



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, THURSDAY, MAY 22, 1997

No. 69

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Holy God, help us to be ever mindful of Your presence in every moment of this day. May we practice Your presence by opening our minds to think Your thoughts. May this day be filled with surprises in which You intervene with solutions to our problems and with superlative strength that replenishes our limited endurance. Fill us with expectancy of what You will do in and through us today.

We claim Isaiah's promise, "You will keep him in perfect peace whose mind is stayed on You."—Isaiah 26:3. Stay our mind on You so that we may know Your lasting peace of mind and soul. You know how easily we can become distracted; often hours will pass without thought of You or Your will for our work. In those times, invade our minds and remind us that You are in charge and we are here to serve and please You.

Lord, keep our minds riveted on You throughout this day so that we may draw from Your unlimited wisdom for all that we do and say. Especially, we ask for Your guidance as discussion is completed and a final vote is taken on the budget. May our fiscal planning be in keeping with Your priorities for our Nation.

In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the able Senator from New Mexico, is recognized.

SCHEDULE

Mr. DOMENICI. Mr. President, for the information of all Senators, today

the Senate will resume consideration of Senate Concurrent Resolution 27, the first concurrent budget resolution, with 13 hours of debate on the resolution remaining. As under the previous order, Senator MOSELEY-BRAUN will be recognized this morning to conclude debate on her amendment. Senators can expect a rollcall vote between 10:30 and 11 o'clock this morning. Following the disposition of the amendment just mentioned, the Senate will continue to work through the approximately 45 amendments which have been filed to the budget resolution. As the majority leader has indicated, it is his intention that the Senate conclude work on this resolution today. In regard to numerous amendments filed, it is our hope that each and every amendment filed will not require a vote. The Budget Committee has worked through the night, identifying amendments which can be worked out on both sides, therefore expediting this process immensely.

The majority leader has requested the cooperation of all Members in working with the Budget Committee and/or being prepared to debate their amendments during today's session of the Senate. As always, all Members will be notified as soon as any agreements are reached and votes scheduled. Also, before we recess tomorrow, the Senate will consider the CWC implementation bill with a short time agreement, as under the previous order.

I thank all Members for their attention.

MEASURE PLACED ON THE CALENDAR—H.R. 1306

Mr. DOMENICI. Before we begin, I understand that there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 1306) to amend the Federal Deposit Insurance Act to clarify the applicability of host State laws to any branch in such out-of-State bank.

Mr. DOMENICI. I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

CONCURRENT RESOLUTION ON THE BUDGET

The PRESIDING OFFICER. Under the previous order, the clerk will report the budget resolution.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 27) setting forth the Congressional budget for the U.S. Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

The Senate resumed consideration of the concurrent resolution.

Pending:

Murray-Wellstone amendment No. 291, to express the sense of the Congress concerning domestic violence.

Inhofe amendment No. 301, to create a point of order against any budget resolution for fiscal years after 2001 that causes a unified budget deficit for the budget year or any of the 4 fiscal years following the budget year.

Hollings amendment No. 302, to express the sense of the Senate that the Highway Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 303, to express the sense of the Senate that the Airport and Airway Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 304, to express the sense of the Senate that the Military Retirement Trust Funds should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 305, to express the sense of the Senate that the Civil Service Retirement Trust Funds should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 306, to express the sense of the Senate that the Federal Unemployment Compensation Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Kerry amendment No. 309, to allocate funds for early childhood development programs for children ages zero to six.

Dorgan amendment No. 310, to express the sense of the Senate that the Congress should continue efforts to reduce the on-budget deficit without counting Social Security surpluses.

Warner-Baucus amendment No. 311, to ensure that transportation revenues are used solely for transportation.

Wellstone amendment No. 313, to provide for increases in funding for Headstart and Early Start, child nutrition programs, and school construction, which will be paid for by reducing tax benefits to the top 2 percent of income earners in the United States as well as by reducing tax benefits that are characterized as corporate welfare or tax loopholes.

Wellstone amendment No. 314, to provide that Pell Grants for needy students should be increased.

Abraham amendment No. 316, to express the sense of the Senate that, to the extent that future revenues exceed the revenue aggregates, those additional revenues should be reserved for deficit reduction and tax cuts only.

Gramm amendment No. 319, to ensure that the discretionary limits provided in the budget resolution shall apply in all years.

Gramm amendment No. 320, to ensure that the 4.3 cents federal gas tax increase enacted in 1993 will be transferred to the Highway Trust Fund.

Faircloth amendment No. 321, to express the sense of the Senate that a non-refundable tax credit for the expenses of an education at a 2-year college should be enacted.

Ashcroft amendment No. 322, to add enforcement mechanisms to reflect the stated commitment to reach a balanced budget in 2002, to maintain a balanced budget thereafter, and to achieve these goals without raising taxes.

Ashcroft amendment No. 323, to limit increases in the statutory limit on the debt to the levels in the budget resolution.

Bond amendment No. 324, to express the sense of the Senate regarding the protection of children's health.

Bond amendment No. 325, to express the sense of the Senate concerning the Highway Trust Fund.

McCain-Hollings amendment No. 326, to express the sense of the Senate that the Congress shall take such steps as necessary to reconcile the difference between actual revenues raised and estimates made and shall reduce spending accordingly if Spectrum Auctions raise less revenue than projected.

McCain-Mack amendment No. 327, to express the sense of the Senate with respect to certain highway demonstration projects.

McCain amendment No. 328, to express the sense of the Senate that the revenues generated to finance an intercity passenger rail fund under section 207 should not be appropriated before enactment of legislation to reauthorize and reform the National Rail Passenger Corporation.

Bumpers amendment No. 330, to delay the effectiveness of the tax cuts assumed in the Budget Resolution until the Federal budget is balanced.

Bumpers amendment No. 331, to ensure that the Medicare cuts that will be enacted are not used to pay tax cuts and that instead the tax cuts are completely paid for by the closure of tax loopholes.

Bumpers amendment No. 332, to express the sense of the Senate that no budget reconciliation bill shall increase the Federal deficit.

Lautenberg (for Moseley-Braun) amendment No. 333, to express the sense of the Senate regarding the use of budget savings.

Lautenberg (for Moseley-Braun) amendment No. 334, to express the sense of the Senate regarding the value of the social security system for future retirees.

Lautenberg (for Dodd) amendment No. 335, to ensure that the concurrent resolution conforms with the bipartisan budget agreement to restrict revenue reductions over the ten-year period.

Moseley-Braun amendment No. 336, to provide \$5 billion for school repair, renovation, modernization, and construction priorities, offset by closing tax loopholes.

Specter amendment No. 338, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health.

Specter amendment No. 339, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health.

Specter amendment No. 340, to restore funding within the discretionary health function to maintain progress in medical research, offset by reductions in Federal agency administrative costs.

Domenici (for Grams) amendment No. 346, to require that the \$225 billion CBO revenue receipt windfall be used to for deficit reduction and tax relief, and that non-defense discretionary spending be kept at a freeze baseline level.

Domenici (for Coverdell) amendment No. 347, to provide for parental involvement in prevention of drug use by children.

Domenici (for Kyl) amendment No. 348, to express the sense of the Senate that the budget resolution agreement does not foreclose the possibility of Congress adopting additional tax cuts in the future, so long as they are paid for.

Domenici (for Snowe-Coverdell) amendment No. 349, to express the sense of the Senate relative to higher education tax relief and higher education expenses.

Lautenberg (for Harkin) amendment No. 350, to express the sense of the Senate supporting an increase in funding for defense 050 account funds dedicated for medical research.

Lautenberg (for Harkin-Bingaman) amendment No. 351, to reduce the incentives to use tax gimmicks that artificially increase revenues in 2002 in ways that make balancing the deficit more difficult after 2002.

Lautenberg (for Kohl-Kerry) amendment No. 352, to express the sense of the Senate on early childhood education.

Lautenberg (for Byrd) amendment No. 353, to expand opportunities to access funding in the Highway Reserve fund.

Lautenberg (for Biden) amendment No. 354, to express the sense of the Senate regarding the extension of the Violent Crime Reduction Trust Fund through fiscal year 2002.

Lautenberg (for Boxer) amendment No. 355, to express the sense of the Senate regarding tax cut benefits.

Robb amendment No. 356, to express the sense of the Senate on Social Security and retirement savings.

AMENDMENT NO. 336

The PRESIDING OFFICER. The Senator from Illinois is recognized to speak on her amendment for up to 50 minutes.

Ms. MOSELEY-BRAUN. Thank you, Mr. President. I yield myself such time as I may require.

Before I start, I ask unanimous consent Senator BAUCUS be added as a co-sponsor of this amendment.

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

Ms. MOSELEY-BRAUN. Mr. President, I am going to yield to my col-

leagues from Massachusetts and Minnesota in a moment to speak on this. But I would just like to pick up the debate where we left off last evening.

This is the amendment to begin to repair America's crumbling schools and to help provide an environment suitable for learning to the 14 million children who attend school every day in this country, schools with leaky roofs, with crumbling walls, with sewage backing up in the basement, with insufficient electrical equipment to plug in computers, children who attend schools in our country that are not suitable environments for learning. Mr. President, I believe we can do better.

There has been a great deal of debate about who should pay for the crumbling schools. As we know, it is traditional in this country that State and local governments pay for elementary and secondary education. In fact, the Federal Government only supports elementary and secondary education nationwide at about a 7 percent level, so we are barely engaged in the funding formula. But as it is no doubt apparent, and I know it is apparent to everybody in this room, we are facing a crisis of national proportions because the formula for funding elementary and secondary education just does not work in ways that are adequate to meet the needs of our children. It does not work because the property tax base of elementary and secondary funding has been so inelastic as not to provide for the repair, construction, and maintenance of schools over time. So we are faced with a crisis of monumental national proportions.

The General Accounting Office tells us it will take \$112 billion to repair our schools, to just bring them up to a level of adequacy—code violations removed, where students can actually learn—without even getting to putting in new technologies. It is pretty clear children cannot learn if their schools are falling down around them. They cannot use computers if there are no electrical systems to plug them into. Unless we engage as a national community to provide local districts and to provide States with some assistance in meeting this huge challenge, the challenge will continue to go unmet and we will hamstring an entire generation and make them less capable of competing in this global economy, this technological age.

We can do better. Our parents turned over to us schools that were adequate to our needs. The public schools were not in this condition. In fact, if anything, most of the schools that most American children attend were built for our generation. We have an obligation to help provide some financial assistance to States and to local districts to repair their crumbling schools.

I wanted to put it on a light note before I turned it over to my colleagues. I thought this was a perfect picture to talk about where we are. This is a cartoon. As a matter of fact, I have two cartoons. The first one says, "A computer in class opens a whole new world

for us." And the little girl says, "Look, a picture of a school with no leaking roof, no peeling paint, with textbooks for everyone. . . ."

"A whole new world for us" because this is the real world. It is the crumbling schools, the broken plaster in the walls, the lack of electrical connections, broken plumbing, code violations, lead paint in the walls, asbestos—that is the environment to which we send our children to schools. The new one would be one with no leaking roof, no peeling paint, and with textbooks for everyone. This one, unfortunately, is the reality.

The second cartoon speaks to the reality again as well. Again, these are issues that everybody knows to be true. That is why it is almost surprising to even have to say these things. All you have to do is go out in your State, and you will see schools in this kind of condition. This is Peppermint Patty. Peppermint Patty's crumbling school. Peppermint Patty, in the first few panels, talks about how the roof is leaking again. And then Marcie says, "Sir, the roof is leaking again and you are getting all wet."

"I don't like to complain, Marcie."

"Then I'll do it for you. We were just wondering, ma'am, if perchance you might have noticed . . . the roof is leaking."

And then the custodian, of course, goes up, falls off the roof, and then, "How about that, Marcie, I think they fixed the leak in the roof. Let's just hope there aren't some other places where . . ." and that's when the rain starts coming down on Marcie herself.

As we talk about the importance of education, of a college education, of national standards and goals and the like for education—it is conversation. It is just conversation if we don't give the youngsters an environment in which to learn. They clearly cannot learn if the environment, the setting, is such that it impedes their ability to access the technology, it diminishes their ability to focus in on what it is we are trying to communicate to them.

