

The university has said that it would work closely with Micron to make sure class offerings not only meet the educational needs of Micron's employees but convene at appropriate times for Micron's work force.

Altogether, Montana Tech offers Micron a top-quality source of new recruits, and the perfect place to ensure that existing employees are able to upgrade their technical and computer skills.

Also located in Butte is the Butte Division of Technology, whose 41-acre site offers occupational training. Its strength is its ability to meet immediate and short-term training needs of regional industry and businesses, as well as to constantly update and revise its courses of instruction in order to meet changing market demands.

Finally, of course, Butte's educational resources are not limited to Butte-Silver Bow County. The city is strategically located at the center of the southwestern Montana technology corridor at the intersection of Interstates 90 and 15.

Thus, in addition to Montana Tech and the Division of Technology, Micron employees would have easy access to Montana State University at Bozeman [MSU], Carroll College in Helena, and the University of Montana at Missoula. These institutions together have combined research and engineering programs that exceed \$49 million a year.

Education has always been a top priority for Montanans. As Michael Malone, the president of Montana State University and the dean of Montana historical scholars, writes, as early as 1900 our State boasted one of the Nation's highest literacy rates.

Our earliest State education laws paid special attention to technical and scientific fields. That commitment continues today in top-quality institutions like Montana Tech. And it is a perfect fit for a company like Micron.

If I might, Mr. President, it is interesting to make another observation. Last year, the senior Senator from New York [Mr. MOYNIHAN] presented in the Democratic Caucus two charts. One chart listed the per capita State expenditure for elementary and secondary education, ranked with the most expensive on down to the least expensive. That is, the top States spend more dollars per pupil in elementary and secondary education on down to the States that spend the fewest number of dollars per pupil.

Next to that was another chart. It ranked, in descending order, States whose elementary and secondary students do best in mathematics, the best States being at the top, the worst States down at the bottom. Senator MOYNIHAN put the charts side by side and asked a very pertinent question: What on Earth could one deduce by looking at these two charts? One is that there is no correlation, zero correlation, between the number of dollars spent per pupil on the one hand, and how elementary and secondary stu-

dents ranked in mathematics performance on the other.

Finally, the Senator pointed out, in a way only he can, combinations, and in seeing linkages that others do not see, he said that one can draw only one conclusion by comparing the two charts and, that is, if you want your kids to have the best math education, either live in Montana or live in the State adjoining Montana, because the States that have the highest rankings of mathematics are the States of Montana, the Dakotas, and Wyoming.

I mention this to point out the commitment the State of Montana gives to education in general, and particularly the commitment Butte gives to its people, Montana Tech and related universities, so that Micron will do very well if it comes to Butte. Butte wants Micron and will make any necessary adjustments to tailor its operations to Micron.

This is the second in a series of statements I will make. I will make another speech regarding the ties between Micron and Butte on Monday.

I yield the floor.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS UNTIL 2 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:00 p.m.

There being no objection, the Senate, at 12:35 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. FRIST).

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. DOLE. Mr. President, I now ask that there be a period for the transaction of morning business, not to extend beyond the hour of 2:30, with Senators permitted to speak for not to exceed 5 minutes each.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding the leader just put the Senate into morning business.

The PRESIDING OFFICER. That is correct.

SOCIAL SECURITY AND THE BALANCED BUDGET

Mr. REID. Mr. President, I take this opportunity to address the Senate about the amendment we hope to offer

in the immediate future. That is the amendment regarding the exclusion of Social Security from the balanced budget amendment.

Mr. President, I believe that we lost the amendment that has been debated on this floor for a week dealing with the right to know; that is, whether the American public should be able to understand the glidepath that will allow this Government to arrive at a balanced budget by 2002. That was denied. The American public does not have the right to know how we are going to arrive at that balanced budget by the year 2002.

I hope, though, Mr. President, that the next matter we are going to discuss, namely, Social Security, would be something the American public should have the right to know. How are we going to handle Social Security in the overall mix of this balanced budget amendment?

It would seem to me that senior citizens, but just as importantly all the people of this country, men and women who are working for a living and those people who yet will work, should be entitled to know how we are going to handle Social Security.

I, frankly, am disappointed the way it was handled in the other body. In my opinion, the other body in handling this, in passing House Joint Resolution 17, recognized how weak their references were to protect Social Security. They did not even go to the trouble of introducing a statute, trying to pass a statute. They had a concurrent resolution that passed by a vote of 412-18 that has, Mr. President, the authority of this blank piece of paper.

