

On July 29 and on September 1, the Republican leadership offered variations of this proposal, with amendments restricted to three for Democrats and three for Republicans.

Senator DASCHLE offered yet another reasonable approach to resolve the impasse that Senator LOTT had created by his efforts to prevent meaningful reform. He offered to agree to let the Senate debate other bills during the day, and use evenings to debate the Patients' Bill of Rights—but the Republican leadership said, "no."

Our patients' Bill of Rights was introduced in March—and a predecessor bill was introduced by Congressman DINGELL and myself more than eighteen months ago, at the beginning of this Congress.

Senator DASCHLE, in an effort to be responsive to the Republican Leader's ultimatum that an agreement on the terms of the debate must be reached before the debate can begin, has offered reasonable proposal after reasonable proposal—and every one was rejected.

Yet the Republican leader has allowed the Senate to debate many other bills this year, with ample time and ample opportunity for amendments.

We had 7 days of debate on the budget resolution, and considered 105 amendments. Two of those were offered by Senator NICKLES.

We had 6 days of debate on the defense authorization bill, and considered 150 amendments. Two of those were offered by Senator LOTT and he cosponsored 10 others. We had 8 days of debate on IRS reform and considered 13 amendments.

We had 17 days of debate on tobacco legislation—a bill we never completed—and considered 18 amendments.

We had 5 days of debate on the agriculture appropriations bill and 55 amendments.

We had 19 days of debate on the highway bill, with 100 amendments.

The Republican leadership has allowed 5 days of debate and 24 amendments to the bankruptcy bill.

They have allowed 36 amendments and 2 days of debate on the FAA bill.

All these bills were important, and all deserved reasonable debate and opportunities for amendments. They were brought up without any undue restrictions on debate. That is the normal way of doing business on important pieces of legislation in the Senate.

The Republican leadership was willing to have an adequate opportunity to debate and vote on these other important measures. But when the issue is protecting American families instead of insurance industry profits, different ground rules apply to protect the industry and deny the rights of patients.

The reason the Republican leadership was unwilling to engage in a fair debate is obvious. Senator LOTT knows his legislation is deeply flawed, and that it cannot possibly be fixed with just three amendments. He believes that he and his special interest friends can hold most of the Republican Sen-

ators for a few votes, but he feared that they would not be willing to stand before the American people on the Senate floor and cast vote after vote for the special interests and against the interests of American families. The fundamental flaws in the Republican bill mean greater profits for insurance companies and lesser care for American patients. Senator LOTT does not want the Senate to vote to fix these flaws. He does not want a vote: on whether all Americans should be covered, or just one third of Americans as the Republicans shamefully propose; on whether there should be genuine access to emergency room care; on whether patients should have access to the specialists they need when they are seriously ill; on whether doctors should be free to give the medical advice they deem appropriate, without fear of being fired by their HMO; on whether patients with incurable cancer or Alzheimer's disease or other serious illnesses should have access to quality clinical trials where conventional treatments offer no hope; on whether patients in the middle of a course of treatment can keep their doctor if their health plan drops them from its network, or their employer changes health plans; on whether the special health needs of the disabled, and women, and children should be met; on whether patients should be able to obtain timely independent review of plan decisions that deny care; or on whether health plans should be held responsible in court for decisions that kill or injure patients.

The list of flaws in the Republican bill goes on and on.

The Republican leadership's record on this issue is painfully clear. Their cynical strategy is to protect the insurance industry at all costs, by blocking any reform at all, or by passing only a minimalist bill so weak that it would be worse than no bill at all. And today, they finally ended the charade—by moving to table a motion to bring the bill passed by Republicans in the House before the Senate.

Last Friday, the Wall Street Journal reported that the Republican Congressional Campaign Committee held a \$25,000-a-person fundraiser for a "select group" of health care industry executives. The heading for the article was, "Politicians seek to profit from the debate over health care policies."

