

“(A) to remain on active duty for at least two years and through the tenth year of active commissioned service; and

“(B) to complete tours of duty to which the officer may be ordered during the period covered by subparagraph (A) as a department head afloat.

“(b) COVERED OFFICERS.—A surface warfare officer referred to in subsection (a) is an officer of the Regular Navy or Naval Reserve on full-time active duty who—

“(1) is designated and serving as a surface warfare officer;

“(2) is in pay grade O-3 at the time the officer applies for an agreement under this section;

“(3) has been selected for assignment as a department head on a surface ship;

“(4) has completed at least four but not more than eight years of active commissioned service; and

“(5) has completed any service commitment incurred through the officer's original commissioning program.

“(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than \$15,000 for each year covered by the written agreement.

“(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 10 years of active commissioned service.

“(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed and may be paid—

“(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary of the Navy followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

“(2) in equal annual payments with the first payment payable at the time the agreement is accepted by that Secretary and subsequent payments on the anniversary of the acceptance of the agreement.

“(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

“(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty specified in the agreement, the Secretary of the Navy may require the officer to repay the United States, on a pro rata basis and to the extent that that Secretary determines conditions and circumstances warrant, all sums paid under this section.

“(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owned to the United States.

“(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

“(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.”

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating

to section 301g, as added by section 110(a) of this Act, the following new item:

“301h. Special pay: surface warfare officers extending period of active duty.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

• Mr. ROBB. Mr. President, the men and women of the Armed Forces are being asked to do more and more with less and less, to the point where it is becoming difficult to recruit and retain the best and brightest. Looking at just two salient examples, last year the Navy's recruiting efforts fell short by over 7,000 sailors, and last year Air Force first-term aircrew reenlistment was only 61 percent.

To help meet these and other personnel challenges, the Armed Services Committee recently approved S. 4, the Soldiers', Sailors', Airmens' and Marines' Bill of Rights Act of 1999. S. 4 authorizes significant pay raises, improves retirement pay, and enhances GI Bill benefits. This legislation will be brought up soon for consideration by the full Senate. It is an important step—one of several—that the Congress must take this year to help the military pull out of what the Chairman of the Joint Chiefs described as a “nose-dive that might cause irreparable damage to this great force.”

But I believe S. 4 missed some excellent opportunities to directly improve recruiting and retention—opportunities recognized by the Administration in their FY 2000 defense budget submission. In particular, certain categories of military service present our most difficult retention challenges because they involve recruiting highly skilled personnel, providing costly training, and retaining these individuals in the face of uniquely difficult and dangerous missions coupled with powerful financial incentives to leave the military for the civilian sector. Examples include aircrews, Navy SEALs, and Navy Surface Warfare Officers.

Only 25 percent of Surface Warfare Officers remain on active duty to their Department Head tour. In the Navy SEAL community, attrition has increased over 15 percent in the past three years. FY 1998 Navy diver manning was below 85 percent. That same year, only about 60 percent of military career linguists met or exceeded the minimum requirements in listening or reading proficiency. A host of retention problems exist for Nuclear-Qualified Officers.

This amendment which I am filing today along with Senator KENNEDY and Senator CLELAND does several things. It provides bonuses for Surface Warfare Officers and Navy SEALs to encourage them to remain in the service. It provides added pay for enlisted aircrews. Several existing bonuses are increased, including those for divers, Nuclear Qualified Officers, linguists and other critical specialties. Finally, the Enlistment Bonus Ceiling is increased. These are critical remedies for critical spe-

cialties. The nation simply can't afford to pay so much to recruit and train these talented individuals only to see them leave the service out of frustration over the inadequacies of their pay and benefits.

Mr. President, I look forward to offering this amendment to S. 4 when it is taken up by the Senate. I also want to thank Senators CLELAND and KENNEDY for their help in developing this provision and for their unequivocal commitment to the uniformed personnel who serve our nation so ably. •

#### NOTICE OF HEARING

##### COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold its Organizational Meeting for the 106th Congress on Friday, February 5, 1999, which will begin at 9 a.m. in room 428A of the Russell Senate Office Building.