I suggest that we would all be well advised to get to the debate on Social Security, to have a determination made by this body whether we will exclude Social Security from the stringencies of the balanced budget amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, my understanding is that we are in a period of morning business.

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. And I may be recognized for 5 minutes.

The PRESIDING OFFICER. Yes.

SOCIAL SECURITY EXCLUSION AND THE BALANCED BUDGET

Mr. DORGAN. Mr. President, following on the comments by the Senator from Nevada, let me ask the Senator from Nevada a question. The right-to-know amendment was an amendment

offered by the Senator from Nevada, myself, and many others who felt that it was important to try to understand: Is this a promise to balance the budget, or is it a promise with a plan this time to balance the budget? Lord knows the American people have had a barrel full of promises.

Was there something behind it? If there is, as one of the leaders in the other body said, the plan is so significant it will make America's knees buckle. It will make the knees buckle of the American people if we ever told them what is required. The question many ask is, should not the American people understand what it is they are talking about? What will buckle people's knees? Is there a plan? Is this a mystery plan that we are not allowed to understand or see? Well, we had a vote on that and the vote was no. This is a program, but we do not want you to see the plan, if there is one. We are not sure there is one.

Second question: Will, in the process of balancing the budget, the Congress decide to take Social Security trust funds and use them to balance the Federal budget? After all, the Social Security trust funds come from dedicated taxes to be used for only one purpose. They go into the Social Security trust fund to be used for Social Security. It is a contract between those who work and those who are retired.

The question is, yes or no, does someone intend to use receipts from the Social Security trust fund to balance the budget? The Social Security system has not caused one penny of the Federal deficit. This year it is running a surplus of \$70 billion. This is not a difficult question. It is easy to understand, and it is even easier to answer—yes, or no.

I think the Senator from Nevada understands, because of the way the constitutional amendment that is on the floor is proposed, the wording says receipts mean all receipts including Social Security receipts. Because it is worded that way, one cannot correct this problem in any other way except to amend the constitutional amendment that is on the floor.

I hope the Senator from Nevada will move as quickly as possible and that when we debate that amendment—I hope that is the next amendment the Senate will consider—we will get an up or down vote. I do not think we should have a ricochet vote on this, I do not think we should bounce around on various procedural motions.

I think the question can be answered simply yes or no, are we going to use the Social Security trust funds to balance the budget? Is it the Senator's intention to offer this as the next amendment if that is in order, and do we hope to get a recorded vote on the question, yes or no?

Mr. REID. Mr. President, my friend from North Dakota asked two questions. Is there a plan? I have to answer that, yes, I think there is a plan, and it is not one that people who are now de-

pending on Social Security would like. I think the plan is to raid the Social Security trust fund.

The second question, do I want to vote on my amendment? The answer is yes, I think we have to have a vote on the amendment. It is the only thing that would be fair to the American public. Is the Social Security trust fund a separate trust fund? The answer to that is yes.

I would also say to my friend from North Dakota that it is interesting that those Members who are pushing so hard for the Social Security exclusion are people who support the balanced budget amendment. The Senator from North Dakota and the Senator from Nevada are not people here trying to deep six the balanced budget amendment. I believe in a balanced budget amendment. And I have heard speeches on this Senate floor by our colleague, who I do see on the floor in front of me, from North Dakota, the senior Senator from North Dakota. He has talked many, many times about the need to balance this budget. Those people that are pushing for the Social Security trust fund to be excluded are people—the most vocal—are people who support the amendment.

Mr. DORGAN. Mr. President, can the Senator think of any reason that someone would want to vote no on an amendment like this, unless one had designs on using the Social Security revenues to balance the budget? I cannot think of any other reason.

I came here this morning and said I do not ask anybody for five reasons or even three if it is hard for somebody. I just ask for one simple, easy-to-understand reason from somebody that would say, "Here is why we do not want to include this," because, I guess, the only reason that is plausible is that we would like to use the Social Security revenues at some point to balance the budget. Is there any other possible reason for someone not wanting to vote for this?

Mr. REID. Mr. President, I say to my friend from North Dakota, as I have said on this floor on another occasion, the answer is, that is where the money is. As Willie Sutton, the famous bank robber said when he was let out of prison, they asked, "Why do you rob banks?" And he said, "That is where the money is."

The Social Security trust fund is where the money is. That is why there are some who do not want to exclude it.

