

That is the kind of thing that is difficult for a State to do on its own. It is appropriate for the Federal Government to do that. That is not a Federal takeover of juvenile justice, but a Federal helping hand to give States the information that they need.

So, Mr. President, I would just say that we are dealing with an issue of great national importance. I cannot tell you how delighted I am that the President, that the Department of Justice, that the Democratic leadership of this body and the Republican leadership of this body are united in being committed to developing a workable plan that will actually and realistically improve our ability to deal with this juvenile crime problem, because if we don't, it will get worse. And I am excited about our prospects.

This proposal that I have outlined for you today will provide more jail space so that when young offenders violate their probation, so that when they commit crimes, they can be immediately incarcerated and disciplined by their judge. If the judge has no capacity to do that, then that judge is losing control of his courtroom; and the police officers who went out and made the arrest, their moral authority is undermined.

We need drug testing to find out which ones of these young people are addicted to dangerous drugs which may be the accelerant to their criminal activity.

We need better recordkeeping to identify serious dangerous offenders throughout this Nation as they move throughout this Nation.

We need a training center to train local and State law enforcement.

And we need a research center to identify the greatest and best ways to fight juvenile crime so that we can assist Federal and State activity in improving that effort.

Mr. President, I am excited about the potential for doing something good for America, for making our streets safer. I must point out that in some areas of this country almost the leading, if not the leading, cause of death of young people is murder. That is a horrible thing to say, because it is not just the young people who are committing crimes, they are also the victims of young criminals. It is something we have to put an end to if we care about our country.

It is a core function of government that we make our streets safe. This bill will help take us a long way toward that goal. I thank you, Mr. President.

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

The PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CHANGE OF TIME OF VOTE

Mr. HATCH. Mr. President, I ask unanimous consent that the previously ordered vote at 12:30 p.m. today now occur at 12:45 p.m.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. 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. DODD. Thank you, Mr. President.

Mr. President, parliamentary inquiry. I presume we are still in morning business; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DODD. I thank the Chair.

(The remarks of Mr. DODD pertaining to the introduction of S. 426 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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, is morning business time reserved at this point?

The PRESIDING OFFICER. The Senate is conducting morning business until 12:45.

Mr. DORGAN. Let me yield myself such time as I may consume, Mr. President. There is one hour calculated and my colleagues will also be taking some time. A couple of colleagues are not here yet.

#### THE BUDGET

Mr. DORGAN. Mr. President, we wanted to come to the floor today because we have watched for a number of weeks a discussion on the floor of the Senate about changing the United States Constitution to require a balanced budget. In fact, for a good many weeks we had a stack almost 5-foot tall of books. Apparently they represented budget books and budgets that were submitted by Presidents to Congress and described various budget deficits over many years. And that 5-foot stack of books resided on the desk over there for I think 3 or 4 weeks in the Chamber. The discussion was: "Let us change the Constitution to require a balanced budget." We had that vote. Those books are now gone. Now, of course, comes the real work. Altering

the Constitution of the United States is one thing. Balancing the budget by writing a yearly budget, which the Congress is required to do following the submission of a budget by the President, is quite another thing. I made the point during the debate on the constitutional amendment to balance the budget that we could alter the Constitution at 12 o'clock noon that requires a balanced budget and at 12:01 there would be no difference in either Federal debt or Federal deficit. Why? Because that is required to be done in the individual yearly choices of taxing and spending decisions here in the Congress.

I do not see anybody out here on the floor on the other side with nearly as much energy on the proposition of writing a budget that will really balance the budget. In fact, no one is here now, and there hasn't been for some long while anyone here to address the question of will there be a budget brought to the floor of the Senate? The deadline for the Budget Committee to act on a budget is April 1. That is not very many days away. The deadline for the adoption of a budget resolution by the Congress is April 15, about a month away. That leaves only 7 working days here in the Senate between now and the deadline by which the Budget Committee shall have acted to comply with its responsibilities. And it is only 14 working days in the Congress to actually pass a conference report on the floor of the Senate and the House to comply with the requirements of the budget act. But, contrary to 5 feet of documents when we discussed altering the Constitution, you can't find a single page scavenging anywhere in this Chamber. Not in the darkest recesses of the deepest drawer in these Senate desks will you find a page that explains what the plan is for actually balancing the budget—not altering the Constitution; the plan for actually balancing the budget.

We say we are ready. We want a plan to balance the budget. The President has submitted a plan. Now let's see the alternatives, and talk about them and describe the choices and what are the priorities.