Immediately following the organizational meeting, we will turn to official committee business including: (1) marking up and reporting out S. 314, Small Business Year 2000 Readiness Act; (2) marking up and reporting out of the Small Business Investment Company Technical Corrections Act of 1999; and (3) taking up the nomination of Phyllis Fong to be inspector general of the Small Business Administration.

For further information, please contact Emilia DiSanto or Paul Cooksey at 224-5175.

#### ADDITIONAL STATEMENTS

##### PATIENTS' BILL OF RIGHTS

• Mr. SARBANES. Mr. President, today I rise to express my support for S. 6, the Patients' Bill of Rights Act, a bill to guarantee all Americans with private health insurance, and particularly those in HMOs or other managed care plans, certain fundamental rights regarding their health care coverage.

Over the past decade, our health care system has changed dramatically. Today, approximately 161 million Americans receive medical coverage through some type of managed care organization. Regrettably, the change has had some unfortunate consequences. Many in managed care plans experience increasing restrictions on their choice of doctors, growing limitations on their access to necessary treatment, and an overriding emphasis on cost cutting at the expense of quality.

This shift to managed care, largely a response to rapidly increasing medical costs, has resulted in a health care system overly driven by the need to secure healthy profit margins. The impact these market forces have on the health care Americans receive must be moderated. Access to quality health care is an essential human need, and in a democratic society, it must be recognized as a fundamental right.

Our bill would guarantee basic patient protections to all consumers of private insurance. It would ensure that patients receive the treatment they have been promised and have paid for. This bill would prevent HMOs and other health plans from arbitrarily interfering with doctors' decisions regarding the treatment their patients require.

Our bill would restore patients' ability to trust that their health care practitioners advice is driven solely by health concerns, not cost concerns. HMOs and other health care plans would be prohibited from restricting which treatment options doctors may discuss with their patients. In addition, our bill would outlaw the use of financial incentives to reward doctors for cutting costs by recommending against potentially necessary treatments.

One of the most critical patient protections that would be provided under our bill is guaranteed access to emergency care. The Patients' Bill of Rights Act would ensure that patients could go to any emergency room during a medical emergency without calling their health plan for permission first. Emergency room doctors could stabilize the patient and focus on providing them the care they need without worrying about payment until after the emergency has subsided.

S. 6 would also ensure that health plans provide their customers with access to specialists when needed because of the complexity and seriousness of the patient's sickness. This provision is extremely important to ensure that persons suffering from serious, ongoing conditions, like cancer, have access to care by oncologists or other specialists.

Many managed care plans provide exemplary coverage for their members, including innovative preventive care benefits, because they recognize that it is more efficient to keep people healthy than to treat them after they become ill. Unfortunately, not all plans are administered with this philosophy. Many Americans, enrolled in poorly run plans, are not obtaining the care they need and are entitled to receive. The improved health of millions of Americans depends on the enactment of this bill. It will establish Federal requirements ensuring that private health care plans provide their members with a minimum level of coverage. I urge my colleagues to join me in strongly supporting, S. 6, the Patients' Bill of Rights.●

**TRIBUTE TO MR. TOM NUTTING,  
1998 MERRIMACK CHAMBER OF  
COMMERCE BUSINESS OF THE  
YEAR RECIPIENT**

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Tom Nutting, the recipient of the "Business of the Year Award" from the Merrimack Chamber of Commerce.

Tom began an electrical contracting business, Custom Electric, in 1983 with two employees. Today, his company

employs fifteen people and continues to grow. He is described by his colleagues as a very enthusiastic, highly motivated businessman.

Tom has served as Director of the Board of the Merrimack Chamber of Commerce since 1993. He is a member of the Merrimack Village District Board of Directors and a member of the Association of Facilities Engineering.

Tom is also very active in the community. His business sponsors a Babe Ruth baseball team and he assists at a vocational/technical college. He helps to put together a yearly Golf Tournament and trade shows for the Chamber of Commerce. Every year, he sets up the holiday decorations in Fraser Square in Merrimack for all to enjoy.