This last panel which I wanted to bring to your attention, really, I thought, points out the problem altogether. That is, infrastructure, facilities, the environment, the structure have been forgotten. It is everybody pointing fingers at everybody else. It's this unit of government's job, it's that unit of government's job, it is not our responsibility; turning our backs, pointing fingers, and forgetting altogether about the basics. We are talking about computers, but we haven't remembered that you have to have electrical systems to use them. So this last one says, "This is how it is, Mr. Principal. Half the kids in our class can't read and half can't multiply 6 by 8. None of them ever heard of Bosnia and couldn't tell you who wrote Hamlet."

"I talked to the principal, sir."

"What did he say about the leaking roof?" says Peppermint Patty, who is under a rainstorm.

And Marcie says, "I forgot to mention it."

Well, we have been forgetting to mention it. We have been neglecting infrastructure and we have been letting the problem get worse and worse. As with any maintenance issue, if you let it go, it doesn't get better, it just gets worse. So this amendment, this \$5 billion, is just a start to try to reach the level of the \$112 billion that the General Accounting Office tells us is needed.

Here is reality. I have been showing cartoons, but this is reality. This is a chemistry lab, built probably when I was in high school, if not before—probably when my parents were in high school. Clearly, this is not suitable to teach any youngster chemistry in these times. There is no equipment. It is falling down. You can see this is just age; this is not kids trashing the school. That's just old, outdated—I would imagine, from the type of construction, since I like to do construction, this is probably close to the 1920's, if not earlier.

Here is another. Desks that you and I probably used that have been recycled, Mr. President, with peeling paint. One of the problems the GAO found is a lot of the paint peeling has lead in it, and we know from other research what lead does to youngsters.

Here's another one. The kids may have trashed the lockers, but at the same time the lockers seem to me to have gone a long way toward being trashed before the kids got there. You can't use these things.

But this is the condition of the schools.

Here is another lab. Look at that. What do we tell our children about the value of education? What do we tell them about what we think about them, sending them into conditions like this?

Before I conclude, I want to point out something that may be counterintuitive about this whole issue but that is reality; that is, crumbling schools is not just an inner city problem. Crumbling schools are not just problems in poor communities. Crumbling schools happen all over our country. In fact, the GAO tells us the central cities experience crumbling schools at a rate of 38 percent; the suburban communities at a rate of 29 percent; the rural communities at a rate of 30 percent. Add to that that it is a nationwide problem—in fact, if anything, the West has this problem more than the Midwest, and the East has it more than the Midwest. So it is a problem that is national and is in every kind of community and affects 14 million children every day.

It is shameful to me that we did not have this already in the budget as part of the budget agreement. I was very distressed about that part. But I hope the Members of this Chamber will recognize that this is reality, that we have to have a partnership. We need to help States and local governments meet this need. We are not looking to

take anything over. This will maintain local control of the schools, local control of the decisionmaking about what schools get fixed and what features get addressed. But, surely, surely, with a \$112 billion national problem, here at the national level we can find \$5 billion to help our school districts and our States repair the crumbling schools in which we expect our children to learn.

Mr. President, I yield 10 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes.

Mr. KENNEDY. Mr. President, I join my colleague and friend from Illinois, Senator MOSELEY-BRAUN, and commend her for bringing this matter to the U.S. Senate. Her amendment addresses basic and fundamental needs to help children get a good education, and to offset that by closing some of the tax loopholes.

In reviewing the agreements that were made in the balanced budget amendment, it is clear that almost every program is going to bear the brunt of belt tightening—with the exception of tax expenditures. There are over \$430 billion in tax expenditures this current year, and that number will increase as we move to enact the tax breaks. We have still not closed the billionaire's tax loophole that permits Americans who have accumulated large amounts of wealth to renounce their citizenship and take their wealth overseas. I think we can afford to close that particular loophole and pay for this particular amendment. There are others that are just as outrageous that, with any fair evaluation of those loopholes, would clearly be closed.

It is entirely appropriate that we give favorable consideration to this measure.

Mr. President, I strongly support the amendment by Senator MOSELEY-BRAUN to provide the \$5 billion for improving America's school facilities.

Good education begins with decent places to learn. Yet, in too many public schools across the Nation, children have to run an obstacle course to learn, and that is wrong.

Schools across the country are facing enormous problems with crumbling facilities. Fourteen million children in one-third of the schools are learning in substandard school buildings. Over half of all schools report at least one major building in disrepair, with cracked foundations, leaking roofs and other major problems.

Yet, student enrollments are at an all-time high and will continue to rise, causing even greater overcrowding in many schools. We cannot tolerate a situation in which facilities deteriorate while enrollments escalate.

Massachusetts is no exception. Forty-one percent of Massachusetts schools report that at least one building needs extensive repair or should be replaced; 75 percent report serious problems, such as plumbing or heating defects; 80 percent have at least one unsatisfactory environmental factor.

Faulty boilers and leaky pipes are responsible for sewage leaks and backups at many schools in Springfield. Sixty percent of Springfield schools do not have power outlets and electric wiring needed to accommodate computers and multimedia equipment.

At the Washington School in Springfield, windows are falling out, so they cannot keep the school well heated. At Chestnut school, an entire floor was closed due to disrepair and has not been reopened. To add to the problem, enrollment in Springfield schools has increased by 1,500 students, or 6 percent, over the past 2 years. Facilities are not large enough to accommodate the number of students in the schools, forcing teachers to hold classes in storage rooms, large closets and basements.

In Boston, nearly half the schools need major upgrades in their ventilation systems to meet current air quality standards.

It is interesting, Mr. President, that over half of the schools in my home city of Boston are still not handicapped accessible.

Schools in the city cannot keep their heating systems functioning properly. On a given day, 15 to 30 schools report that their heating systems are not working. Of Boston's 120 school buildings, 90 do not have adequate power outlets and wiring to accommodate today's technology. Roofs are crumbling at the Dearborn School, Hyde Park High School, Dickerman High School, and the Trotter School.

Of the 50 public schools in Worcester, 10 schools need new boilers for their heating systems. Almost every school needs windows replaced. Half of Worcester's schools are not equipped with the wiring and infrastructure to handle new technology, and the vocational high school risks losing its certification because the building is in such poor condition. Its outdated electrical wiring is especially dangerous.

Worcester's schools are also becoming overcrowded. Forest Grove Middle School is at its full capacity of 750 students. They expect 150 additional students to enroll next year, forcing them to rent rooms at a local church to offset the overcrowding.

At Holt School in Whitman, the foundation is cracked. Water damage has loosened the ceiling tiles in the cafeteria, and the ceiling of the boiler room is collapsing.

At the Toy Town Elementary School in Winchendon, the roofs in the gymnasium are leaking, the window caulking is deteriorating, and there is asbestos in the cafeteria ceiling and floor tiles.

It is difficult to teach or learn in dilapidated buildings and overcrowded classrooms. That is why this amendment is so important. It would provide \$5 billion in funding over the next 5 years to help school districts meet their priorities for repair, renovation and modernization of their facilities, and it is fully offset by closing the tax

loopholes and corporate subsidies in the budget resolution. The amendment does not bind anyone to one specific plan of how to provide support for school facilities. Those details will be worked out later. What the amendment does do is put priority on addressing the urgent needs of schools and the children who learn in them.

It is preposterous to pretend that we can prepare students for the 21st century in dilapidated 19th century classrooms. I urge my colleagues to support Senator MOSELEY-BRAUN's amendment.

This chart indicates, Mr. President, exactly what the conditions are, as pointed out by the Senator from Illinois: Fourteen million children in sub-standard schools; 7 million attend schools with asbestos and lead paint. This provides for mental retardation and slow developmental learning; radon in the ceilings and wall; 12 million children go to schools under leaking roofs; and one-third of American children study in classrooms without enough panel outlets and electrical wiring to accommodate computer and multimedia equipment.

We are going to spend \$7.2 million in the title I program to help children to get the basic math and reading skills they need. But if those children are in dilapidated buildings, we are not spending that money wisely. We are going to be spending about \$491 million in Goals 2000, to help States and local communities establish standards so that they can measure the progress that children are making. If the Nation's classrooms are falling apart, When you have the kind of classrooms like this, how can we expect children to meet high academic standards?

As the Senator from Illinois pointed out, we are going to be spending \$1.8 billion for computers, electronics, and Internet access in the schools over the next 5 years. If you do not have the electrical outlets in which to plug in the computers, what difference will our technology investment make? We will spend hundreds of millions of dollars in upgrading professional training for teachers, but forcing them to teach in crumbling schools. So we are willing to get computers into the classroom, upgrade teaching, provide additional funding for literacy, and provide the additional funding for early interventions, but are going to ignore the deterioration of our schools? This is a national problem that must be addressed. GAO estimates that communities need \$112 billion nationwide to repair their schools. It's a problem across the country—in urban areas, rural areas, and suburban areas. The places I talked about reflect a broad range of Massachusetts schools. Communities in every part of Massachusetts and across the country are facing urgent needs to repair dilapidated schools. You can go all over this Nation and find out this is true, and it is affecting the children of this Nation.

So, Mr. President, this is not the first time that Senator MOSELEY-

BRAUN has championed this issue in the Senate. She is not a member of the Labor and Human Resources Committee, but she made her case to us on this issue, and we addressed it.

In 1994, we authorized a grant program in the Elementary and Secondary Education Act. In appropriations, we were able to appropriate \$100 million in fiscal year 1995 for the program. But, when the rescissions came, the School Infrastructure Improvement Act was one of the first targets of the Republican leadership—they rescinded 100 percent of the funding. Then we saw her amendment included in the initial budget agreement because individuals—Republicans and Democrats alike—understood the urgent need to repair the Nation's schools. Then overnight, it suddenly disappeared. It was in that proposal initially, and it should have been in it in the final agreement too. Now the good Senator is trying to just put back what was already in the initial draft to make a downpayment on helping to repair the Nation's schools.

This very modest program will help school districts to develop funding mechanisms so that they can go ahead and meet this challenge themselves. There will be some help and assistance communities to subsidize some of the interest rates on bonds so that they can afford to repair their schools. We do not propose to have the Federal Government repair local schools. We propose to let the Federal Government lend a helping hand to those local communities that are hard pressed to do it themselves, to create decent, safe school buildings for their children.

This is a national issue, Mr. President. I am strongly committed, and I know my other colleagues are too, to improving the quality of education of young people in this country. It starts right in the classroom and it starts by having a safe, modern classroom where a child can learn. Senator MOSELEY-BRAUN's amendment will move us in that direction. I commend her, and I hope the Senate will support her amendment.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you very much, Mr. President. I thank the Senator from Massachusetts for his eloquence and for his support.

I want to yield some time to the Senator from Minnesota, but first I want to point out a couple of things.

The Senator from Massachusetts talked about the classroom. It is a fact that in America, the rungs of the ladder of opportunity are still crafted in the classroom, and we now know that classrooms all across this country are falling apart and crumbling. The General Accounting Office told us in this report, "Condition of America's Schools," that it is going to take \$112 billion nationally to even bring our schools up to code. So this is no mistake, Mr. President. This is something that is documented by an exhaustive

study by the General Accounting Office.

They also then went on to tell us that in addition, "America's Schools Are Not Designed or Equipped for the 21st Century." So they went on to tell us what these charts say and pictures say and all of us know: That you cannot use computers in a classroom with a broken window, with falling ceilings, with peeling paint with lead in it, with no electrical system. This has been confirmed by the General Accounting Office.

Then they went on to tell us, with "Profiles of School Conditions by State," that this is a national problem. This is not just Illinois or Massachusetts or Minnesota, this is all over America, and each State has this problem.

Then they went on to tell us, "States' Financial and Technical Support Varies," that "America's Schools Report Differing Conditions," and that "State Efforts to Reduce Funding Gaps Between Poor and Wealthy Districts" are poor and inadequate.

I submit to you, Mr. President, that if all the States and cities, the local school districts, the rural communities all did their best in terms of property tax support for rebuilding our crumbling schools, they would have a hard time coming up with \$112 billion without some assistance.

Mr. KENNEDY. Will the Senator yield for two questions?

Ms. MOSELEY-BRAUN. Yes.