Why do we not see a plan? And why do we see so little energy on this issue of actually dealing with the budget on the floor of the Senate?

I want to hold up a chart that describes why I think we are in this situation. The Joint Tax Committee disclosed to us that in the first 5 years of the coming budget the cost of the proposed tax cuts by the Republicans here in Congress will mean \$200 billion in lost revenue but that in the first 10 years the lost revenue will be \$525 billion. In other words, you lose a couple hundred billion dollars in the first 5 years, and then much, much more than that in the second 5 years; in 10 years, nearly half a trillion dollars.

What does that mean? It means, if you have that much less revenue—and, incidentally, most all of this tax cut

will be borrowed and will be added to the Federal debt—every dollar of tax cut proposed before the budget is balanced is going to be borrowed. But the point is when you are proposing very deep cuts in your revenue, then what happens? You have to make deeper and deeper and deeper cuts in some of the programs that people rely on. Then you have to answer the question that people in this Chamber ask and people around the country ask. What does this mean in terms of the programs that affect me, such as the Medicare Program? What does it mean in terms of the investments in education? What does it mean in terms of building and repairing highways and roads? What does it mean in terms of funding of the National Institutes of Health?

Those are the questions that you have to ask in order to construct a budget that will balance the budget, and those are the questions that are not being asked. I guess the reason is there are not answers.

So we come to the floor of the Senate today to say we are 7 working days in the Senate away from the requirement in law that the Budget Committee act on a budget resolution. It appears no such action will take place. The majority leader on the other side of this Capitol said they may act on some kind of a plan in May. He was unclear about that. That is not what the law requires. The law doesn't require anything other than that on April 1 a budget resolution be adopted by the Budget Committees and by April 15 adopted by the Congress.

As I said previously, it is easy enough to come to the floor of the Senate and breeze on about altering the Constitution of the United States, apparently allowing some people to believe that, if you can alter the Constitution, you would have balanced the budget. Of course, nothing could be further from the truth. Altering the Constitution will not alter the deficit by 1 cent. That will be done by making individual tough choices in taxing and spending decisions. Why are those choices not now being made? Why does there appear that there is no preparation on the part of those who anguished so hard to change the Constitution? Why does there seem to be no preparation on their part to anguish as hard and toil as long to create a budget that will actually balance the budget? Because I think that they have with their cans and brushes painted themselves into a corner promising tax cuts to the tune of \$200 billion in 5 years, and \$500 billion in 10 years; tax cuts undoubtedly that are popular but tax cuts that they know will require them to make enormously deep cuts in a wide range of programs that are very important in this country.

I believe they simply don't want to describe what those cuts will be and which programs those cuts will come from.

Mr. President, I would be happy to yield such time as may be consumed to

the Senator from Illinois, Senator DURBIN.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Illinois is recognized.

Mr. DURBIN. Thank you, Mr. President. I thank my colleague for yielding, and I join him in this statement this morning.

For the last several weeks we have listened to the Republican leaders standing next to stacks of budget books in full-throated pride for balanced budgets, the key to America's economic future, the rallying point for this Nation to come together to balance the budget.

Their call for a constitutional amendment did not pass. It failed by one vote. I voted against it. And what I said then I will say now. The job before us is not to amend the Constitution but to balance the budget. And the two are not the same. Amending the Constitution is no guarantee that we will have a balanced budget tomorrow or the next day. The only guarantee that we can offer the American people is to our actions, actions in this Chamber and the House coming together with the President and reaching an agreement.

Many years ago, there was a Senator from Illinois whose name was Everett McKinley Dirksen. He served with my colleague from West Virginia. Senator Dirksen, in the early 1960's, made a momentous decision and decided to support civil rights legislation for the first time in his career. When Senator Dirksen was asked why, after years of resistance, he came to the point where he supported this legislation, he said, "There is nothing more pregnant than an idea whose time has come."

If the idea of a balanced budget has come, the obvious question is why the Republican leadership in control of the Senate and the House has not met their responsibility under the law to put together a budget, to bring it forward so the American people can see what their priorities are. Why in the name of all that is holy would they hold back from this responsibility?

I can tell you why. It is fairly clear. They have a serious problem. The Republicans have overpromised. They have promised tax cuts that create serious problems in balancing the budget. These tax cuts that have been promised by the Republicans this year are in excess of the tax cuts promised in the heralded Contract With America, which was presented for 2 years before Congress. Do you remember that scenario? At that time, the Republicans came forward and said, in the Contract With America, we are going to make the following tax cuts. And in order to pay for those tax cuts, we are going to cut programs.