The American people are sick of health insurance companies that profit by abusing patients. And it is equally unacceptable that politicians should profit by protecting those exorbitant industry profits.

Every family in this country knows that it will some day have to confront the challenge of serious illness for a parent, or grandparent, or a child. When that day comes, all of us want the best possible medical care for our loved ones. Members of the Senate deserve good medical care for their loved ones—and we generally get it. Every other family is equally deserving of

good quality care—but too often they do not get it, because their insurance plan is more interested in profits than patients.

The Patients' Bill of Rights provides simple justice and basic protection for every one of the 160 million Americans with private insurance. It is supported by the American Medical Association, the Consortium of Citizens with Disabilities, the American Cancer Society, the American Heart Association, the National Alliance for the Mentally Ill, the National Partnership for Women and Families, the National Association of Children's Hospitals, the AFL-CIO, and many other groups representing physicians and other health care providers, children, women, families, consumers, persons with disabilities, Americans with serious illnesses, small businesses, and working families.

It is rare for such a broad and diverse coalition to come together in support of legislation. Both they have done so to end these flagrant abuses that hurt so many families.

We serve notice today that this struggle is not over. The Republicans in Congress and their friends in the insurance industry may have won this year's battle, but they will lose in the end.

Democrats in Congress intend to make the Patients' Bill of Rights the first order of business when the new Congress convenes next January. We will continue to fight for meaningful patient protections until they are signed into law. We will not give up this struggle until every family can be confident that a child or parent or grandparent who is ill will receive the best care that American medicine can provide.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I ask for the yeas and nays on the pending committee substitute.

The PRESIDING OFFICER. Will the Senator withhold?

FINANCIAL SERVICES ACT OF 1998

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes.

The Senate resumed consideration of the bill.

Mr. LOTT. I now ask for the yeas and nays on the pending committee substitute.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

MOTION TO RECOMMIT

Mr. LOTT. I move to recommit H.R. 10 back to the Banking Committee to report back forthwith with an amendment.

AMENDMENT NO. 3804

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 3804.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3805 TO INSTRUCTIONS TO RECOMMIT

Mr. LOTT. I send an amendment to the desk to the pending motion.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 3805 to the instructions to recommit.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the Instructions, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marriage Tax Elimination Act".

SEC. 2. COMBINED RETURN TO WHICH UNMARRIED RATES APPLY.

(a) IN GENERAL.—Subpart B of part II of subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to income tax returns) is amended by inserting after section 6013 the following new section:

"SEC. 6013A. COMBINED RETURN WITH SEPARATE RATES.

"(a) GENERAL RULE.—A husband and wife may make a combined return of income taxes under subtitle A under which—

"(1) a separate taxable income is determined for each spouse by applying the rules provided in this section, and

"(2) the tax imposed by section 1 is the aggregate amount resulting from applying the separate rates set forth in section 1(c) to each such taxable income.

"(b) TREATMENT OF INCOME.—For purposes of this section—

"(1) earned income (within the meaning of section 911(d)), and any income received as a pension or annuity which arises from an employer-employee relationship, shall be treated as the income of the spouse who rendered the services, and

"(2) income from property shall be divided between the spouses in accordance with their respective ownership rights in such property.

"(c) TREATMENT OF DEDUCTIONS.—For purposes of this section—

"(1) except as otherwise provided in this subsection, the deductions allowed by section 62(a) shall be allowed to the spouse treated as having the income to which such deductions relate,

"(2) the deduction for retirement savings described in paragraph (7) of section 62(a) shall be allowed to the spouse for whose benefit the savings are maintained,

"(3) the deduction for alimony described in paragraph (10) of section 62(a) shall be allowed to the spouse who has the liability to pay the alimony,

"(4) the deduction referred to in paragraph (16) of section 62(a) (relating to contributions to medical savings accounts) shall be allowed to the spouse with respect to whose employment or self-employment such account relates,

"(5) the deductions allowable by section 151 (relating to personal exemptions) shall be determined by requiring each spouse to claim 1 personal exemption,

"(6) section 63 shall be applied as if such spouses were not married, and

"(7) each spouse's share of all other deductions (including the deduction for personal exemptions under section 151(c)) shall be determined by multiplying the aggregate amount thereof by the fraction—

"(A) the numerator of which is such spouse's adjusted gross income, and

"(B) the denominator of which is the combined adjusted gross incomes of the 2 spouses.