Mr. DORGAN. I appreciate the Senator's comments. The problem with those of us here is we get confused by labels—what is conservative and what is liberal. You get totally confused, because the conservative approach, it seems to me, is to balance the budget the way it is supposed to be balanced. And the way it is supposed to be balanced is you set the Social Security trust fund aside and balance the budget deficit. That it seems to me is a conservative approach.

Yet, it seems to me that most who call themselves conservatives say, "Gee, we don't want to do that." That position, apparently, is a liberal position. Maybe we ought to all change seats here for a while, because I just do not understand why we are in this quandary.

This ought to be the simplest of questions to answer: Do we want to balance the budget by raiding the Social Security trust fund? The answer is, of course not. Do we want to balance the budget? The answer is, of course.

I take a back seat to nobody on this subject. I have been in charge of waste task forces, identified \$80 billion of Federal spending we ought to eliminate, much of which we have not. The fact is that still does not deal with the deficit. We have an abiding deep deficit problem that we have to deal with. That is why I voted for balanced budget amendments in the past. It is why I likely will in the future, but there is a right way and wrong way to do things.

Those who come to the floor say, "We want to cut taxes and increase defense." I want them to come to the floor to say to us, if we intend to do that, cut taxes and increase defense, how do you get to where you want to get to, how do you balance the budget? Do you do it by taking Social Security funds? Not with my consent you do not. That is not honest. That is not an honest approach.

I hope when the Senator from Nevada offers his amendment that we can have an up-or-down vote on the merits of the amendment and we can understand what are the virtues of conservatism here: Pay your bills and treat money the way you promised people you would treat money. These principles hold especially true with Social Security.

We told people, we promise you we will put it in a trust fund, we promise you we will keep it there. That will not be the case, if it is then used sometime later to offset tax cuts, much of which will go to the wealthy, and offset defense spending increases at a time when we are choking on Federal deficits. That is the dilemma. I hope we can clarify this and have a very simple vote after an honest debate.

Mr. President, I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the reason this debate is so important is because we are talking about issues that have enormous implications for the future, and the implications are a balanced budget amendment to the Constitution of the United States that would have, as its predicate, that we would loot the Social Security trust funds of \$636 billion over the next 7 years in order to have the operating budget of the United States balanced.

That is just a fundamentally flawed strategy. It is not right. Any CEO in this country, if they went before their board of directors and said that their

plan for balancing the operating budget of the corporation was to loot the trust funds of their employees, that individual would be on his or her way to a Federal facility and, as I said moments ago in the press gallery, it would not be the U.S. Congress, it would be the Federal facility they would be headed for. They would be headed for a Federal penitentiary because that is fraud. Unfortunately, that is what is occurring with respect to the budget of the United States now.

Social Security trust fund surpluses are being used to fund the operating expenses of the United States. What is fundamentally wrong about that is that we are using a regressive payroll tax to fund not the retirement systems of Americans but instead we are using those funds to understate the real budget deficit we confront in this country. And now we have a constitutional amendment before us that would take that approach and put it in the Constitution of the United States.

Mr. President, that cannot be the result of this balanced budget amendment debate. We should never allow a trust fund to be looted in order to achieve balance, and we should never put that kind of construct into the Constitution of the United States. That is profoundly wrong.

I am just very hopeful that we can get to a vote and a debate on the amendment that Senator REID and others of us will be offering. It is an amendment Senator REID and I offered last year, along with my colleague Senator DORGAN. I understand that there are others who are proposing an alternative mechanism and vehicle for the implementing language. Let me just say, this Senator would never accept that kind of pale imitation. That is not going to suffice.

We are talking about an amendment to the organic law of the United States: The Constitution of the United States. That is the document that each of us swore to uphold when we took the oath of office. We are talking about a Contract With America; that is the contract with America that counts.

I thank the Chair and yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. EXON. 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. EXON. Mr. President, I have been listening with interest to the debate on what very likely will be an upcoming amendment with regard to whether or not we are eventually going to get to a vote on the balanced budget amendment.

As the Chair knows, this Senator has been very much involved in all of this because while I think that there are many good reasons for not having a balanced budget amendment as a part

of the Constitution, I think after the years that I have served here and on the Budget Committee, I must say that without that discipline that I think we have exhibited in the past by the tendencies that seem to prevail and by the fact that we have not even come close to balancing the Federal budget, I am convinced that with the reservations that are obviously in order, and many of them well taken, this Senator believes that we have to have a constitutional amendment to balance the Federal budget.

I think the arguments that are being made today with regard to Social Security are good ones. Many of my close friends, with whom I have worked for many, many years in this body, are supporting that kind of an amendment.