Mr. KENNEDY. Is the Senator saying that the Finance Committee ought to be able to find that \$5 billion over 5 years out of \$2.3 trillion—\$2.3 trillion—in tax expenditures, which include the billionaire's tax loophole and other egregious violations? Does the Senator think we ought to be able to find \$5 billion out of \$2.3 trillion in tax expenditures over the next 5 years?

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts for his question, and he is exactly on the point. I absolutely agree. In fact, this is the cookbook; this is the book with the loopholes. It is called a loophole book instead of a cookbook. Here are the loopholes. The people who are billionaires can leave the country, renounce their U.S. citizenship and not pay a dime of taxes. In fact, they do it so they will not have to pay taxes on their money, and that represents more than we are asking for to rebuild our crumbling schools, and yet that is not taken out.

Mr. KENNEDY. Am I correct that this is not a partisan issue? Senator McCAIN has been a leader in trying to close down some of the tax loopholes. So the idea of closing them is not just something put forth by the Senator from Illinois. This has been recognized across partisan lines that we ought to be able to close some of the tax loopholes in the interest of the American taxpayers.

Finally, I ask the Senator this question, and she touched on it so elo-

quently earlier: What is the message that we send to school children if we do not pass this amendment? We have been talking about the collapsing roofs, inadequate boilers, windows that have fallen out and haven't been replaced, schools in Boston whose heating systems frequently fail. But what does this say to the schoolchildren of this country about our commitment to them when we are trying to, either as parents or as community leaders, say that continued education, the quality of schoolteachers, and homework is important; that we want young people to apply themselves and develop their own skills to enhance their educational opportunities so that they will have good jobs in the future? What do we say when we impress on them that what they learn is what they are going to earn in the future? What message does it say to them every single day when they go to school to learn in dilapidated classrooms?

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts for the question. And I think the message that it sends is that we are a bunch of hypocrites. I think the message that it sends is that everybody talks about education. We have an "education everything." You can find probably an education dogcatcher somewhere in America that ran on a platform: I'm going to fix the schools. But we never seem to be able to get there.

And so after a while the children become cynical and begin to believe that we do not believe education is important, that we do not really put our money where our mouth is, that we are prepared to send them into classrooms that suggest a diminished support or diminished importance of what they do.

We send our children to classrooms every day in conditions that we would allow no worker to work in. We send our children to classrooms every day that we would not for a moment tolerate in our homes. And so if that is the case, then we say, well, we want you to go to learn somewhere that looks like this, that looks like the charts I have had. And we expect you to learn in that environment. What that says is learning is not really important.

As we stand up and make our pious speeches about the globalization of our economy and the information age and the brave new world—again, that is why I thought this cartoon was so funny. "A computer in class opens a whole new world for us!" "Look! A picture of a school with no leaking roof, no peeling paint, with textbooks for everyone * * *." That is a whole new world, because the world we give them is one with peeling paint and leaking roofs and no textbooks. I think it is just outrageous and shameful.

Mr. KENNEDY. Finally, how does the Senator address the question that this is going to be a budget buster, a deal breaker? We fully offset the amendment through corporate tax loopholes. If we pass this amendment of \$5 billion

with an offset of \$5 billion, therefore making it revenue neutral, is it challenging to find \$5 billion out of \$2.3 trillion in tax expenditures to spend on the renovation and repair of the Nation's crumbling schools? That looking out for the children of this country is a deal breaker? I do not find that as a very persuasive argument.

Ms. MOSELEY-BRAUN. That is right. Out of \$2.3 trillion, \$5 billion pales in comparison. It is just a start. It is not a budget buster by any means. In fact, if anything, it keeps the bottom line constant and just says we are going to give out a little less in tax breaks, we are just going to do a little less on the tax side, we are going to be a little more moderate in how many chickens we try to put in every pot and instead focus on our priorities and provide our youngsters with an opportunity to learn. That is all it does, I say to the Senator from Massachusetts.

Mr. KENNEDY. I hope that the Senator's amendment is approved.

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts.

I want to pick up with one other point the Senator made. And that is, there is no reason why this should be a partisan issue. Politics should stop at the schoolroom door. There ought to be Republican legislators and Democratic legislators alike standing up saying, we are prepared to help our States and local governments fix our crumbling schools.

This should not come down to being: The Republicans are for crumbling schools and the Democrats want to fix them. This should not come down to being: Republicans do not care about their States having to meet 112 billion dollars' worth of need that the General Accounting Office has documented State by State.

And I suggest to my colleagues, I know your staffs all have them, but we have sent around copies of a State-by-State analysis. Take a look at what your State has in terms of the cost of bringing the schools just up to code.

We are not talking about bells and whistles here. We are not talking about putting computers in the classrooms here. We are not talking about curtains. We are not even talking about new paint jobs. We are talking about taking care of the foundation, the electrical wiring, the plumbing, the roof, the windows, the basics, the floors.

There was a school in the southern part of our country where the roof caved in altogether, a few minutes after the children had left the classroom; a school in my State where the track team had to use the prison because the gymnasium was so rotted away. It is an outrage and a shame, and we have an opportunity to address this problem on a bipartisan basis this morning.

The Senator from Minnesota has been kind enough to wait here.

I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, let me also thank Senator MOSELEY-BRAUN for bringing this amendment to the floor of the Senate. And I am very proud to support her and be an original cosponsor.

Mr. President, I am just going to build on a few remarks that have been made. There are 14 million children learning in substandard schools; and 7 million children attending schools with asbestos, lead paint, or radon in the ceilings or walls.

Mr. President, this really is a scandal. This is really unconscionable. And this amendment goes to the heart of the question of priorities. What this amendment says is that rather than continuing to spend the hundreds of billions of dollars in a variety of different loopholes and deductions, billionaire tax breaks and all, transfer \$5 billion over 5 years and put that into investing to rebuild our schools that are crumbling all across America.

I suggest to my colleague from Illinois, Senator MOSELEY-BRAUN, or Senator DURBIN, that I really believe that in many ways this is the priority vote. I really do, because it is just too dear a price to pay to refuse to go after some of these loopholes and deductions, never mind the fact that behind the loopholes and deductions are the heavy hitters and the people who are connected and the people who have the clout.

This is all about who gets represented in the Senate. It is too dear a price to pay to not ask for a little bit of sacrifice over here and plug some of these loopholes or deductions and not make this investment.

As I look at this budget agreement right now—I will be speaking about it more this afternoon with an amendment that I have on the floor of the Senate; so I want to stay within the framework of Senator MOSELEY-BRAUN's amendment—I just ask the question, where are the funds to rebuild schools that are crumbling all across our Nation? There is not one penny.

Where are the funds—we went through this yesterday—to get health care coverage to every child who lacks it? We are still not willing to do that.

And I say that any budget that does not provide at least some funds to begin to rebuild some of the schools in our country, schools that are crumbling all across the Nation, is hardly a budget that represents a bridge to the next century. This is not a budget that represents a bridge to the next century. Not one penny is invested in our crumbling schools.

Mr. President, this is wrong. I wish we could just do an instantaneous poll and get the results in, because I know that people in the country would say it is wrong that 14 million children learn in substandard schools, it is wrong that 12 million children go to school under

leaky roofs, it is wrong that 7 million children attend schools with asbestos, lead paint.

How well could we do our jobs if we were here and the toilets did not work and the heating systems did not work or the air-conditioning did not work, and we were cold during the winter, hot during the summer, if there was asbestos or lead paint, the ceilings and the walls were decrepit?

It is not that way here. This is splendor. And thank God that it is. This is the Nation's Capitol. Can't we have some of this splendor for children in America?

In all due respect, we are getting way ahead of the curve with \$35 billion that goes to tax credits, deductions for college. I was a college teacher. Fine. But we have to get our children to the point where they are able to attend higher education. That does not happen unless we make this investment.

This is the amendment. Do we continue to just fork out lavish subsidies to billionaires and large multinational corporations that do not need them or do we at least begin to make the investment in the schools that are crumbling all across this country?

This speaks to the very issue of justice and fairness. This is a critically important amendment. I hope we will pass it.

I thank the Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Senator from Minnesota for his eloquence and for his passion and support as well.

To the Senator from Florida, Senator GRAHAM, I yield—

Mr. GRAHAM. Five minutes.

Ms. MOSELEY-BRAUN. I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Thank you.

Mr. President, I appreciate this opportunity to rise on behalf of the amendment that is being offered by our distinguished colleague from Illinois.

Frankly, my own criticism of her proposal is that I think it is too modest in relationship to the challenge that we face as a Nation. As she has pointed out, our own General Accounting Office has indicated that there is a need in this Nation to bring existing schools up to a standard of basic safety, health, and educational adequacy of over \$100 billion. What is not included in that number, Mr. President, is what is required to build the new classrooms for the exploding student population.

If I could use my own State as an example, Mr. President. Last year we had over 55,000 new students enrolled at the public schools in the State of Florida. That number will continue, in terms of angle rate of growth, for the foreseeable future.

Similar numbers are true in States across America, as the baby boom population is now having babies and those babies are reaching school age. So we have a crisis not only in terms of rebuilding our older schools, but also in

assuring new schools in order to avoid overcrowded classrooms.

If I could tell a personal story, my own daughter was a kindergarten teacher in Dade County, FL. Her last year teaching in a brand new elementary school she had 38 5-year-olds in her kindergarten class. My daughter is a wonderful teacher. I would defy anyone to truly educate 38 5-year-olds in one classroom.

I might say, she went on from that experience. She was married, she taught for a brief period in Virginia, and now is a mother. In fact she is not only a mother, she is a mother of triplets. And so she said she was the only mother of triplets who ended up with 35 fewer children to deal with.

Mr. President, that personal story underscores what is happening in too many classrooms to too many of our young Americans. And that is, that because we have fallen so woefully behind in maintenance as well as new construction, we are not providing the educational facilities that students need.

The question is asked, "Well, that's a State and local responsibility. Why are you here in Washington talking about this? You, a former State legislator, a former Governor, you certainly understand where the responsibility for education lies." Absolutely.

I would defend the right and the importance of maintaining our tradition that States and local communities especially be responsible for those things that happen inside the classroom, curriculum, personnel policy, teacher relationships. But, Mr. President, there is a role for the Federal Government in the physical facilities of schools.

We have demonstrated this for a long time in higher education. There is probably not a major college or university in America that cannot point to a substantial number of its physical facilities having been built with totally or in part Federal funds. We have recognized that distinction of concrete and steel from what happens inside the classroom and the appropriateness of a Federal role in meeting those facilities challenges.

If we are serious about the proposition that the key to a competitive America in the 21st century is going to be how well our Americans are educated, and how well they will be able to compete in the increasingly globalized economy, certainly the Federal Government has a role in seeing that the physical places in which that preparation is going to take place meet acceptable standards. They do not meet those standards in too many communities in America today.

And we, Mr. President, are about to exacerbate that situation. One of the reasons that we have 55,000-plus new students in the Florida public schools is because of Federal immigration policy.

The Federal Government has adopted policies which have resulted in tens of

thousands of young people who were not born in the United States now being in the United States and being educated in our public schools. I think the Federal Government has a moral responsibility to assist when it is the precipitator of a significant amount of the challenge that school districts face.

We are about to consider some substantial enhancements in the opportunity for young people to go to college through credits and deductions toward that tuition. Mr. President, that could have a significant effect on college tuition.

I have a letter from the Assistant Deputy Secretary of the Treasury which indicates that the estimate of enrollment which will increase substantially in higher education as a result of the proposal for credits and deductions for college tuition is between 120,000 and 1.4 million. So we are about to consider a proposal which has the potential not only of creating a substantial surge in additional enrollment in higher education but would have a spillover effect in terms of the number of students and the kinds of educational opportunities that would be expected, particularly within our secondary schools.

Mr. President, the Federal Government has a second responsibility because we are a significant part of the policies which are causing the demands that are occurring on the physical facilities of our public schools.

Finally, one of the reasons that the reports are as dire as the General Accounting Office report states is so many States and local school districts are against the wall in their capacity to finance the maintenance of their schools and new construction. It has not been people at the local level that are indefinite, it is not that they are blind to the problem, it is that they are in many cases out of options as to how to deal with the problem, either because of statutory or economic limitations.