Any fraction determined under paragraph (7) shall be rounded to the nearest percentage point.

"(d) TREATMENT OF CREDITS.—Credits shall be determined (and applied against the joint liability of the couple for tax) as if the spouses had filed a joint return.

"(e) TREATMENT AS JOINT RETURN.—Except as otherwise provided in this section or in the regulations prescribed hereunder, for purposes of this title (other than sections 1 and 63(c)) a combined return under this section shall be treated as a joint return.

"(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this section."

(b) UNMARRIED RATE MADE APPLICABLE.—So much of subsection (c) of section 1 of such Code as precedes the table is amended to read as follows:

"(c) SEPARATE OR UNMARRIED RETURN RATE.—There is hereby imposed on the taxable income of every individual (other than a married individual (as defined in section 7703) filing a joint return or a separate return, a surviving spouse as defined in section 2(a), or a head of household as defined in section 2(b)) a tax determined in accordance with the following table:"

(c) BASIC STANDARD DEDUCTION FOR UNMARRIED INDIVIDUALS MADE APPLICABLE.—Subparagraph (C) of section 63(c)(2) of such Code is amended to read as follows:

"(C) \$3,000 in the case of an individual who is not—

"(i) a married individual filing a joint return or a separate return,

"(ii) a surviving spouse, or

"(iii) a head of household, or".

(d) CLERICAL AMENDMENT.—The table of sections for subpart B of part II of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6013 the following:

"Sec. 6013A. Combined return with separate rates."

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning January 1, 2000.

Mr. LOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3806 TO AMENDMENT NO. 3805

Mr. LOTT. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 3806 to amendment No. 3805.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the first word and insert the following:

SHORT TITLE.

This Act may be cited as the "Marriage Tax Elimination Act".

SEC. 2. COMBINED RETURN TO WHICH UNMARRIED RATES APPLY.

(a) IN GENERAL.—Subpart B of part II of subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to income tax returns) is amended by inserting after section 6013 the following new section:

"SEC. 6013A. COMBINED RETURN WITH SEPARATE RATES.

"(a) GENERAL RULE.—A husband and wife may make a combined return of income taxes under subtitle A under which—

"(1) a separate taxable income is determined for each spouse by applying the rules provided in this section, and

"(2) the tax imposed by section 1 is the aggregate amount resulting from applying the separate rates set forth in section 1(c) to each such taxable income.

"(b) TREATMENT OF INCOME.—For purposes of this section—

"(1) earned income (within the meaning of section 911(d)), and any income received as a pension or annuity which arises from an employer-employee relationship, shall be treated as the income of the spouse who rendered the services, and

"(2) income from property shall be divided between the spouses in accordance with their respective ownership rights in such property.

"(c) TREATMENT OF DEDUCTIONS.—For purposes of this section—

"(1) except as otherwise provided in this subsection, the deductions allowed by section 62(a) shall be allowed to the spouse treated as having the income to which such deductions relate,

"(2) the deduction for retirement savings described in paragraph (7) of section 62(a) shall be allowed to the spouse for whose benefit the savings are maintained,

"(3) the deduction for alimony described in paragraph (10) of section 62(a) shall be allowed to the spouse who has the liability to pay the alimony,

"(4) the deduction referred to in paragraph (16) of section 62(a) (relating to contributions to medical savings accounts) shall be allowed to the spouse with respect to whose employment or self-employment such account relates,

"(5) the deductions allowable by section 151 (relating to personal exemptions) shall be determined by requiring each spouse to claim 1 personal exemption,

"(6) section 63 shall be applied as if such spouses were not married, and

"(7) each spouse's share of all other deductions (including the deduction for personal exemptions under section 151(c)) shall be determined by multiplying the aggregate amount thereof by the fraction—

"(A) the numerator of which is such spouse's adjusted gross income, and

"(B) the denominator of which is the combined adjusted gross incomes of the 2 spouses.