I guess the question comes down to in this Senator's mind: How are we going to fashion, if we can, 67 votes in this body to pass a constitutional amendment? The more I see and the more I hear, the more fearful I come to the conclusion that maybe it is not possible, maybe some of these votes that were taken pro and con on this issue are going to simply give cover to one group or one party or one Member to vote against the balanced budget amendment.

I say in all candor, Mr. President, one of the big problems we have is that I am not sure a majority of this body understand the difficulty we have once we have passed a constitutional amendment and assume that will be ratified by three-fourths of the States.

Another way of putting it would be that passing the constitutional amendment to balance the budget, as was done with great fervor, with great fanfare, and with great flag waving on the Contract With America, was the easy part. That was not necessarily the time for celebration. That was done in the House of Representatives, I would suggest, without fully informing the Members of the House of Representatives, 435 of them, and certainly not informing the State legislators who are going to have to vote, three-fourths of them, before such a constitutional amendment, if it passes the Senate, would be enforceable.

Certainly last, but far from least, I do not believe the American people have been afforded an opportunity to fully understand what all of this means. In fact, I am very much concerned because I saw a poll the other day that I suspect is accurate. I think it kind of represents what I have heard from various sources. That is, that 72 percent of the American public strongly support a constitutional amendment to balance the budget, but 47 percent of the American public think the budget can be balanced by eliminating waste, fraud and abuse.

I say to the people of the United States that they have been sorely misled, indeed, if they believe the Federal budget can be balanced by the year 2002 with the elimination of waste, fraud and abuse. No one in this body and no

one over on the House of Representatives side really believes we should have one dollar or one penny of waste, fraud and abuse. And I can understand how the public has been abused on that because of the time and attention that has been paid to \$1,400 toilet seats and \$200 hammers and other things of that nature, which is ridiculous on its face.

There was a half an hour program on the prominent show called Nightline a couple of weeks ago, a whole half-hour devoted to whether or not we should dispose of the \$268 million we are spending annually to subsidize public radio and public television, and that is a very legitimate debate. There are two sides of discussion on that, and both of them can make a point. But when you talk about that, even if we would eliminate any and all assistance, taxpayer assistance to public radio and public television, that \$238 million, although it is an awful lot of money, is such a small, infinitesimal amount of the deficit that if we eliminated that and all such programs it would not even put a minor, thimble-sized dent in the budget deficit.

Another way of putting all of it is that far too much attention is being focused on shortcomings in the budget process and not enough attention is being given to the significant cuts that are going to have to be made to balance the budget in the year 2002 as would be required under a constitutional amendment to balance the budget.

I guess another way of saying this is that I am not sure all of it has been put in proper perspective. I voted earlier today for the amendment offered by the Democratic leader called the right-to-know-amendment. I voted for that amendment not because I was particularly excited, nor did I really feel we should go so far as to incorporate such language as the Daschle amendment, of which I was a cosponsor, into the Constitution of the United States of America.

I would guess that probably, if we would have passed that and it had been included, it would be the first time in the history of the United States of America such language would have been incorporated in with a constitutional amendment. And so I caution with regard to what we should be putting into the Constitution.

I was a cosponsor, and I voted for that amendment, trying to have a better understanding, trying to bring the two sides, the Democrats and the Republicans, together on this issue. And even had it passed, which I suspected that it would not have, we maybe could have taken that out and gotten back to a constitutional amendment at least somewhat in the form of the constitutional amendments that have been passed in the past. Certainly I would be one of those to say we should amend the Constitution with considerable restraint.

Now, back to the matter of Social Security. The Senator has stood at this

desk before, as I stand here today, to say I think many good points have been made by those who do want to protect the Social Security trust fund. And I wish to do that also. I have said that even if the coming constitutional amendment would be passed without such protection, at least this Senator very likely would not ever agree to raid the Social Security trust funds. My only appeal is that possibly there is a way we could sit down and work together to come up with some type of arrangement offering proper guarantees to the logical protection of the Social Security trust fund which I think have been outlined very effectively and precisely by many of my colleagues who have spelled out this matter in this Chamber.

Let me put it another way, if I might, Mr. President. I would be willing to sit down with anyone, any group, any combination of groups to see if we could factor in some type of workable compromise which would get us the 67 votes that are necessary, and I think we should try to get, to proceed to have a constitutional amendment to balance the budget and then refer it to the States.

So I would simply like to ask, Mr. President, if there is any way that we could assure—and under those conditions I might vote with my colleagues who are offering the Social Security amendment, if I could have the assurance of some of those who are proposing the amendment that they then would turn around and be one of the 67 votes we need to pass the constitutional amendment.