I believe there is an appropriate Federal role to be a partner, and I underscore the word partner, with States and local school districts in meeting their school construction needs. This proposal is a beginning toward that new very important relationship.

I commend the Senator from Illinois for her leadership in this matter. I hope her voice will be heard by our colleagues. I can tell you it is being heard out in America. They understand the importance of this issue. They understand the need to have Washington respond in a meaningful and tangible way. The question is whether we hear those voices here in this Chamber.

The PRESIDING OFFICER. The time allotted to the Senator from Florida has expired.

Ms. MOSELEY-BRAUN. The Senator from Florida raises a very good point that I did not touch on but I think it is important to mention and that is that we at the national level do not even pay for the Federal mandates. We are

not even paying or giving the States and local governments the assistance they need to pay for the things we have told them to do.

Small wonder that the resources get diverted, and so we wind up with crumbling roofs and classrooms that look like this. Small wonder. We put this burden on them, and now we are saying in terms of what you need to do, we are not going to help.

Well, I hope that is not the message this morning. I hope that Republicans and Democrats alike will come together on behalf of giving our children a decent environment in which they need to learn.

Less than 1 percent of this budget, less than 1 percent goes to support elementary and secondary education. Less than 1 percent. So we stand up and we have education this, that, and the other—the education Senator, the education President, the education Governors, the education mayors, and less than 1 percent of this budget goes to education. None goes to fix our crumbling schools unless we pass this amendment.

(At the request of Ms. MOSELEY-BRAUN, the following statement was ordered to be printed in the RECORD.)

• Mr. HARKIN. Mr. President, as the Bible says, "To every thing there is a season, a time to break down and a time to build up."

The unfortunate truth is that too many of our Nation's schools have broken down. It is long past the time for us to build our schools back up—literally.

You have heard my colleague from Illinois cite some of the details—\$112 billion is needed across this country to rebuild, repair and renovate schools. Some 14 million children attend school daily in facilities that are unsafe and inadequate. To put this in some perspective, this is almost five times the population of the entire State of Iowa.

This as a national problem and needs a national response. A Federal program to assist needy communities in rebuilding schools will not and should not circumvent the primary local and State control of education. However, I firmly believe the Federal Government needs to become a better partner for States and local communities with respect to education, in general, and construction of school facilities, in particular.

Senator MOSELEY-BRAUN has done a good job talking about the need nationally. I want to take a few moments to talk about the state of school facilities in my State.

Iowans take great pride in education. Our State has a long tradition of placing a high value on education. In fact, Iowa students often lead the Nation in performance on national and even international assessments. This is a tribute to the teachers, families, school boards, administrators, and State policymakers who have made education a top priority for decades. I applaud the commitment that Iowa has made to education. However, we still have much to do.

The General Accounting Office report found that 79 percent of Iowa schools report a need to repair or upgrade buildings to bring them up to overall good condition.

Like many of my colleagues, I frequently visit schools in my State. I am often struck by the fact that many schools have not changed much since I was a student. We won't talk about how long ago that was.

However, our homes, offices, shopping centers, cars and just about every thing else has changed radically. However, reinvestment and renovations have not been made to our Nation's schools. As a result, we are trying to prepare our children for the 21st century in facilities that hardly make the grade in the last one. We can certainly do better than that.

In 1994, Senator MOSELEY-BRAUN secured legislation to authorize funding for school infrastructure. At that time, I served as chairman of the education appropriations subcommittee and provided \$100 million for new school infrastructure. I was very disappointed when that modest downpayment was rescinded the following year.

A problem that was a critical need then, has gotten even worse. In 1995, Iowa State University conducted a comprehensive survey about the condition of school buildings in the state and estimated that \$3.4 billion is needed to repair and rebuild these facilities. This survey was updated a few months ago and the tab has risen to \$4 billion.

This is a problem that gets worse by the day and the impact on high quality learning is significant. It is long past time for the Federal Government to step up to the plate and help remedy this problem.

The amendment I am offering with the Senator from Illinois is a very important response to this urgent national concern. We believe that children in a nation as rich as ours should not have to attend schools that look more like they belong in the third world. We implore our colleagues to help us provide a modest sum to rebuild our crumbling schools.

Mr. President, I am fully aware that many of my colleagues will say that this problem is just too big for the Federal Government to handle. Our critics will point out that the need is enormous—\$112 billion and we are proposing a \$5 billion solution. However, this plan will generate \$20 billion in newschool construction. To provide this additional funding we simply call for closing additional tax loopholes.

Our amendment continues to build on the positive aspects of this budget. The underlying legislation increases funding for activities related to education and training by 13 percent over the next 5 years by calling for expanded access to Head Start and increased funding for Pell grants. In addition, the budget makes changes to the Tax Code to help Americans pay for college by providing tuition tax credits and deductions for postsecondary education. These investments are vital to

the future of the United States and our ability to remain competitive in the international marketplace.

The problems facing school facilities across our Nation are enormous and will not be solved overnight. However, as they say, Rome wasn't built in a day. Further, if we had that attitude in the 1950's we would not have built the Interstate Highway system or put a man on the Moon in 1969. As we know, every journey begins with one step.

This is a very important step for us to take. One that will help provide safe, sound learning environments for millions of children. I urge my colleagues to support the amendment. ●

Ms. MIKULSKI. Mr. President, I rise today to support the amendment offered by my colleague, Senator CAROL MOSELEY-BRAUN, to help rebuild our Nation's schools.

This amendment would ensure that any budget agreement that we reach will include funding for school construction. I believe that we must ensure that we meet the needs of our local communities to help them upgrade the Nation's schools.

I am an original cosponsor of S. 456, the Partnership to Rebuild America's Schools Act. This bill would provide \$5 billion over 4 years to subsidize up to 50 percent of the interest or other financing costs for school construction.

These funds would help States and localities leverage scarce resources to help upgrade, repair, and build new schools.

In my State of Maryland, school enrollment is at an all time high. Many of the counties in Maryland like Prince Georges and Montgomery are rapidly expanding and the school districts are struggling to keep pace.

I hear from parents, students, and teachers about the need to upgrade the schools. Our children must be in environments which are conducive to learning. Over one-third of the schools in Maryland are in desperate need of repair.

Under S. 456, Maryland would receive approximately \$57.9 million in Federal funds to support \$231.6 million for school construction. Baltimore public schools would receive \$31.4 million.

I believe that funding school construction has to be a priority for our Nation. Children cannot learn in schools with leaky roofs, poor ventilation, crumbling walls, and other problems. This problem is especially acute in rural areas and inner cities. Many of these schools fail to meet even minimum local health and safety codes.

I urge my colleagues to support this amendment. Our Nation's school children deserve no less.

Mr. DODD. Mr. President, I am pleased to rise in strong support of the amendment offered by Senator MOSELEY-BRAUN to begin a vital undertaking—the rebuilding of America's crumbling schools.

Mr. President, we all talk a good game here about children. We say time and time again that America's children

are at the center of our efforts—be it education, job training, or tax policy. However, this amendment asks us to support more than rhetoric, it asks us to support the actual foundations of our schools.

Unfortunately, our schools are in desperate need of help in this area. In the richest Nation in the world, we have schools without adequate heat or plumbing and leaky roofs. One-third of all students in this country go to school in buildings that are considered inadequate, and 60 percent of American students attend school in buildings that are in need of repair. There are schools just minutes from us here today, where whole sections of the school are unusable because they are too dangerous for children to be in. Beyond basic repairs, schools are also lacking electrical and telephone capabilities necessary to install computers in the classrooms.

These problems are everywhere, but here are a few examples from my State. Seventy-seven percent of Connecticut's schools report a need to upgrade or repair on-site buildings to reach a good overall condition. Sixty-eight percent of schools report at least one unsatisfactory environmental factor, 32 percent inadequate roofs, 23 percent inadequate exterior walls or windows, and 29 percent inadequate electrical systems. One of the stated goals of our national education policy is to connect every school in the country to the Internet and teach every student to use the Internet by the age of 12. Well, I have heard from principals in my State who can only dream of computers in the classroom, and they simply hope to obtain a few telephones with voice mail capacity to improve communications with parents.

Mr. President, this is a national travesty. We expect children to be ready for the 21st century, and we encourage them to stay in school, go to college, and work hard. But we are not keeping up our side of the bargain. Schools with no heat, plumbing that doesn't work, windows that don't open, and no capacity for technology—these are schools that fall short of anyone's expectations, particularly the expectations of our students.

The amendment we are debating here today takes a modest step to begin to address this serious challenge. The General Accounting Office has estimated that over \$110 billion is needed to repair our schools. This amendment would dedicate an additional \$5 billion that would be significantly leveraged at the State and local level to \$20 billion to begin this task and lead the way in this effort. I am pleased to be an original cosponsor of this amendment, and I urge my colleagues to join me in supporting it.

Mrs. MURRAY. Mr. President, I rise today to support the amendment offered by my colleague, Senator MOSELEY-BRAUN. I want to thank her for her tireless efforts to educate the Senate and the American people about

the tremendous problems in our nation's school facilities.

People talk about the role of the Federal Government in local school policy. By championing this issue, Senator MOSELEY-BRAUN has pointed out quite accurately that the Federal Government does have a role in K-12 education in this country. That role is not in passing down curriculum or trying to tell teachers how to teach. The role is guaranteeing certain minimum standards for health, safety, and quality—and that is what this proposal is all about.

There are schools in our Nation that are rundown, have falling plaster or open holes in floors or ceilings, schools with water leaks or no air-conditioning in hot climates. There are schools, like Lewis and Clark High School in Spokane, WA, an 85-year-old urban high school, that are badly in need of improvements. There are school districts in places like the small town of Raymond, WA, which the General Accounting Office has previously identified as needing help with school construction funding—which cannot renovate all their schools due to local economic factors. This amendment could have as much as a \$40 million cumulative impact on my State.

This amendment is absolutely critical to the students, parents, and families in our country who think education is of primary national priority. How can we say that we truly care about public education, when our school rooms smell of mildew, or are far too cold or hot or crowded? How can we say that we care about students learning that all Americans are equal under law, if their track meet across town is at a much nicer school?

Senator MOSELEY-BRAUN showed a cartoon on the Senate floor, in which students were using computers to look at other student's much nicer school buildings. This problem is symbolic. Students in this country deserve decent places to learn. We must make sure that the Moseley-Braun school construction amendment is included in this budget.

Ms. MOSELEY-BRAUN. Mr. President, I will reserve the remainder of my time. I understand that Senators TORRICELLI and DURBIN will speak with time yielded from the budget resolution.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Parliamentary inquiry. What hour are we supposed to vote on the amendment of the Senator from Illinois?

The PRESIDING OFFICER. The Chair would observe that there is no agreed upon time to vote. The Senator from New Mexico has 9 minutes and 43 seconds, the Senator from Illinois has 5 minutes and 30 seconds, and the vote will occur after that time expires pending any other agreements reached on the Senate floor.

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I would very much appreciate it and I will do the same for you if we could keep the debate on amendments to a minimum—not taking away the prerogatives but not adding to the time. I assume that you all could live with that.

If you need, on this particular amendment, an extra 5 minutes off the bill—but after that we ought to try and stick to a limited amount.

Mr. LAUTENBERG. I agree, Senator DOMENICI, that we have to start constraining time because the list is long and unless we get after it we will not have a chance for everybody to be heard on the amendments that they care about.

I suggest, however, we give 5 minutes to the Senator from New Jersey and after that, 5 minutes to the Senator from Illinois, who has requested time, as well, and we will try to button it up. I know the sponsor of the amendment has a few minutes that she will complete.

Mr. DOMENICI. How much time, then, would the Senator desire?

Ms. MOSELEY-BRAUN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 5 minutes and 30 seconds remaining.

Mr. DOMENICI. So that means three Senators with essentially 5 minutes each, and then you are finished on your side.

Mr. LAUTENBERG. Five minutes each from the resolution.

Mr. DOMENICI. She will use hers off of the bill. She has 5 minutes left.

Mr. LAUTENBERG. Will that be enough time to finish your remarks, the 5 minutes you have remaining?

Ms. MOSELEY-BRAUN. Yes, it will.

Mr. LAUTENBERG. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, first of all, there is no precedent for Federal involvement in the construction of elementary and secondary institutions except the Education Infrastructure Act of 1994.