When you took a close look at those tax cuts, you realized that they primarily went to wealthy people. A lot of us on the Democratic side of the aisle said, now, is that fair, to propose a package of tax cuts at a time when we

are trying to balance the budget, when the tax cuts go to the wealthiest people in America? Then we took a look as well and said, well, how will they pay for them?

The proposals coming from the Republican side suggested deep cuts in Medicare, in Medicaid, in environmental protection programs, and college student loan programs, to name but a few. The President said: I will not buy it; it is not fair; we have to balance the budget, but we cannot do it at the expense of these critical programs like Medicare and college student loans and protection of the environment. So the President vetoed their bill.

They said, if that is what the President wants, we will close down the Government, and they did—two separate occasions, the longest shutdowns in the history of U.S. Government occasioned because of the inability of Democrats and Republicans to reach an agreement on balancing the budget.

After that experience came an election, and the American people, I thought, were given one of the clearest choices in our history—on one side, the Dole and Gingrich approach, and on the other side the Clinton-Gore approach and that supported by many of us as Democrats.

I think those were two sharply contrasting views of the world, and I expected the American electorate to speak in one voice and say, given this fork in the road, this is the course we want to travel.

The American people made a decision in the election last November, and they decided they wanted both. They wanted to preserve the Democratic leadership in the White House with the President, but they wanted to preserve Republican leadership in Congress.

Now this odd couple comes together, a Republican Congress and a Democratic President, trying to divine exactly what is the message sent by the American people. I think the message is easy to divine, and here is what I think it is. Balance the budget. Be fiscally responsible. But do it in a way that does not harm the most important programs to American families.

I do not think that is an unreasonable request, and I think it reflects where most Americans stand when they look to our future. Now the President has stepped forward and met his share of the burden. He has produced a budget which comes to balance by 2002, a budget which makes cuts and makes changes that he believes and I believe will reach balance without cutting important programs, and the President adds a safety valve. If he is wrong, if 5 or 6 years from now he has guessed wrong and we end up out of balance, the President has a trigger mechanism that comes in and makes an across-the-board cut to reach balance. Even the Congressional Budget Office, which has not been friendly to many Democratic proposals recently, has had to concede that is a way of balancing the budget. It is a trigger mechanism which will, in

fact, make certain that the budget comes to balance.

So the President put his proposal on the table, and if you follow recent history, in the natural course of events it is now the turn of the Republican leadership in Congress to come forward with their proposal. As was said by my friend from North Dakota, after viewing for weeks stacks of budget books that were viewed with derision by those who supported a constitutional amendment, we cannot find a single sheaf of paper on the Republican side suggesting how they will reach a balanced budget.

The reason? They have painted themselves in a corner. They find themselves in an impossible position. They have overpromised on tax cuts for wealthy people, even more than in the Contract With America, and they cannot figure out how to pay for it and balance the budget. So they have stepped back, removed themselves from the fray, and have basically said to the President, give us another budget now. You gave us one. Let us see a second one.

I am sorry, but the legislation that we have passed involving the budget and the history of these institutions suggests the President has met his responsibility and now it is the responsibility of the Republican leadership to come forward. They understand that if they are going to protect and preserve the tax cuts they have called for, it will force even deeper cuts in Medicare, even deeper cuts in college student loans, even deeper cuts in environmental protection than they suggested 2 years ago. They are in that corner and do not know the way out.

Let me suggest there is a way out. Reduce these tax cuts to those the President has targeted to help working families, make certain they are tax cuts we can afford, make certain as well that we preserve basic programs like college student loans and environmental protection. Let us work together in a bipartisan fashion to chart a course for Medicare that will bring it not only solvency but stability for years to come, and we can come up with this balanced budget. But it is time for the Republican leadership to step forward and to meet their responsibility.

Mr. DODD. Will my colleague yield?

Mr. DURBIN. I will be happy to yield to my colleague from Connecticut.

Mr. DODD. I thank my colleague for yielding. I wanted to make some of the same points. I see my colleague from California here as well.

There has been a lot of discussion about budgets, Mr. President. There has been an additional request now that the President submit yet another budget. Let me just suggest that I think the reception of the President's budget was, initially, encouraging. Our Republican colleagues can be commended for not declaring it "dead on arrival," as we have seen all too often in past budgets. But as has been point-

ed out, year in and year out there is a dual responsibility not only for the executive branch to submit budgets, but also for those of us in the coequal branch of Government, the legislative branch of Government, which has control over the purse strings, to respond. We must respond in a way that gives the American public an opportunity, one, to either endorse what the President has suggested or, two, to offer alternatives that can be identified and seen so comparisons can be made.