Putting together 67 votes in the Senate on this issue is going to be a very difficult task. From the counting that I have done as of now—it is not infallible because I think there is some shifting going on, but it would appear to me very likely, if we had the vote today, the final vote on sending a constitutional amendment to the States by the Senate would fail.

Given that concern of mine, I would simply say to my colleagues on both sides of this issue, and both sides on the many other issues that are likely to be brought forth on this matter: Let us try to work together. I do not think anyone has the wisdom, the knowledge, the intellect to be able to solve all of these problems. As a body of 100 people who are charged to represent their constituents and the people of the United States as a whole, I just hope we can get together. I think there are many of us who share the goal. All of us do not—

The PRESIDING OFFICER. The Senator's 5 minutes has expired.

Mr. EXON. Mr. President, I ask for 1 additional minute.

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

Mr. EXON. I hope we can maybe come together on some kind of compromise, some kind of understanding that does not so weaken and change the constitutional amendment to balance the budget that it will not work.

Last but not least, whatever we do, I think we must—we have the obligation to go far further than we have as of now, to explain how difficult this will be, and the sacrifices that probably every American is going to have to make to get it accomplished.

I outlined in a speech 10 days ago some of the major concerns in this area, that I would reference as a part of my speech. That might be referred to.

Mr. President, I call for cooperation to get a balanced budget amendment passed by the Senate. That is most important of all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. I thank the Chair.

(The remarks of Mr. KOHL pertaining to the introduction of S. 274 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KOHL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT REQUEST

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of the original joint resolution to be offered by Senators SIMON, BREAUX, and others regarding Social Security, and that during the consideration of the Senate joint resolution, no amendments be in order and debate be limited to 2 hours to be equally divided in the usual form. I further ask that immediately following the conclusion or yielding back of the time, the Senate proceed to vote on the resolution without any intervening debate or motion.

Finally, I ask unanimous consent that immediately following the disposition of the Senate joint resolution, the Senate resume consideration of House Joint Resolution 1.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I respectfully object to the leader's request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Nevada.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The Senate continued with the consideration of the joint resolution.

AMENDMENT NO. 236

(Purpose: To protect the Social Security system by excluding the receipts and outlays of Social Security from the budget)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. DASCHLE, Mr. DORGAN, Mr. CONRAD, Mrs. FEINSTEIN, Mr. FORD, Mr. HARKIN, Mr. HEFLIN, Mr. GRAHAM, Mr. KOHL, Mr. BAUCUS, Mrs. BOXER, Mr. HOLLINGS, Ms. MIKULSKI, and Mr. LEAHY, proposes an amendment numbered 236.

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

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

The amendment is as follows:

On page 3, line 8, after "principal," insert "The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund used to provide old age, survivors, and disabilities benefits shall not be counted as receipts or outlays for purposes of this article."

Mr. REID. Mr. President, this amendment is being offered on behalf of the Senator from Nevada, Senator REID, and Senators DASCHLE, DORGAN, CONRAD, FEINSTEIN, FORD, HARKIN, HEFLIN, GRAHAM, KOHL, BAUCUS, BOXER, HOLLINGS, MIKULSKI, and LEAHY.

Mr. President, this is a very simple amendment. It really is. It will take some time during the next few days to talk about this amendment. But it is an amendment to determine what we are going to do about Social Security. In effect, this amendment excludes from the balanced budget amendment the Social Security trust fund as it relates to the old-age pension aspect thereof.

Mr. President, I rise in support of the balanced budget amendment. If Social Security is excluded, I will vote for the balanced budget amendment. As a veteran of a number of debates in this body on this issue, I am fairly well versed on persuasive arguments for the balanced budget amendment. There are people who I have heard—including my friend, the senior Senator from Utah—over the years make very, very persuasive arguments why it is important that this country have a more sound fiscal policy and why it is necessary to have a balanced budget amendment. Some would say in debating this issue—that is, whether we should include Social Security or exclude it from balanced budget amendment—that it is a very painful vote, and it perhaps is. This body would be forced to make a determination as to whether or not the proceeds of Social Security, and the old-age pension aspect thereof, would be excluded from this balanced budget amendment when it would become part of the Constitution.

Mr. President, we have all been called upon as legislators, and those who served as Governor or Lieutenant Governors in States or mayors of cities, to make decisions that are difficult sometimes. I remember one of the most difficult decisions I had to make as a Senator in this body, which I was relating to my friend, the senior