It has an interesting history. The program had a total appropriation of \$100 million and that was rescinded in 1995, no funding was provided in 1996, and no funding was requested by the President of the United States in his 1997 budget. No funding was provided in 1997. In fact, it is very interesting, the President, in his fiscal year 1996 Department of Education budget said the following: "The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers. We are opposed to the creation of a new Federal grant program for school construction." That was the President of the United States speaking not too long ago.

The justification for this initiative is a 1995 GAO report which was based on

a national sample of schools and school officials who were surveyed about construction and renovation needs. These schools estimated the Nation needed about \$112 billion to repair and upgrade America's schools. The GAO concluded that if that is the case, if that is their conclusion, I say this money will not even make a ripple of positive effect on the horizon on the difficulties that are out there.

Scarce resources would be better spent on clear-cut Federal priorities, clear-cut education priorities, clear-cut issues like children with disabilities. This budget resolution assumes \$5 billion increase for special education and for programs which there is a very clear Federal role.

Now, from what I understand of this amendment, the amendment would be paid for by, once again, reducing the level of net tax reductions allowable for the American people. It seems to me that every time we turn around somebody wants to say, "We want to give the American people less of a tax cut." We have this great need for something so we will just take it out of the tax-cut package that was going to Americans, including a \$500 child care credit to American families who are raising children and having a difficult time getting them through school.

So when the time is up, while I laud my colleague for her efforts here on the floor, I will move to table this amendment. I hope there would be broad support to go along with the conclusions which the President of the United States so brilliantly stated in 1996 when he said that the Federal Government should not be involved in the construction and repair of public school facilities, that that was the responsibility of local government. I paraphrase, but nonetheless I do state accurately what the President of the United States thought just about 18 months ago.

I reserve the balance of my time.

Mr. LAUTENBERG. I yield 5 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. TORRICELLI. I thank my colleague for yielding me the time.

Mr. President, in my brief tenure in this institution I have never felt more motivated on an individual amendment and in addressing a higher national priority than endorsing and speaking today on the amendment of CAROL MOSELEY-BRAUN regarding school finance. She has made an enormous contribution to this institution.

Mr. President, like every Member of this Senate, I share the priority of balancing the Federal budget. It is due, it is required, and it is essential.

We do no service to the country, however, if in our desire to balance the Federal budget we also lose sight of all other Federal priorities. Balancing the Federal budget is important, but it is not the only business of this country. It is noteworthy that the principle contribution in reducing the Federal debt

in recent years has come from neither reducing spending nor raising taxes. It is the unmistakable result of a growing, expanding economy.

The amendment before the Senate is relevant and not an obstacle to reducing the debt of the U.S. Government because education is the foundation of an expanding economy. My goal is not simply to see us balance the Federal budget for the next few years but for the next generation. That is unachievable in a Nation with a \$100 billion inventory of crumbling schools, schools which cannot teach modern technology, where children cannot even sit safely in a classroom.

The GAO has reported that 14 million of our own children are in schools with extensive need of repair or requiring total replacement. Half of our schools are unable to take advantage of the latest technology because of inadequate wiring. Mr. President, 74 percent have outlived their usefulness.

Recently, I toured some of the most troubled schools of my own State of New Jersey. In Perth Amboy, Newark, Jersey City, and Paterson, I saw students sitting in classrooms trying to learn the latest of mathematics and science with buckets next to their desk to collect the rain, classrooms that were being held in school corridors because science classes were not safe, gymnasiums used for lecture halls because of inadequate space.

It may be that what we do today involving the Federal Government and the rebuilding of our schools is a precedent. So be it. There was a time when the Federal Government had no role in the building of roads. It was local. Then we built a national economy. There was a time the Federal Government was not involved in transportation. Then we saw the need for expanded interstate commerce.

Today there can be no misstating that this country will go no further and no farther in the education of our children and their preparation for the future.

I respect my colleagues who may have a different view. But I would ask this: If you believe that this is not a crisis, that there is no Federal role, and that we can build a modern economy, pay our bills and balance our budget into the future without rebuilding these schools, come to New York, Los Angeles, Chicago, Newark, or Camden and stand in those schools. Look those children in the eyes. Tell them they have a future and they can play a role in expanding the American economy competitive with other students around the world without rebuilding these schools. Tell them and convince yourselves that there is a strong and stable American economy without this effort.

Mr. President, only a few months ago the President of the United States came to this Congress with a single new domestic initiative. He too recognized that we live in times of limits. The budget must be balanced. He provided the leadership that got us to this

day in sight of a balanced budget. But his single new initiative, his single promise to this country for the next year, was the rebuilding of these schools.

There is a \$5 billion program represented today by the Senator from Illinois that will allow \$20 billion worth of construction across America by reducing the local costs of borrowing; \$20 billion will not solve the problem with a \$100 billion inventory. But it is a real contribution. It is a real beginning by having this country address this extraordinary and deep problem.

Mr. President, I, too, support the tax cut provisions of the balanced budget plan. I do not want to see it lessened or diminished in any way. That is why it is significant.

The provisions by the Senator from Illinois will allow the Finance Committee to either eliminate some tax loopholes or provisions of corporate welfare to compensate so that we can reach a balanced budget and keep the current tax reduction plan.

The PRESIDING OFFICER. The Senator has spoken for 5 minutes. The time allotted to the Senator has expired.

Mr. TORRICELLI. Thank you, very much. I urge support for CAROL MOSELEY-BRAUN's amendment.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois [Mr. DURBIN] is recognized.

Mr. DURBIN. Mr. President, I yield 5 minutes to myself to speak in behalf of the Moseley-Braun amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DURBIN. Mr. President, yesterday we had a vote that was very important about health care for children. I thought it was a watershed vote, because it is an issue which very few American families would quarrel with. Children were not insured. They weren't receiving adequate health care. A suggestion was made by Senators HATCH and KENNEDY that we have a bipartisan response and raise the cigarette tax, take the money and ensure the children. We lost. We called it for a vote and we lost. Health care for children failed yesterday.

So we start this morning with another challenge. If you won't provide health care for children, how about education? Let's test that question before the U.S. Senate. Have we provided in this great Nation the resources for education for our children?

Senator MOSELEY-BRAUN of Illinois brings that challenge to the floor this morning. She says to the U.S. Senate, let's test this theory. If we are committed as a nation to education, are we committed enough to cut tax loopholes that some of wealthiest Americans enjoy, take the money and put it into building our crumbling schools? She is not talking about carpeting schools in America. Senator MOSELEY-BRAUN is not talking about air conditioning for

every school in America. She is talking about the basics: safety in the schools and a learning environment so that our children can walk into a clean classroom, heated in the winter, cool in the hot days of summer, and have the ability to learn.

If you go to your State, whatever it is, and look around, you know what you are going to find. The Government is spending money today for that very type of room: A clean, comfortable room for young people. Is it a classroom? No. It is a prison cell. It is a juvenile detention center. We are building them in Illinois at a record pace. And I will bet you that in every State of the country you will find the same is true.

As juvenile crime increases, we are building more boot camps, more detention centers and more prisons. If you visit them, many of them are not luxurious. But they are a heck of a lot better than the school building just a few blocks away.

Should we have clean and adequate facilities for the detention of young people? Of course. But think about it for a second. We drive past a high school that is falling down, a junior high school that is totally inadequate, an elementary school where they don't have heating, where the windows are busted out and the ceilings are falling down, and, a few blocks beyond that, see a detention center all brand new and shiny and modern. What is the lesson there for the children, or for us as taxpayers? Where is the priority? Wouldn't we say that we would have at least as high a priority in providing a school building that is good for children? That is what Senator CAROL MOSELEY-BRAUN has proposed.

Let me add another element that is very important as far as I am concerned. In the old days, a school building opened up at 7:30 or 8 o'clock in the morning and closed up at 2:30 or 3 in the afternoon, and that was it. Kids went home to mom and dad in the "Ozzie and Harriet" setting of cookies and milk, or "The Partridge Family," whatever, you name it—good, old American values. That isn't what the American family looks like today. Those kids coming home at 2:30 or 3 in the afternoon are lucky to find anybody at home. The parent or parents are usually out working. And they sit around for 2 or 3 hours waiting for an adult to show up. Their choices in life at that point are television or trouble. Sad choices.

So we are expanding the concept of schools beyond just learning, to be community centers so that at the end of the ordinary schoolday the kids stay there in a safe learning environment. They would stay there until the parents were home in the evening, and they would have a positive experience.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DURBIN. If we are going to use our schools so that kids have a better chance in life, don't we want them to

be decent, safe buildings? Honest to goodness, if we fail, if these kids go out in the street, get in trouble at the malls, or wherever it happens to be, and get arrested, they are going to head off to a public facility that is better than the school they left. Does that make sense? What does it say about America?

So, today, we are going to test a new premise. If we cannot afford, as America, health care for children, which we voted yesterday, we will have a chance today on Senator CAROL MOSELEY-BRAUN's amendment to see whether or not we can afford adequate schools for our children.

I yield the floor.

The PRESIDING OFFICER. Who yields time—hopefully, within the appropriated time by the Chair?

The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. How much time remains on this side?

The PRESIDING OFFICER. The Senator has 5 minutes and 30 seconds remaining.

Ms. MOSELEY-BRAUN. I reserve my time until 5 minutes of 11.

Is the vote scheduled to start at 11 o'clock?

The PRESIDING OFFICER. The Chair would observe that the Senator does not have a right to specify the time in regard to 5 minutes and 30 seconds. The time will run equally between the two managers of the bill. But the Senator from Illinois does have 5 minutes and 30 seconds remaining on her time.

Ms. MOSELEY-BRAUN. I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The time will count equally between the managers of the bill.

Who yields time?

Mr. DOMENICI. I would like to know why the Senator wants to do this. This is not the normal way. She has to get consent from the Senate. Her time is running right now. As soon as I sit down, it is running. I don't understand.

Ms. MOSELEY-BRAUN. I yielded the floor. And my time is not running if I yield the floor.

Mr. DOMENICI. I wanted to ask, why does the Senator want to break up the time? We don't break up time. People use their hour. I am asking. It isn't normal.

Ms. MOSELEY-BRAUN. At the outset, I ask: Is this conversation on my time or not?

Mr. DOMENICI. Let the Senator speak on my time.

The PRESIDING OFFICER. The time is being utilized by the Senator from New Mexico.

Ms. MOSELEY-BRAUN. I say to the Senator from New Mexico that I would just as soon have a slot at the close of the debate. Is my understanding that the vote was scheduled at 11 o'clock? If we can use the intervening time—you have not. No? I would like at the moment to consult with the Senator from

New Mexico, because it is my understanding the vote was scheduled for 11.

Mr. DOMENICI. I am so sorry. We had a misunderstanding. There is no time set. So we will vote as soon as the time of the Senator from Illinois has been used.

Ms. MOSELEY-BRAUN. That is wonderful. Then I would like to do that.

Mr. DOMENICI. If the Senator would let us to do something for about 2 minutes, then we will get back to her and the Senator can use her time, I will use mine, and then I will move to table.

Ms. MOSELEY-BRAUN. And then we will vote. Thank you very much.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 355

Mr. DOMENICI. Mr. President, last night Senator BOXER introduced an amendment. We agreed that we would accept that amendment without a roll-call vote.

I would like to ask unanimous consent that the Moseley-Braun amendment be set aside temporarily while we move back to the Boxer amendment, at which time Senator DURBIN would like to speak for a couple of minutes, and then we will accept it.

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

The question pending is Boxer amendment No. 355.

Mr. DURBIN. Mr. President, I am happy to sponsor this amendment with Senator BOXER. I am happy that the chairman of the committee has agreed to accept the amendment and make it part of this budget resolution. I would like to speak for a very brief period about this amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. I ask unanimous consent that I be added as a cosponsor of amendment No. 355, and that Senator KENNEDY be added as well.

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

Mr. DURBIN. This amendment, so it is understood by the membership, is very straightforward. I can read it in two sentences and describe it as well with these words.

"A substantial majority of the tax cut benefits provided in the tax reconciliation bill"—which is a part of this agreement—"will go to middle-class working families earning less than approximately \$100,000 per year, and the tax cuts in the tax reconciliation bill will not cause revenue losses to increase significantly in years after 2007."