Any fraction determined under paragraph (7) shall be rounded to the nearest percentage point.

“(d) TREATMENT OF CREDITS.—Credits shall be determined (and applied against the joint liability of the couple for tax) as if the spouses had filed a joint return.

“(e) TREATMENT AS JOINT RETURN.—Except as otherwise provided in this section or in the regulations prescribed hereunder, for purposes of this title (other than sections 1 and 63(c)) a combined return under this section shall be treated as a joint return.

“(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this section.”.

(b) UNMARRIED RATE MADE APPLICABLE.—So much of subsection (c) of section 1 of such Code as precedes the table is amended to read as follows:

“(c) SEPARATE OR UNMARRIED RETURN RATE.—There is hereby imposed on the taxable income of every individual (other than a married individual (as defined in section 7703) filing a joint return or a separate return, a surviving spouse as defined in section 2(a), or a head of household as defined in section 2(b)) a tax determined in accordance with the following table:”.

(c) BASIC STANDARD DEDUCTION FOR UNMARRIED INDIVIDUALS MADE APPLICABLE.—Subparagraph (C) of section 63(c)(2) of such Code is amended to read as follows:

“(C) \$3,000 in the case of an individual who is not—

“(i) a married individual filing a joint return or a separate return,

“(ii) a surviving spouse, or

“(iii) a head of household, or”.

(d) CLERICAL AMENDMENT.—The table of sections for subpart B of part II of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6013 the following:

“Sec. 6013A. Combined return with separate rates.”

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

TREASURY, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999—CONFERENCE REPORT

Mr. LOTT. I now ask unanimous consent that the Senate proceed to the Treasury-Postal Service appropriations conference report and that the conference report be considered as having been read.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask unanimous consent that the report be read.

The PRESIDING OFFICER. Is there objection to the request?

Mr. REID. Objection.

MOTION TO PROCEED

Mr. LOTT. There is objection. Therefore, I now move to proceed to the conference report.

Several Senators addressed the Chair.

Mr. REID. I ask that the report be read.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Nevada has that right.

The clerk will read the conference report.

The assistant legislative clerk proceeded to read the conference report.

Mr. CAMPBELL addressed the Chair. The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Colorado.

Mr. CAMPBELL. Mr. President, I ask unanimous consent further reading of the bill be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to read.

The assistant legislative clerk continued the reading of the conference report.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The clerk will proceed.

The assistant legislative clerk continued the reading of the conference report.

Mr. CAMPBELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. CAMPBELL. I ask unanimous consent that the reading of the conference report be dispensed with.

Mr. GRAHAM. Mr. President, on behalf of Senator REID, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue reading the report.

The assistant legislative clerk continued the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the further reading of the conference report be dispensed with.

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER (Mr. HAGEL). Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. HELMS. Mr. President, I ask unanimous consent that further reading of the conference report be dispensed with.

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that further reading of the report be dispensed with.

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. HELMS. Mr. President, in order for the U.S. Senate to conduct the people's business, despite the delay and frustration of the other party, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, in order that the Senate might conduct the people's business, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. HELMS. Mr. President, in order that the Democrats not put the Senate in a stalemate, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the reading of the conference report.

Mr. HELMS. Mr. President, in order to save a little time, I have ordered some Tinkertoys for the Democrats to play with. I, therefore, ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. The legislative clerk continued with the reading of the conference report.

Mr. SMITH of New Hampshire. Mr. President, I again ask unanimous consent that reading of the conference report be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object. Protecting the rights of the majority under the rules of the Senate, I object.