I hope at this juncture the majority here would demonstrate leadership. The Budget Act requires that budgets be sent to the full Congress; that we then submit a budget, have our own budget here, that either duplicates the President or offers some alternatives so that we can then debate out the process and move in the direction that I think all of us have endorsed regardless of where anyone stood on the proposed constitutional amendment. I didn't hear a single Member of this body indicate anything but strong support for achieving a balanced budget as soon as possible, hopefully by the year 2002, for all of the very obvious reasons that the distinguished Senator from West Virginia and others articulated during that lengthy debate. Our colleague from Illinois has already pointed out—and these charts here, I think, give some indication of what we are looking at—the tax breaks that are being proposed. They are actually even larger than last year's proposals.

There are Members who endorse last year's proposals and I presume are in favor of having even larger ones. But I think the American public ought to know what the implications are. As it is right now, over the next 5 years we will be looking, here, at additional tax breaks that are relatively large even over the first 5 years, but then move up considerably over a 10-year period. That ought to be a concern to everyone here. Because, obviously, if we find ourselves again in a deficit situation, even a larger one than we were in the past 10 years, then we will be right back again debating, I presume, constitutional amendments and the like. So we have an obligation to be fiscally responsible.

Mr. DURBIN. Will the Senator yield on that point?

Mr. DODD. Of course. The Senator has the floor.

Mr. DURBIN. Naturally, every politician wants to propose a tax cut. Is there anything that draws more applause in a town meeting than the line that "we want to cut your taxes"?

Mr. DODD. Of course not.

Mr. DURBIN. But think of what happened when Senator Dole proposed a substantial tax cut as the keystone of his campaign. It fell flat. The American people are skeptical. They want to make sure we keep our eye on the ball, and we have to move toward balancing the budget. Tax cuts are important, but if they are at the expense of balancing the budget, or at the expense of

important programs, the American people say, "Wait."

Mr. DODD. My colleague is absolutely correct. They not only say "wait," but they also ask the basic question that we all have to ask. If I were to stand here before you and suggest spending increases of \$200.5 billion in the first 5 years, and spending increases of \$525.8 billion over 10 years, the words would not be out of my mouth before one of my colleagues, either on this side or the other side, would ask me the very fundamental question, the steely-eyed question we are all asked to address today of, "Senator, how do you intend to pay for this?" And, if you cannot answer that threshold question, then you have to go back to the drawing boards.

All we are suggesting here is to put our constituencies and the American public on notice of what we are looking at here, that comparing these numbers over the next 10 years, the requests are even larger than they were before, and that we ought to be asking that question, without getting into the specificity of particular tax proposals here, how do we pay for them so we do not find ourselves in the situation that we have been placed in over the last 10 or 15 years with huge deficits?

Let me draw my colleagues' attention as well to this next chart which lays it out exactly. These numbers, by the way, are prepared by the Congressional Budget Office and the Joint Tax Committee. They are not prepared by some partisan group. This is a non-partisan analysis, a bipartisan analysis. It says, if you took these tax cuts and carried them out to the year 2007, given the baseline deficits already projected, that you are looking at these huge new deficits. This year it is about \$120 billion. But if unchecked and unpaid for, those deficits rise to \$348 billion, exceeding by almost \$50 billion the high-water mark for deficits in the last year, 4 years ago, of \$290 billion. So those deficits continue to climb. By the year 2007, or before, we will be right back in the situation we were before. So, I draw the attention of my colleagues to that because I think it needs to be addressed.

How do you pay for these? Again, Members can offer their own solutions. But we are not talking about small change here. These are huge items. Obviously, if you look at the budget, where are the big ticket items that could pay for those kinds of proposals? It has been suggested that Medicare, Social Security, health, education, training, veterans, agriculture, infrastructure—these are the big ticket items, particularly up in this part of the bracket, the Medicare, Social Security, natural resources, health and education. Those are the larger items—veterans as well. Defense could fall into this area, obviously. So we ought to be addressing those issues that are before us.