Senator BOXER and I are trying to establish as basic principles that the tax cut package that will emerge from this budget agreement will do one thing and avoid another. The thing that it will do is to gear more than a majority—a substantial majority—of the benefits to middle-income families. We think, if this ends up becoming a tax cut for wealthy people, that it is not in the best interests of sparking this economy and helping working families cope with

the expenses of life that they face every day.

Second, we want to make certain in this resolution that we make it clear that any tax cut package will be measured not only to the year 2002, when we hope the budget will be in balance, and 5 years beyond to 2007. We have great fear and concern by reports that have come out recently from the Center for Budget and Policy Priorities that some of the tax cut provisions that are being debated will literally explode in cost in the outyears, causing great dislocation in terms of the Federal budget and a great burden to Federal taxpayers.

Let us make sure these tax cuts are affordable and they are targeted to families that need them. Then, I think we can say to the American people that we have not only balanced the budget, but we have given you a tax cut that is responsible for the future of our economy.

I yield the remainder of my time.

Mr. DOMENICI. I yield any time that I have.

The PRESIDING OFFICER. If there is no objection, the Boxer amendment is agreed to.

The amendment (No. 355) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 336

Mr. DOMENICI. Mr. President, we are going to return quickly to Senator MOSELEY-BRAUN for her wrap-up. I have a couple of minutes, then we are going to ask Senator WARNER—we are notifying him now—if he would be ready for his highway bill. That would occur after the vote. Obviously, if the motion to table is not agreed to, then Senator WARNER will have a little more of a wait. But, other than that, that is the sequence we have asked for.

The PRESIDING OFFICER. The question recurs on amendment 336.

The Senator from Illinois has 5 minutes remaining on her time and is recognized.

Ms. MOSELEY-BRAUN. Mr. President, I would like to respond at the outset to my friend, the Senator from New Mexico, who says this is the first time we have ever been involved in trying to repair our Nation's schools, that it is a new initiative, that we have never done this before. In fact, between 1933 and 1939, the Federal Government aided 70 percent of all new school construction. Mr. President, a lot of our children are attending those very same schools.

In fact, in America today, 74 percent of the schools are over 25 years old and a third of the schools are over 50 years old. So there is no question that if you do not repair a 50-year-old building, it is going to begin to look like this. This is one of the reasons why we have the troubled-school phenomenon.

The second issue that has been raised has to do with the contributions of State and local governments. Again, I would point out this is not looking to take over anything. We just want to have a partnership to help State and local governments meet the \$112 billion amount it is going to take to repair their crumbling schools.

The President did, in fact, support this in his State of the Union Address. He said our children cannot raise themselves up in schools that are literally falling down around them. Similarly, the Department of Education has a long letter talking about the leveraging and the financing assistance that we will give the States should this amendment be approved.

But let me say to my colleague, in the final analysis, really, this modest contribution is not about setting a precedent. It is about whether or not we will allow for elementary and secondary education to get up to 1 percent of our total budget we are voting on here to help begin to tackle 112 billion dollars' worth of rot in our schools. We are asking that it come out of the tax breaks that we are giving in this budget, in some instances to the very wealthy.

I thought it was kind of ironic; in yesterday's New York Times there was a headline talking about "Tax Breaks Costly for Schools in Cleveland." I want to point out that tax breaks are going to be costly for schools all over America because we are giving tax breaks at a time when we are saying we do not have the wherewithal to provide a modest amount to help States and help local communities meet the challenge of repairing their crumbling schools.

I hope that on both sides of this Chamber, Republicans and Democrats alike will send a message that we are willing to help, we are willing to help States and local communities provide an environment that is suitable for learning by our children. They are, after all, the children of all. They are America's children. Just as the generation before us stepped up to build new schools and provide environments for learning for our time, I believe our generation has an obligation to step up to the plate to assist in meeting this \$112 billion challenge and help rebuild the crumbling schools which we ask our children to attend.

I have already made the point it is a national issue. It is in every kind of community—urban, suburban and rural. It is all over America. Mr. President, \$5 billion is just a contribution, a contribution to the States and local governments so they can borrow the money they need to meet what is a national challenge.

Senator DURBIN actually hit the nail on the head when he made the analogy to our roads. If we just built roads based on what a local community could do, you could not get from one end of this great Nation to the other. But we cooperate and collaborate with each

other to build a highway system so that we can have transportation that serves our national interests.

Mr. President, crumbling schools are not in our national interest. Crumbling schools hurt our country. Crumbling schools hurt our children. If we are going to give our country the ability to be competitive in this global economy, if we are going to give our children the capacity to command information technologies that are so much a part of their time, we cannot expect them to learn in environments like this.

We can make this modest contribution, recognizing that it is an appropriate Federal role to provide this kind of support and help. I hope that when this vote happens, we do have bipartisan support; that this does not become a matter of Republicans saying they are not willing to provide this assistance to State and local governments to help provide children, our children, with an environment suitable for their education. I hope my colleagues on the other side of the aisle will see that this is something we can do within the context of this budget; that we can do this without causing harm to anyone. We ought to be able to close a few tax loopholes so we can provide modest support for our children and for State and local government efforts to repair our crumbling schools.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. Mr. President, I yield 4 minutes—

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair. I yield 4 minutes to Senator NICKLES of Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 4 minutes.

Mr. NICKLES. Mr. President, with great respect for my colleague from Illinois, I urge our colleagues to vote on this amendment.

This amendment basically says, taxpayers, you pay \$5 billion more in taxes and now we are going to have a new Federal program designed to build new schools or to renovate schools.

Is that really a Federal responsibility? I do not think so. We already have the Federal Government involved in education in many areas; as a matter of fact, a lot more than I was quite aware of. I asked my staff to find out, and they told me. I heard originally the House said there were 760 programs. We find out now there are 788 programs. I asked my staff, how much does it cost? And they said about \$100 billion, and I sent them an E-mail and said, "That can't be right."

It is right. I will insert it into the RECORD. It is \$96.8 billion that we spend on these 788 programs. We have a little program for construction. The total cost of it is \$627 million, I might mention. I am going to guess that is for military schools and Indian schools, and so on. But this says, well, let us have a \$5 billion education building program, a new program, one that would have to comply with Federal

rules, like Davis-Bacon. In other words, if a school is going to be built in South Dakota—they may have to build a new school in South Dakota because of the floods—they would have to build according to Federal rules, and that includes Davis-Bacon. That means the Federal Government is going to determine what the wage rates are. In all likelihood the wage rates might be 30 percent more than they are in South Dakota. So you get a lot less school built for the same amount of money.

My point is that this really is not a Federal responsibility, and \$5 billion cannot come close to scratching the surface of the need. I do not doubt that you could have a lot of pictures of dilapidated school buildings. Is that really the Federal Government's responsibility? I do not think it is. Even if we had a surplus, I do not think that is a Federal Government responsibility.

How in the world could we in Washington, DC, decide which State, which school, which local area should have their schools fixed or renovated? If we made this available, I could see just for the District of Columbia or just for any State—New Mexico, Oklahoma, Illinois, any State—a lot of schools. A lot of cities have real needs. Are we going to be the superintendent? Are we going to be deciding who should get the renovation and who should not? We will not come close; \$5 billion would not scratch the surface. I am sure \$5 billion could not take care of all the public school needs in the State of Illinois or in the State of New York.

So, my point being this is not a Federal obligation, and I think it would be a serious mistake for us to start down this line of new spending which would have an ever-growing demand that we would never be able to fill, so I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. DOMENICI. Could I just make an announcement off the bill because I want to discuss something with the Senate.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. A short while ago, when the Senator wanted to reserve the time until 11, I said there is no agreement to vote at 11, and there is none. But I have understood now that the Republican leadership had agreed with the Democratic leadership that because of a conflict on the other side we would not vote until 11. So we have about 3 minutes of a hiatus here. I was speaking what I knew and the Senator was speaking about something she had understood, and I apologize for whatever discomfort I might have caused.

Ms. MOSELEY-BRAUN. I thank the Senator from New Mexico. It is very nice of him to mention that, but I was prepared to take his word that he knew what the agreement would be.

Mr. DOMENICI. I thank the Senator. I will use time off the amendment which I understand is just a couple minutes. I want to quote—yes, Senator NICKLES.

Mr. NICKLES. I ask unanimous consent a couple of charts be inserted in the RECORD accompanying my statement.

Ms. MOSELEY-BRAUN. Reserving the right to object, charts having to do with this issue?

Mr. NICKLES. I am going to insert a couple documents in conjunction with my statement.

Ms. MOSELEY-BRAUN. I think that is inappropriate if we have not seen them. I think it is appropriate for us to see them, and obviously, then, there would not be an objection.

The PRESIDING OFFICER (Mr. BURNS). The Chair asks that the Senators address the Chair.

Mr. NICKLES. Mr. President, if the Senator will yield further, I would like to ask unanimous-consent three pieces of paper, a chart showing the 788 Federal school programs, and the \$98.1 billion that we currently spend on educational programs, be inserted in the RECORD accompanying my statement.

The PRESIDING OFFICER. Is there objection?

Ms. MOSELEY-BRAUN. No objection.

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

FEDERAL EDUCATION PROGRAMS BY CATEGORY

Category	Number of programs	Funding
Construction	9	\$627,096,000
Education Research	14	841,534,000
General Education	52	684,250,501
K12	181	25,920,623,342
Libraries	9	249,869,103
OMB 1&2	33	577,929,000
Professional Development/Teacher Training ..	60	731,528,342
Postsecondary	259	44,765,196,759
Preschool	17	5,770,992,000
Research	27	1,711,255,000
Social Services	42	6,790,978,287
Training	79	8,178,372,048
Set Asides	6	19,719,038.
Total	788	96,869,343,420

DEPARTMENTS, PROGRAMS AND FUNDING

Department	Number of programs	Federal funding
Appalachian Regional Commission	2	\$2,000,000
Barry Goldwater Scholarship Program	1	2,900,000
Christopher Columbus Fellowship Program ..	1	0
Corporation for National Service	11	501,130,000
Department of Education	307	59,045,043,938
Department of Commerce	20	156,455,000
Department of Defense	15	2,815,320,854
Department of Energy	22	36,700,000
Department of Health and Human Services ..	172	8,661,006,166
Department of Housing and Urban Develop- ment	9	81,800,000
Department of Interior	27	555,565,000
Department of Justice	21	755,447,149
Department of the Treasury	1	11,000,000
Department of Labor	21	5,474,039,000
Department of Transportation	19	121,672,000
Department of Veterans' Affairs	6	1,436,074,000
Environmental Protection Agency	4	11,103,800
Federal Emergency Management Administra- tion	6	118,512,000
General Services Administration	1	0
Government Printing Office	2	24,756,000
Harry Truman Scholarship Foundation	1	3,187,000
James Madison Memorial Fellowship Pro- gram	1	2,000,000
Library of Congress	5	194,822,103
National Aeronautics and Space Administra- tion	12	153,300,000

DEPARTMENTS, PROGRAMS AND FUNDING—Continued

Department	Number of programs	Federal funding
National Archives	2	5,000,000
National Institute for Literacy	1	4,491,000
National Council on Disability	1	200,000
National Endowment for the Arts/Humanities	13	103,219,000
National Science Foundation	15	2,939,230,000
Nuclear Regulatory Commission	3	6,944,000
National Gallery of Art	1	750,000
Office of Personnel Management	1	0
Small Business Administration	2	73,540,000
Smithsonian	14	3,276,000
Social Security Administration	1	85,700,000
State Department	1	0
United States Information Agency	8	125,558,000
United States Institute for Peace	4	3,371,000
United States Department of Agriculture	33	13,339,630,410
U.S. Agency for International Development	1	14,600,000
Total	788	96,869,343,420

Mr. DOMENICI. Did you get that resolved, Mr. President?

Mr. President, I just want to end this debate by saying that the President's thinking in 1996 was much better than his thinking in 1997, because in 1996 in submitting his budget, the President made the following statement:

The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers. We are opposed—

Continues the President in 1996—

to the creation of a new Federal grant program for school construction.

Now, I understand the President has the right to change his mind in 12 months, but I submit his thinking was much, much better in 1996.