As a former small business owner myself, I understand the hard work and dedication required for success in business. Once again, I wish to congratulate Tom Nutting on Custom Electric being selected as "Business of the Year" by the Merrimack Chamber of Commerce. It is a pleasure to represent him in the United States Senate.●

**1998 CONNECTICUT STATE SOCCER  
CHAMPIONS**

● Mr. DODD. Mr. President, I rise today to congratulate the Cromwell High School Boys' Varsity Soccer team for winning the 1998 Connecticut State Soccer Championship. This achievement reflects the proud soccer tradition that has been established at Cromwell High School and the outstanding caliber of its student athletes.

With a first-rate team and a phenomenal level of play, the Cromwell Panthers concluded their season with an impressive record of 20-1. The Panthers became known throughout Connecticut for their strong defensive play and balanced team of players. In soccer, as in so many sports, a blend of smart players and smart decisions results in victories. The Cromwell Panthers proved they have this combination. The strength of this team was demonstrated by their ability to hold their opponents to a total of only 6 goals for the entire season.

The state championship game was played with emotion against an equally talented opponent, the Old Saybrook Rams. Although the Panthers were favored to win, neither the team's coaches nor its athletes took victory for granted. After receiving two yellow cards in the first half and being outshot by their opponents for most of the game, the Panthers entered the second half with a refocused energy. The Panthers' first goal came late when Justin Linehan received a pass from Steve Dworak and sent the ball soaring just out of reach of the Rams' goalie. Steve repeated his superb passing performance when he sent a left cross pass to Mike Flanagan who headed the ball past a diving goalie with only two minutes left in the game. This final goal was a turning point in the game, bringing it to a 2-0 score in

the Panther's favor and helping to guarantee their win.

This championship game also took on a more personal meaning for its players and, most especially, its head coach. Sadly, Coach Mike Pitruzzello's father, Manny, passed away a week before the start of the season. In his honor, Coach Pitruzzello dedicated the Panthers' second championship win to his late father. Even during a time of personal hardship, Coach Pitruzzello continued to guide and nurture his team to a near-perfect regular season and a championship win. Nothing better reflects his love for the sport and his players than the dedication Coach Pitruzzello has shown throughout this season. I am sure his father would have not only been proud of his son, but also honored by the sportsmanship exhibited by these talented young men on the field.

Winning a state championship is an exciting and gratifying moment for any young student athlete. In their win over the Old Saybrook Rams, the Cromwell Panthers demonstrated a talent they had perfected throughout their regular season with hard work and the guidance of an experienced and caring coaching staff. Furthermore, as with any team sport, it is not just one player who makes the amazing pass or singlehandedly scores the critical goal, but rather a cooperative effort from each player who offers his own special talent which ultimately adds to the success of the entire team. The Cromwell High School Boys' Varsity Soccer team exemplifies the true spirit of teamwork and tenacity, and it is because of those qualities that they are now the state champions.

At this time I would like to recognize all the members and coaches of the Boys' Varsity Soccer team and, again, congratulate them all on their momentous and well-deserved victory:

Head Coach Mike Pitruzzello, Assistant Coach Bruce Swanson, Freshman Coach John Harder, Paul Dworak, Steve Dworak, Tony Faienza, Mike Fazio, Mike Flanagan, Bryce Gibson, Eric Harrison, Nick Libera, Steve Libera, Justin Linehan, Shawn Maher, Jason Negrini, Mike Simeone, Ryan Steele, Ron Szymanski, Colin Whalen, and Sean Whalen.●

**WORK INCENTIVES IMPROVEMENT  
ACT OF 1999**

● Mr. ROTH. Mr. President, the great Leo Tolstoy once confided in his diary that he would be the unhappiest of men if he could not find a purpose for his life. As we all know, Tolstoy did, indeed, find purpose. As a novelist, philosopher, and social reformer, he brought entertainment, meaning, and direction into the lives of millions—his influence continuing even into our day and age.

The need to bring meaning and success into our lives—the need to have a purpose, to be anxiously engaged in a good cause—is, as Tolstoy pointed out,