So we raise this today because we think it is important that we engage in

this debate. We are a legislative body. It is deliberate, it is slow, it can be ponderous. But we are trying to prepare, now, a budget, in the wake of the proposed constitutional amendment to try to get us into balance, to keep those interest rates down so businesses can grow and expand and hire people. We have enjoyed 6 years of sustained economic growth now, in no small measure because we collectively have made progress. And I will not engage in the finger-pointing about who deserves credit or who is responsible—but the fact of the matter is, we have brought those deficits down, now, from \$290 billion to \$120 billion, actually down to \$107 billion at one point. And we ought to be doing everything in our power to see to it we continue on that glidpath so those interest rates do not spike up again, costing American families and this Nation the burdens those increases would bring.

So we are suggesting here today, let us begin work on these. Making a request of the President on a daily basis or hourly basis, "submit yet another budget, yet another budget, yet another budget" is not productive. We bear the responsibility as legislators, those who control the purse strings, to respond to the budget the President has sent to us, either by rejecting it and submitting our own, or by proposing, in a clear way for the American public to see, exactly what the priorities will be and how you will pay for them.

Whether it is a spending increase or a tax expenditure, the American public wants to know the simple answer to the question: How do you intend to pay for this? So we are here today to urge our colleagues, who are in the position to most specifically respond to these matters, that in the coming days, rather than spending time by issuing press releases challenging the President to submit yet another budget, to fulfill our constitutional obligations here and to step forward and explain to the American public exactly what our proposals are.

Let me just conclude by saying there are a number of these tax cut proposals that are being suggested which I support. I am not opposed to them. Just as there are spending proposals of which I am in favor. But whether it is a spending proposal I am in favor of or a tax cut I am in favor of, the same question must be asked of either point: How do you pay for them?

So, whether it is capital gains tax cuts, estate tax cuts, or child care credits—there are all sorts of things people are proposing. Whatever it is, what the bulk of it is, the question must be raised: How do you pay for it? If, in fact, these tax cut proposals, as some have suggested, would drive us back into the very situation we found ourselves in only a few short years ago, then I think we have to meet our responsibility, that has not yet been met, of following our legislative mandates and responsibilities.

With that, I see my colleague from California here. I will leave these charts here for her to peruse, and for others who may want to come over and take a look at them. I know she shares similar concerns and thoughts, coming from the largest State in our Union, a State which has contributed much to the general welfare and health of our country. Obviously, whether you live in a small State like mine, Connecticut, or a large State like California, people on the respective coasts and everyone in between in this country want to know the answers to these questions.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before the Senator from Connecticut leaves the floor, I just wanted to thank him, because we are really running into some statutory deadlines here, and, as he pointed out, because we do sit on the Budget Committee together, these are not just written down for fun. They are serious.

By April 1, the Budget Committee is statutorily required to vote out a budget. On April 15, the Congress is statutorily required to vote out a budget. We, on this side of the aisle, do not control the agenda around here. That is one very strong power of the majority. And believe me, we are sad that we do not have the ability to move an agenda, because if we did, we would have this budget on the floor today. We would be debating it.

Why do I say that? It is because the budget of the United States of America is, in fact, the priorities of this Nation. What we spend on really says to us what we are about as a country. Do we invest in education? The President in his budget says yes.

Do we make sure that our seniors are protected from deep, deep cuts in Medicare and Social Security? Yes, we care. The President cares.

Does the President think we should do more to clean up the toxic waste sites and enforce environmental laws? Yes, he does.

Does he think we ought to invest in NIH, the National Institutes of Health, so we can find cures for diseases, be it breast cancer or prostate cancer or Alzheimer's or scleroderma, all of these things which cry out for attention? The President says yes.

The President says we should put more police on streets into community policing. That is all in his budget.

A budget reflects the priorities of a nation. It tells the country who we are, what we think is most important, and, by the way, all in the context of a balanced budget, so certified by the Congressional Budget Office. So the President has put forward his effort. It is certified by the Congressional Budget Office to balance in 5 years. We have it in writing. We have the letter.

Now we are saying to our Republican friends who control this—they have 55 Senators, we have 45; they are in

charge—that it is their responsibility now to bring to the Budget Committee their budget. They do not like the President's budget. They have criticized the President's budget. They have done it day after day. Where is their budget? They are playing hide and seek with their budget, and I think it is time for show and tell. Show us your budget. Where are your priorities?

We only know one thing from Republicans. We know that they want to institute a huge tax cut. The President has a tax cut proposal, and it is modest. It is \$98 billion over 5 years. That is what it costs, and it is paid for. What does he do? He calls for tax relief to help middle-income Americans. He calls for a \$500 tax credit for dependent children, a \$10,000 deduction for post-secondary education, and a proposal to allow married taxpayers to exclude from capital gains taxes up to \$500,000 in gains from selling a home. Single taxpayers could exclude up to \$250,000. This would exempt about 99 percent of home sales from capital gains taxes. These are the President's tax proposals.