Ms. MOSELEY-BRAUN. Will the Senator yield?

Mr. DOMENICI. I only have 30 seconds remaining.

Ms. MOSELEY-BRAUN. Is it not a fact that that statement was associated with the rescissions of the appropriation for a grant program, whereas this amendment relates to a leveraging approach to give States and school districts assistance—different approaches to the issue?

Mr. DOMENICI. It is obvious that it is about a different program, but I am merely mentioning that the President was firm of mind in 1996 when he quite appropriately said that this is not a responsibility of the Federal Government, and I just quoted the President. Now, he has a right to change his mind about another way to help build schools, but I submit that we also should share with the American people that that change occurred over a 12-month period and, frankly, I believe we ought to agree with the President in 1996, not the President in 1997.

Now, having said that, has my time been used up?

The PRESIDING OFFICER. The majority managers' time is 50 seconds.

Mr. DOMENICI. Since we have until 11 to vote and time is finished on this amendment, my colleague from New Mexico desires to speak, if Senator LAUTENBERG would concur, for the remainder of the time until 11 o'clock.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask that I be permitted to speak for up to

4 minutes, if that is possible, the time yielded off the bill.

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

Mr. BINGAMAN. Mr. President, let me first say that I am an original cosponsor of the amendment by the Senator from Illinois for funding for school construction. There is a great need in this country for this. In my view, one failure, one defect of the budget resolution before us is that we give great emphasis to higher education and very little emphasize to elementary and secondary education. The needs are great in my State for school construction funding, and I think this is a beginning. I grant it is a modest beginning, but it is a step in the right direction. I commend the Senator from Illinois for offering this amendment, and I intend to support it.

I rise as an original cosponsor of the Mosely-Braun amendment to restore funding for school construction to the resolution.

The lack of school construction funding is one of the many ways that this resolution reveals its strong emphasis on higher education rather than improving elementary and secondary schools.

In fact, the lack of funding for the repair and construction of schools is perhaps the most obvious and compelling gap in this resolution.

I believe this is especially true since New Mexico is facing such a serious problem with its schools:

As of 1994, 94 percent of our schools needed to upgrade or repair onsite buildings, and 29 percent had crumbling roofs.

In 1996, 44 percent of districts in New Mexico had at least one building in need of serious repair or replacement—much higher than the 33-percent average nationwide.

Over 70 percent of high school students in my State attend schools of 900 or more students, a size that is too large to be an effective learning environment, some studies say.

There is a \$475 million backlog in school construction and repair for BIA schools, of which there are 45 in New Mexico.

Meeting the demand to repair and build schools is difficult because New Mexico is one of the fastest growing States in the Nation, and 47 percent of its student population attends school in rural areas.

Small and isolated communities such as these simply cannot generate sufficient funding to pay for repairing and building new schools required by skyrocketing enrollments.

Over the last 10 years, student enrollment in New Mexico has jumped by 57,000 students, 23.7 percent.

In just 3 years, enrollment will grow by another 20,000 students—the same number of students as are in Las Cruces, the State's second largest district.

Having visited and heard about schools that are crumbling, incapable

of handling modern computers, and overcrowded, I know

Let me also say on the resolution more generally that clearly a balanced budget is an important component of the fiscal health for the Nation. It is very important that we pursue this. I do believe, however, that before we complete the process, before we complete a reconciliation bill and tax legislation, we need to look at the details as they will impact on the lives of average citizens in our country.

Obviously, in my State, we have a very high rate of poverty, a high rate of inadequate health care coverage, great needs in education, great problems with unemployment. I want to be sure that the implementing legislation, particularly the tax provisions that we wind up adopting, is consistent with the needs of average citizens in my State.

I intend to support passage of the budget resolution. I do believe it is extremely important that we are closing in on a balanced budget. That has been a goal that many have pursued, myself included, for a long time here in the Congress, and we need that type of fiscal responsibility. But I am concerned that when we get into implementing legislation, if we are not careful, we could adopt some tax provisions which would institutionalize in the next century, in the first and second decades of the next century, a new and increasing disparity between what we raise and what we spend.

I pledge my best efforts to work with the leadership here in the Congress and in the Senate to see that that implementing legislation is acceptable and is fairly balanced. I hope that is the case, and I hope I am able to support the reconciliation bill as I intend to support this budget resolution.

Mr. President, I yield the floor and I thank the managers for the time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I move to table the pending amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs now on the motion to table the amendment (No. 336) offered by the Senator from Illinois. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa [Mr. HARKIN] is necessarily absent.

I further announce that, if present and voting, the Senator from Iowa [Mr. HARKIN] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 56, nays 43, as follows:

(Rollcall Vote No. 79 Leg.)

YEAS—56

Abraham	Ford	Mack
Allard	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Roth
Burns	Hagel	Santorum
Chafee	Hatch	Sessions
Cleland	Helms	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Stevens
Craig	Kempthorne	Thomas
DeWine	Kyl	Thompson
Domenici	Lieberman	Thurmond
Enzi	Lott	Warner
Faircloth	Lugar	

NAYS—43

Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Biden	Glenn	Moynihan
Bingaman	Graham	Murray
Boxer	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Johnson	Robb
Byrd	Kennedy	Rockefeller
Campbell	Kerrey	Sarbanes
Conrad	Kerry	Specter
D'Amato	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

NOT VOTING—1

Harkin

The motion to lay on the table the amendment (No. 336) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Can we have order?

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. DOMENICI. Mr. President, I have talked with Senator LAUTENBERG about this. I ask unanimous consent that we permit Senator COATS of Indiana to proceed for 10 minutes to speak on the bill. He has a conflict this evening and would like to explain that to us, along with his words about the effort. Then, if Senator LAUTENBERG has a Senator who wants to speak on the bill rather than on an amendment, if they are here before the end of that 10 minutes, that they be allowed up to 10 minutes, and then at the expiration of that, we proceed to the Warner amendment immediately thereafter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, with reference to the Warner amendment, Senator WARNER has agreed that the time that we use on his amendment will be 1 hour equally divided. He will control the time on his side, and I will control the time in opposition.

Mr. WARNER. I wish to thank the distinguished chairman and the distinguished ranking member. This is an

amendment on behalf of the distinguished Senator from Montana and myself. While the control will be under the Senator from Virginia, it will be jointly shared with the distinguished Senator from Montana [Mr. BAUCUS]. We will control 30 minutes under our time jointly. I thank the Chair.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 10 minutes.

Mr. COATS. Mr. President, thank you, and I thank the Senator from New Mexico for his courtesy.

I regret that I probably will not likely be in the Chamber when the final vote comes on the resolution, though the schedule has been changed so much, I do not think anybody is sure when that vote will come. If I am not, it is because of a priority of mine, the only priority I think, that would exceed voting for something as important as the budget resolution.

My good wife, who has supported my efforts in Congress for 17 years now, who has missed many events, and has done a lot of waiting for me to vote and to come home, is graduating this evening with a master's degree from Johns Hopkins University. It is the result of 3 years of strenuous effort. She is a star student. It is something that I very much want to attend.

I had thought and had been told that we would be finalizing the budget agreement last evening. We were not able to do that, and it looks like action on the resolution will go through the day.

This is a priority I want to keep, and I think that, as important as the budget agreement is, I want to be there and honor this important date, and celebrate her achievement. As I said, she has done a lot of waiting around for me, made many sacrifices, and missed a lot of things because of our uncertain schedule here. There are times, however, when I think we have to establish priorities in life, and this is a priority.

[Applause.]

Mr. WARNER. Hear, hear.

Mr. COATS. Mr. President, I also want to use this opportunity to explain why I would have, if I am to miss the vote, opposed the budget resolution. I have examined this very, very carefully. In fact, I have tried to come up with sufficient reasons to support the budget.

I know that the leader, Senator LOTT, the leadership of our Congress, of the Senate, the work of Senator DOMENICI has been honest, it has been an honest effort at finding a true balanced budget. They have toiled for hours. There have been compromises that have had to be made as a consequence of not controlling the executive branch and the turmoil that will result for the rest of the year if a budget agreement is not reached. This budget clearly makes some important steps in the right direction, and there is much to commend about the efforts of those who have put this together.

However, I have been here since 1981, and there have been a lot of promises about balancing the budget. When I first ran for Congress, one of my top three priorities was to balance the budget. I felt that it was unconscionable, immoral to pass on to future generations a debt burden so that this present generation could enjoy benefits without having to pay for them. I have toiled now for 17 years to attempt to achieve a balanced budget in the Congress and have not been able to do so.

My greatest disappointment is, probably, our failure on two occasions by one vote to pass a constitutional amendment in this body and send it to the people of the United States to let them determine whether or not they think we should be held constitutionally responsible for balancing the budget. We were not able to do that.

This budget, like all the previous six budgets, promises a balanced budget in 5 years. I have gone home after the passage of these budgets, spoken to my constituents and said, "We balanced the budget."

And they said, "We're skeptical of that."

"No, no, no, we have put in place a mechanism to balance the budget."

Well, six times we promised that, and six times we failed. This is the seventh. Our Policy Committee, which I support, tries to put the best light on this budget. I have here a report published by the committee, it says, "Balanced Honestly by 2002, First Time Balance Will Be Achieved Since 1969." I have seen that phrase written over and over again. I have uttered it myself. It has not come true. It will not come true this time.

People need to understand that 5-year, 7-year agreements really only commit us to the first year, and even with that, with supplementals, failure to enact rescissions, contingencies that come up—in fact, we have already seen a proliferation of attempts to change this budget, to add money to this budget, to change the spending priorities—Congress has the right to waive this agreement any time it chooses.

We actually increase the deficit in this budget in the next 2 years from the current level estimated at \$67 to \$90 billion in fiscal year 1998 and 1999, and like all of our budget gimmicks in the past, all of the deficit reduction comes in the outyears, in 2001 and 2002.

All of the tough decisions come after the next midyear election, after the next Presidential election. I have announced my resignation, so I will not be here. I will not be here to protest that "Here we are again. Remember back in 1997 when we promised a balanced budget?"

Here we are at 2001 putting together the next promised balanced budget which pushes us out now to 2006 or 2007.

All the rosy scenarios about the assumptions of no economic decline in the next 6 years, I hope and pray it happens. I doubt very much that it will.

The other thing that distresses me is that in this budget we had the opportunity for meaningful entitlement reform and we once again took a pass on it. It seemed to me that everything was lined up in order for us to do this.

We had a Republican Congress that had gone on record as supporting meaningful structural changes in entitlements, changes that we know we are going to have to face for if we don't, we are going to find ourselves in severe economic distress in the future. We had a President who had just been re-elected and was not going to run again. He did not have to worry about getting re-elected or pleasing certain constituencies. And we thought he would step forward and provide real leadership on this. And he took a pass.

Congress took a pass because somehow we materialized some additional revenue because of the economy, not because of anything we have done to hold down spending, but because of the good economy that we have in this country. And revenues were flowing in. And at the last minute we came up with \$250 billion and said we can take a pass again.

So when we say we have averted the crisis of Medicare's imminent bankruptcy until 2007, yeah, we have done that. We have done that with a gimmick of shifting home health care from part A to part B and applying more revenues to cover the deficit that is coming instead of implementing reform and giving the windfall in revenues back to the American people to whom it belongs.

We have had to narrow our tax cut because we have not exercised the discipline on spending. I can go on and on. But I am going to abbreviate my remarks here so we can keep moving on this.

It is worth pointing out that, rather than taking the \$255 billion in unanticipated revenues and using it for deficit reduction or tax reduction, we have used it to increase spending. Rather than capitalize on the momentum that we had for meaningful entitlement reform, we used budget gimmicks and price controls to delay the crisis and postpone the tough decisions once again. Rather than reduce the size of the Government, baseline budget tactics are used, tactics which Republicans used to criticize—assuming automatic increases in the baseline and then making reductions in that baseline and calling it a cut when it is not a cut, it is an increase. This deceptive practice is continued in this resolution, and now Republicans have bought into that practice.

In the end, this resolution simply postpones deficit reduction into the next millennium and lets everybody off the hook on tough decisions that ought to be made now.

