says the President's budget is going to be used for. It will be an interesting comparison.

For those on the other side and those in the White House—including the Secretary of the Treasury—who think they will have free rein making their case, which in my opinion is extremely partisan, it is Democrats in the White House, including the Secretary of the Treasury, who are saying, "We are not for tax cuts," and making every kind of excuse in the world to avoid it.

We will make sure that our side of this is understood. We believe if we don't have a significant tax cut adopted now for the next decade, all that surplus will be spent. We can already see it in plans coming from the White House. We can already see it in the current budget of the President extended over a decade as estimated by the Congressional Budget Office.

I thank the Senate for giving me a little bit of time this morning. I clearly did not today present our case in its totality. I want everybody to know there is another side to the partisan antitax fever that will be coming out of the White House the next couple of weeks. That is what it is. It is a ferocious attack on anyone who wants to give back taxes to the American people, using all kinds of arguments, even if they are totally partisan, one-sided exaggerations.

We won't get as much news because the President's press conference will be heralded everywhere. Before we are finished, we will have a few spokesmen tell the American people what this is about. I wish we had an opportunity to present what we are going to present today to the House. I wish we could do it in a joint meeting to the public. The concern that there is not enough money for discretionary appropriations in defense is wrong. The notion that there is not enough money for Medicare—be it the President's \$48 billion or the \$118 billion that the CBO says a plan such as the President's would cost—is not so.

In these 5 minutes, that is the best I can do. I don't have charts. They prepared their charts for use today and hereafter. We will use them. Frankly, attacks on the budget resolution by the White House should get thrown in the wastebasket. If Members want to attack a budget, attack the President's budget and see what he did with all this surplus. See what the Congressional Budget Office says he will do with all this surplus. We know what we will do. We will lock up \$1.9 trillion for Social Security. That leaves a very large amount for defense, education, and other areas—indeed, a very significant amount for Medicare, if we choose to reform it, and a tax cut about the size proposed in the budget resolution approved here.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000—Continued

Mr. KYL. 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. KYL. Mr. President, I ask unanimous consent that Senator LUGAR from Indiana be added as a cosponsor to the Kyl-Domenici-Murkowski amendment.

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

Mr. KYL. Mr. President, I will be happy to defer to Senator LEVIN. He is prepared now to report on one of his amendments.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, in the last half-hour, or hour, there have been discussions going on relative to Senator BINGAMAN's second amendment. One of them has already been accepted, as I understand, in modified form. It is now my understanding that the managers would just as soon proceed to my amendment while they are trying to work out Senator BINGAMAN's second amendment. That is fine with me.

Mr. KYL. Fine.

AMENDMENT NO. 1261 TO AMENDMENT NO. 1258

Mr. LEVIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 1261 to amendment No. 1258:

In section 213 of the Department of Energy Organization Act, as proposed by subsection (c) of the amendment, add at the end the following:

(u) The Secretary shall be responsible for developing and promulgating all Departmental-wide security, counterintelligence and intelligence policies, and may use his immediate staff to assist him in developing and promulgating such policies. The Director of the Agency for Nuclear Stewardship is responsible for implementation of the Secretary's security, counterintelligence, and intelligence policies within the new agency. The Director of the Agency may establish agency-specific policies so long as they are fully consistent with the departmental policies established by the Secretary.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I will be happy to consider a time agreement. My good friend Senator KYL suggested we try to adopt it. It is my understanding it might have been already adopted last night, so I suggest it would be perhaps an hour evenly divided.

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

Mr. LEVIN. Mr. President, it is not often an amendment is read in its entirety around here, even a short one. Usually we ask unanimous consent that further reading of the amendment be dispensed with. I do not know how many times I have used those words on this floor in the last 20 years. But in this case I decided to have this amendment—it is fairly short—read in its entirety because it may sound familiar to some people.

These are Senator Rudman's words. This amendment incorporates some very important parts of Senator Rudman's panel's recommendation that are left out of the pending amendment. That is why I wanted the entire amendment read.

The sponsors of this amendment have correctly pointed out that Senator Rudman is recommending a semi-autonomous agency, and that is the heart of Senator Rudman's proposal. It happens to be a proposal that I support. But the difference between my position and the sponsor's position, relative to Senator Rudman's recommendations, is that their amendment leaves out some very critical recommendations of the Rudman panel relative to the operation of the Department of Energy.

My amendment would insert in the pending amendment some very important recommendations of the Rudman panel the pending amendment omits.

We have heard a lot relative to the importance of the Rudman panel recommendations. Senator Rudman and his panel performed an extremely important service to this Nation in pointing out the complicated bureaucratic maze that exists at the Department of Energy and pointing out that for 20 years, report after report, recommendation after recommendation to streamline the bureaucracy the Department of Energy have been made, including made to the Congress, without action being taken by the Congress.

All of us bear responsibility for that failure. Three administrations and 20 years of Congresses have been told in a number of reports there should be some reorganization done at the Department of Energy

Finally, a year and a half ago, President Clinton issued a Presidential directive that reorganizes the Department of Energy. That directive has been mainly implemented, not yet fully apparently but mainly implemented. The Rudman panel goes beyond that Presidential directive but does give credit to President Clinton for being the first President in 20 years to direct the reorganization of the Department of Energy, even though three Presidents have been told there is significant organizational problems, and even though as early as 1990 there was a public statement about espionage being carried out by the People's Republic of China at one of these labs.

Secretary Richardson is engaged in significant reorganization of this agency, and the Rudman panel gave credit

to Secretary Richardson for beginning the important reorganizational changes.

This Congress has taken some steps to reorganize the Department of Energy. The Armed Services Committee, for instance, upon which our Presiding Officer sits with distinction, has acted on our bill, which is now in conference, to carry out some significant reorganization of the Department of Energy.

On the House side, the Armed Services Committee did the same thing. The language is different. Parts of their provision differ from ours. But the point is, there are some very important things going on in terms of reorganization in the Department of Energy, as we speak. But the Rudman panel goes beyond that. It would put into law, for instance, things which are in an Executive order. We know how much more important a law is than an Executive order because an Executive order, No. 1, can be changed by the next President but, No. 2, can be too often ignored by the bureaucracy. We had a recent example of that in another agency where an agency just almost totally ignored an Executive order.

We want to put into law a significant reorganization, and we want to—at least I do, and I think most of my colleagues want to—put into law a reorganization along the lines of the Rudman panel recommendation. I do not know that there is any disagreement on that, but apparently there is a disagreement when it comes to setting forth not just the provisions of the Rudman panel's recommendations relative to the power of this new semiautonomous agency, but when it comes to setting forth the power of the Secretary of Energy relative to directing and controlling his Department.

What is left out in this amendment is also important, according to the Rudman panel. This is not the Senator from Michigan talking; this amendment is the Rudman panel talking. I will go into what these provisions are in just one moment.

I emphasize, the security breakdown that has existed for 20 years that was highlighted in the Cox commission report must be corrected. There are a number of steps underway to correct them, but we should act. There have been some pretty important, good-faith discussions going on over the last few days as to how we might be able to come up with a bill which can become law.

We can pass a bill, and if the House does not accept the bill because they think it ought to be a freestanding bill and not on an intelligence authorization bill, or because they do not think it ought to be on a Department of Defense authorization bill—and that is their position in conference relative to the defense authorization bill—we can attach language here. But if we do not have a strong, healthy consensus, it seems to me we are in a much weaker position in getting this law actually