The Republicans have said they want to do \$200 billion of tax-cut proposals. So we are saying, "How are you going to pay for it? Where are your priorities?"

There are two ways to do it in the Budget Committee. One way is for the Republicans to offer their own budget. They have talked for weeks about a balanced budget amendment to the Constitution. Where is their balanced budget? They want an amendment to the Constitution, but where is their actual budget? They don't have it. We don't know what it is. We only know they want to cut taxes over 5 years by \$200 billion, over 10 years by \$500 billion. Are they going to go back to the big cuts in Medicare, big cuts in education that we fought off last year? Remember? The Government shut down over these very proposals because President Clinton and the Democrats in Congress said, "Absolutely not, we're not going to do that to benefit the very wealthy."

A recent study shows that the top 1 percent of taxpayers would get an average tax break of more than \$21,000, and that is extraordinary—the top 1 percent.

Mr. President, I reiterate that right now, the Senate has only 7 working days prior to the April 1 deadline for the Budget Committee to bring a budget to the floor—7 working days—and the Budget Committee, on which I am proud to serve, does not even have a markup scheduled. Why is this? The President put his budget forward. The CBO has certified that it does reach balance in 5 years. June O'Neill signed the letter. I ask unanimous consent to have that letter printed in the RECORD.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 4, 1997.

Hon. FRANK R. LAUTENBERG,  
Ranking Member, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR SENATOR: You asked whether the alternative set of policies proposed by the President in the event that Congressional Budget Office projections are used in the budget process would achieve unified budget balance in fiscal year 2002.

As we described in our March 3 preliminary analysis of the President's 1998 budgetary proposals, "the alternative policies proposed by the President were designed to fill exactly any size deficit hole that CBO might project under the basic policies."

I hope that this answer meets your needs.

Sincerely,

JUNE E. O'NEILL.

Mrs. BOXER. Mr. President, the President has submitted a balanced budget. In that balanced budget, he protects Medicare and he protects Social Security. He moves forward with an investment and commitment in education and the environment and health research and transportation and putting more community police on the streets. This is a good budget, and if the Republicans don't like it—and I don't expect them to like it, that is why there is a difference in the parties here, we know we have different priorities—let them come forward with a budget instead of playing hide and seek.

We only know one thing they want, and that is tax breaks to the very wealthy. They have put that out there. The President calls for \$98 billion of tax cuts over a 5-year period. Those are targeted to the middle class so that when you sell your home, you will not have to pay capital gains taxes; so if you send your child to college, you can write off \$10,000; so if you have children, you can exercise tax credits. These are modest tax breaks for the middle class.

The Republicans, on the other hand, have a tax break that is so huge that it is going to cost \$200 billion. A recent study shows the top 1 percent of taxpayers would get an average tax break of more than \$21,000 while 99 percent of the rest of us do not get that benefit. So it seems to me we are going back to the battle that we had last year when the Government shut down.

But this is even worse. They will not show us their budget. Where is it? We know the tax cut part. Where is the spending part? Where are we going to get the money to balance in the year 2002 to pay for those tax cuts? Are you going to do what you did the last time, take \$200 billion out of Medicare? I hope not. That brought the Government to a shutdown.

So I just am very confused. I can understand why my Republican colleagues would not like the President's budget. I can understand that. Frankly, I think the budget the President put forward is an excellent product, and it makes the investments we need to make while protecting our priorities. It has tax breaks for the middle

class. It balances by 2002. I think it is a budget that the American people will get behind. But I know that my Republican colleagues criticize everything this President does, and they are going to find some things in that budget they do not like. It is fair. It is absolutely fair for them.

But I will tell you what is unfair. It is unfair for them to point the finger at this President, by the way, and tell him to go back and redo it. That is what they are telling him to do. "Go back and do a second budget," they say, when they have not even put a first budget forward. Let us see their first budget. Let us see their first budget. Maybe if they do a first budget, they will have some authority to say they want a second budget from the President.

But the President has put his best case forward, certified by the CBO to balance, that protects Medicare, protects Medicaid, invests in our children, invests in the environment, invests in health research, puts more cops on the beat. And it is being ridiculed and criticized, and they say, go back and do it all again. Look, it is irresponsible at this point that we do not have a mark-up of a budget.

If they do not want to produce a budget, I have another scenario. Let them take the President's budget, which they do not like, and amend it.

If they want to make the tax cuts bigger, make the tax cuts bigger. Offer an amendment to make the tax cuts bigger, and show us how you are going to pay for it.

You want to cut education? Have the guts to do it. Write an amendment. Tell the American people you do not think it is a priority.

You want to cut out Environmental Protection Agency enforcement? Have the guts to offer an amendment.

You want to spend less on health research, transportation? That is fine. That is your right. But what I do not think is your right is to criticize and point fingers at the President, tell him he has to go back and write a new budget before you even put your budget out there, all but your tax cuts—all but your tax cuts.

Well, that is the easy part, folks. I love to talk about the tax cuts in the President's budget because I have to think they are very helpful to our society. But at the same time we have to make some tough choices in the budget, some tough choices all the way across the board. And that is what the President has done.

So we have 7 working days to meet the April 1 deadline for the Budget Committee. We have only 14 working days before the deadline for final congressional passage. And the Republicans have no budget, or if they have a budget, it is in somebody's pocket or it is in some back room. It has not been brought out yet. I just think we are asking for trouble. We are going to miss these deadlines and are not going to do our work.

As I said when I listened to the debate on the balanced budget amendment, I believed that people on both sides of that issue wanted to balance the budget. They had disagreements over whether you need to put it in the Constitution, but I surely believed once we disposed of that issue, we voted on it, we would get to the hard business of balancing the budget. But it is awfully difficult to do it when the only one who has put out a balanced budget is President Clinton, and the other side is poking holes at it, pointing fingers at it, telling him to go back and do it again. They have yet to come out with a budget. This is not a level playing field around here. It just does not make sense. It is not fair. And I think the American people will understand.

There is a lot of time around here to dedicate yourself to lots of other issues—finger pointing and all the rest on campaign contributions and all of that. And I say, campaign finance reform is very important. We ought to bring that to the floor, too. That would probably be a real step forward for the American people. Bring forward the budget debate, bring forward the debate on campaign finance reform, two issues that are important to the country. But I do not see either of these headed for the Senate floor. I think that is most unfortunate.

There is lots of time for other things, but not the things that I believe are very pressing matters. Certainly the most pressing is the budget, because the budget is what our priorities are about.

When you sit down with the family and go over the monthly expenditures, you make some very important decisions, don't you? If we buy a new car, how much do we need to set aside for that car payment? Gee, maybe we should put that off a year and do something else. Maybe it is time that the family took a family vacation. So you decide to put off the new car, take the family vacation. We make these decisions in our families.

The American family needs to make its decisions, and it is called a budget. It is where we make the very important decisions. How much do we need to defend this country against all enemies foreign and domestic? How much do we need to get our children ready for that work force?

Today, we had a wonderful east-west initiative, a very bipartisan initiative. It included Senator HATCH, Senator FAIRCLOTH, Senator KENNEDY, Senator MURRAY and myself; Massachusetts, California, Utah, Washington State, and North Carolina. This was a great bipartisan initiative. It is about job creation, and it is about our working together to make sure that in this country we make the investments we need in new technologies, we make the investments we need in education, we make the investments we need at the FDA so new drug approvals move swiftly. These are the issues that Republicans and Democrats alike came together around today.

I will tell you, if we do not get moving on a budget, Mr. President, if we do not come together as Republicans and Democrats and work together, we are just going to come to a dead stop because out in the real world they meet deadlines—they meet deadlines.

If you have a new product and you have to get it out to the marketplace, you better not have delays, because if you have delays in getting that product out to market, you can go bankrupt.

Well, around here, statutory deadlines do not seem to mean much. Maybe I am wrong. Maybe my budget chairman right now is preparing to offer the Republican budget. He will lay it down next to the Democratic Clinton budget. We will look at the similarities. We will join hands. We will look at the differences. We will fight those out. We will look at the tax cuts. We will come together and move on.

But I would say—and the reason several of us came over here today to talk about this—that time is moving, the clock is ticking. We have not seen the budget. We know what your tax cuts are. Where are your cuts? What are your priorities?

I just hope that we can get back to why we were sent here. I mean, everybody said after this election it is time to put behind the rancor. But I think there is rancor when you point the finger at the President, in spite of the fact that the CBO said his budget balances, and tell him first, it does not balance, and second, do it again, when you have not even put your product on the table, except for your tax cuts, which benefit 1 percent, the top 1 percent of the people in this country instead of the middle class.

We have a lot of work to do. I look forward to seeing the Republican budget, finding those areas of agreement, working on those areas of disagreement, getting this budget down to the floor by the statutory deadline and moving forward.

Mr. President, I have the honor of not only serving on the Budget Committee but serving on the Appropriations Committee. This is, really, an extraordinary opportunity for the Senator from California to have both those assignments. I have an opportunity to debate the large priorities and then get it down to within those priorities—what is the most important investment to make, and in the context of a balanced budget, I might add. And I voted for several of those, one that Senator CONRAD wrote, and one that former Senator Bill Bradley wrote.

I am ready to make those tough choices. I like to believe my colleagues on the other side of the aisle are ready to make those tough choices. We should come together. The clock is ticking. So, we should do it, Mr. President. I hope we will back off this finger pointing at the White House. I hope we will look at this President's budget. I hope the Republicans will present their

budget and we proceed to mark it up and proceed down the path of bipartisan cooperation so this country has a budget which is, in fact, our priorities.

Thank you, Mr. President.  
(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The galleries will refrain from any demonstration of clapping, please.

The Senator from West Virginia.

Mr. BYRD. I thank the Chair for calling the attention of the Senate rules to the galleries.

#### UNANIMOUS-CONSENT REQUEST— PERMISSION FOR COMMITTEE TO MEET

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 12, for the purpose of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider S. 104, to amend the Nuclear Waste Policy Act of 1982.

Mrs. BOXER. Mr. President, I object on behalf of two Senators.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, if I could be further heard on this, and I will be relatively brief, I must say, I think this objection is, at the very least, very unfortunate. It has been my understanding that we are operating in good faith with respect to the confirmation of Mr. Peña and the markup of the nuclear waste bill.

I have made a special effort to get this nomination up this morning. We had a lot of communication with the ranking member, the chairman and other Members interested in the confirmation of the Secretary of Energy designee, with the understanding, clearly, that the nuclear waste bill could go forward.

Since this objection has now been raised, the Energy Committee cannot complete its business with respect to reporting out the nuclear waste bill today. It is my understanding they will reconvene tomorrow at 9:30 in order to take action on this very important nuclear waste bill.

I say again, I have been trying to be cooperative in trying to move nominations. I worked with those who had objections in the committee. I helped work out a process where the chairman could schedule this nominee for a vote, and then I worked with the other objections we had on this side of the aisle from the Senator from Minnesota, Senator GRAMS. He was able to make his remarks this morning.

We agreed that we would have a vote at 12:30, or quarter to 1, I believe, now, all this under the assumption that we were working in good faith. Now we have an objection to the committee meeting to report out a bill which has overwhelming support of the full Sen-

ate and will have overwhelming support in the committee.

This is not a good sign, but it is just one of many bad signs that we are seeing, in my view, from the standpoint of being able to work together for the good of the country. So it is a very unfortunate decision, and it will not be without consequences. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, as the majority leader knows, every Senator has a right to make such an objection, and two of our Senators decided to exercise their right. I think that has to be put into context that every Senator is sent here primarily to represent his or her constituency in his or her own State.

I don't think the majority leader would suggest that Senators do not have the right to protect their constituency. I wanted to make that point because two Senators, who believe that this is not in the best interest of their State, had asked us to exercise their full and given rights as Senators to object to this meeting.

Mr. BYRD. Mr. President, I understand that the Senate will vote at 12:45.

The PRESIDING OFFICER. That is correct.

Mr. BYRD. Mr. President, I ask unanimous consent I may speak until 12:45 as if in executive session.

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

#### NOMINATION OF FEDERICO PEÑA TO BE SECRETARY OF ENERGY

Mr. BYRD. Mr. President, I wish to voice my support for the nomination of Federico Peña to be Secretary of Energy during President Clinton's second term in office.

Mr. Peña served ably as Secretary of Transportation during the first Clinton Administration, and I look forward to working with him as he assumes new responsibilities at the Department of Energy. The challenges at DOE are vast, and Mr. Peña's management skills and ability to work with different groups should prove very useful in responding to the complex issues which are the responsibility of the Department of Energy.

Prior to joining the Clinton Administration, Mr. Peña served as Mayor of Denver from 1983 to 1991, and as a Colorado legislator. During his tenure as mayor, Mr. Peña played an active role in reviving the Denver economy from its mid-1980s decline through a series of bold initiatives. At a time when major new international airports were not being built in this country, he gained approval for one of the largest and most technological advanced airports in the world. As Secretary of Transportation, Mr. Peña proudly participated in the dedication of Denver International Airport in February, 1995.

While he served as Secretary of Transportation, I worked closely with