As stated in an article in the May 10 issue of the National Journal called "The Easy Way Out":

Historic the deal may be, but not so much because of what it includes as because of

what fell out: just about anything unpleasant for incumbents of either party. From a political point of view, it may indeed be a triumph; certainly, at a minimum, it is clever. From a reformer's point of view, however, it is a washout.

We need reformer practices. We have said that; many have, since I have been here. I am now in my 17th year. We have not used reformer practices. Once again, we have used tricks and unexpected revenues to postpone the tough decisions.

I have said from the beginning, and will continue to say it, we will not make the tough decisions until we are constitutionally forced to do so. We will not achieve meaningful reform in our budget until we are constitutionally required, by raising our hand and pledging to support that Constitution, that we will honestly balance the budget and not create deficits and not pass on debt to future generations.

I am ashamed of the fact that during my watch, while I was here, the national debt has grown from less than \$1 trillion to approaching \$6 trillion. That is a national disgrace. And it has happened on my watch. I tried everything I could to keep that from happening. I think my voting record indicates that. Nevertheless, it happened on my watch.

So for me, someone who will not be here to protest in future years, I cannot in good conscience support this budget. Is it an improvement? Yes. Is it probably everything that the Budget chairman could have achieved under the circumstances? With divided Government and an administration bent on spending more and making a mockery of their statement that the era of big Government is over, I think the Budget chairman did everything he could under the circumstances. I commend him for his work and commend the leadership for their work.

But let us not pretend. Let us not pretend. And let us not pass on to the American people that we are giving them an honest balanced budget by the year 2002. I do not believe that is going to happen any more than the previous six promises on balanced budgets in the last 15 years have proven to be true to the American people.

I regret that I have to vote against this, but I, in all honesty, cannot support this budget resolution.

The most glaring problem with this budget resolution is that the deficit actually increases dramatically next year, from an estimated \$67 billion for fiscal year 1997 to over \$90 billion in fiscal year 1998, and does not begin to come down until 2001. The deficit then drops precipitously by nearly \$84 billion between 2001 and the end of 2002.

This rosy scenario is hard to believe. In fact, the only years that really count in this budget agreement are the next 2, when Members and the President can be held accountable to abide by their commitment. The heavy work of deficit reduction is postponed, and becomes someone else's problem. Even

then, 97 percent of deficit reduction included in this package is based upon economic assumptions that seem implausible at best. They are based on sustaining the current state of the economy for another 6 years.

This resolution fails to address the looming crisis in entitlements. Rather, it delays dealing with the issue through budget gimmickry.

The resolution purports to secure \$115 billion in Medicare savings. However, the overwhelming majority of this savings is secured through price control gimmicks that have failed in the past. Even then, the preponderant majority of this savings comes after the year 2000, when there is no guarantee of enforcement.

The plan calls for further reducing payments to health care providers. We have tried this many times before with no success. In fact, costs have continued to rise while the quality of health care for our seniors has continued to be diminished.

In addition, the current proposal shifts the Home Health Care Program, the fastest growing Medicare program, from the Medicare part A fund, to part B. This trick postpones the collapse of the Medicare trust fund from 2001 to around 2008, and serves to delay having to confront the long-term Medicare crisis.

Failure to implement meaningful reform in Medicare represents the greatest single missed opportunity in a budget proposal rife with deferment and missed opportunity. In fact, the resolution creates a \$16 billion health care entitlement for low-income children. It is important to note that this entitlement goes beyond covering poor children already covered under Medicaid.

The key to busting the logjam in negotiations on this budget agreement was a midnight-hour \$255 billion windfall from the Congressional Budget Office. This money came from larger than anticipated revenues from a robust economy. However, rather than using this money to both reduce the deficit and reduce the tax burden on the American people, negotiators went on a spending binge.

The result of this is that the budget resolution actually increases, not decreases the size of the Government. For fiscal year 1998, spending is increased over fiscal year 1997 projected spending levels by an estimated 4.32 percent, or \$70 billion above the freeze. This is the largest increase of the Clinton Presidency, \$5 billion more than the President requested in his original budget proposal, and outpaces inflation by nearly 1.5 percent.

This dramatic increase in domestic spending is based upon the concept that spending on these programs has been limited in recent years. In fact, according to economist Stephen Moore, over the past 10 years, 1988-97, Federal domestic spending has soared from \$622 billion to \$1.116 trillion. After adjustments for inflation, this is an increase

of 40 percent. And now, under this agreement, we will be increasing this spending by a rate of 1.5 percent above inflation.

There are no spending reductions in the budget. The savings are actually reductions in projected baseline spending. This type of baseline gimmickry is something that conservatives have long rejected. However now, for political expediency, this plan is based entirely upon it.

James Glassman writes in his column entitled "Bad for Everyone": "The reason that the Federal deficit is projected at zero under the new budget is not that Government will be smaller, but that revenues from taxpayers will be larger—much larger." Mr. Glassman goes on to point out: "According to the President's February budget, the Treasury was expected to collect \$1.5 trillion from citizens and businesses in 1997. According to the new bipartisan budget, that figure will rise to \$1.9 trillion in 2002. Meanwhile, spending will rise from \$1.6 trillion to \$1.9 trillion. And there you have it: A balanced budget."

Is this what reform is all about? Rather than use windfall tax revenues as an opportunity to decrease spending and accelerate the path to a balanced budget, this resolution gobbles up taxpayer money with substantial spending increases and postpones the tough decisions for another day.

If there is anything hopeful in this budget resolution, it is some progress toward tax reduction. There is roughly \$135 billion set aside for tax cuts. However, \$50 billion of that number is offset by tax increases elsewhere in the budget, leaving a beginning net tax cut of \$85 billion. This represents just 1 percent of the \$8.5 trillion in estimated tax revenues over the next 5 years.

Even then, the President's tax priorities for education, totaling \$35 billion, is locked in, leaving Congress to spread the remaining benefit between a \$500 child tax credit, capital gains reduction, expanded IRAs, and estate tax relief. The \$85 billion net tax cut comprises about one-third of the money needed to offset all of these tax cuts fully. In fact, the Heritage Foundation estimates that the full cost of the \$500 dollar-per-child tax credit alone is \$105 billion over 5 years.

However, the game doesn't stop there. A key aspect of the agreement is the assumption that the Bureau of Labor Statistics will adjust the CPI downward by approximately .3 percent. The result would be a hike in income taxes by approximately \$6 billion dollars. Thus, the real total net tax cut under the agreement is \$79 billion or less. Again, according to Heritage Foundation estimates, Americans will receive a grand total of 67 cents in tax relief for every new dollar of spending on Government programs contained in the agreement, or less than one cent on every tax dollar sent to the Federal Government.

In fact, the entire net tax cut contained in the Resolution is less than

one-fifth of this \$255 billion dollar windfall discovered by CBO, and used to blow the ceiling on spending. The result is that much needed tax relief will have to be phased in, with the bulk of it falling, once again, in the out years. The child tax credit, touted as middle class tax relief, will likely have to be limited to low income families.

Already, discussions regarding a capital gains tax cut have gone from an early 50 percent reduction proposal, to a cut of 10 percent, and is now moving toward a limited maximum rate of 21 percent. This is hardly the type of capital gains tax cut needed to free the hundreds of billions of dollars in encumbered capital in our economy.

I do not believe that this is what the American people have in mind. And I have no confidence that future Congresses, faced with the skyrocketing spending and rosy economic assumptions contained in this agreement, will follow through on fully implementing tax relief.

This budget is full of missed opportunities. Rather than taking the \$255 billion in unanticipated revenues and using it for direct deficit and tax reductions, it has been used to increase spending. Rather than capitalize on momentum for meaningful entitlement reform, budget gimmicks and price controls are used to delay the crisis and postpone the tough decisions. Rather than reduce the size of Government, baseline budget tactics are used to simulate smaller Government.

In the end, this resolution simply postpones any deficit reduction into the next millennium and lets everyone off the hook on the tough decisions. As stated in the May 10 National Journal article entitled, "The Easy Way Out":

Historic the deal may be, but not so much because of what it includes as because of what fell out: just about anything unpleasant for incumbents of either party. From a political point of view, it may indeed be a triumph; certainly, at a minimum, it is clever. From a reformer's point of view, however, it is a washout.

I thank the chairman of the Budget Committee for allowing me this opportunity to speak. I regret that I might not be here this evening. But I think I identified the right priority in my life. And I am looking forward to being, for once, not the person in the limelight in our family but the person applauding the one that is in the limelight, which is my wife who will be receiving the degree which she worked so hard for.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Nebraska is recognized.

Mr. KERREY. Pursuant to the previous unanimous-consent request, I ask unanimous consent that 10 minutes be taken off the resolution so I can speak.

The PRESIDING OFFICER. The Senator is correct.

Mr. KERREY. Mr. President, before I talk about the resolution itself, what it does, what it does not do, I do want to

go back to 1993, as many of my colleagues have done, and discuss the Deficit-Reduction Act of 1993.

Since I only have 10 minutes, I will not go into detail about the one that happened in 1990 under President Bush's watch. Both of those were very unpopular budget resolutions. I noticed when I went home, in both cases, there was substantial criticism from people who did not like various aspects of it.

One of the unique things about this particular budget resolution compared to those is that I do not expect to find a similar sort of outcry against it. I think it tells us a lot about what is in this one as well as the progress that we have made toward reduction over the last 4 years.

That resolution, Mr. President, that act, OBRA, 1993, brought the deficit down by 77 percent, a substantial reduction in the deficit. It occurred, it must be said, as a consequence of the economic recovery that had begun in 1992. It did not produce all of the growth by any measure. I do not argue that the economy turned around as a result of that Deficit-Reduction Act, but there is no question that we had demonstrated in 1993 that there was a connection between growth and deficit reduction, that it is possible for us to take action with our budget to produce good things out in the private sector.

I would argue that the greatest victor in this Deficit-Reduction Act of 1997, the Deficit Elimination Act of 1997, the greatest victor is economic growth. Four percent real growth in the first quarter is what has really enabled us relatively easily to take the last step.

There were a lot of terrible things that were said were going to happen as a result of the 1993 OBRA. People said it would result in lost jobs. We stood here on the floor and said, if we voted for OBRA 1993 there were going to be higher deficits and there was going to be higher national debt, so on and so on. About the only dire prediction that turned out to be true was that people who voted for it were not reelected because, as I said, it was very unpopular. It was very difficult deficit reduction, very substantial deficit reduction.

We have evidence, in short, that if we are willing to cast a tough vote, if we are willing to reduce spending and reduce our deficit, that not only is there economic gain coming as a consequence, but that that political risk can pay off long term. We can stand and say that though we have asked people to take a bit less, there will be benefits coming as a consequence of this reduction in the rate of growth of spending that is contained in this budget resolution.

So I stand here today to say, where do we go from here? And I have to confess, there is a part of me, Mr. President, that says, "Well, now that we've gone from a Democratic majority to Republican majority," in part, if not in large part, as a result of the unpopularity of the 1993 Deficit-Reduction Act, "maybe we ought to hold our

breath on this side and let you all figure it out on the other side, let the distinguished occupant of the chair and the other guys on that side of the aisle, let you all address it and cast the tough votes this time around." I do not think that would be responsible of us, Mr. President.

There is a lot I do not like in the budget resolution. There is a lot I did not like in 1993 and in 1990. But given the benefits that occur as a consequence, I do not think that it is good for the country for me to stand here in a petulant fashion and say I am not going to participate as a consequence of what happened politically in November 1994.

I do believe that the budget resolution in front of us today will, on balance, produce economic growth, and I do believe that it will balance the budget in the year 2002, if Congress keeps its eye on the ball and keeps its attention focused on what is going on outside of these Halls, and that is to say what is going on in the private sector, and what is going on with our economy.

If our tax, our regulatory, and spending policies produce economic growth, all the rest of it gets relatively easy, as we are learning indeed with OBRA 1997.

We need to start thinking about economic growth. We need to start asking ourselves the question, what do we do, not only to produce the growth, but when is the growth good for us and when are we willing to step in and say the growth is not good?

I mean, all of us, I suspect, universally would say, I do not care if it does produce jobs, I am not in favor of pornography, and I am not in favor of spoiling our environment, and I am not in favor of making our streets unsafe. There are lots of examples where we would step in and put a law in place even though it might prevent somebody freely from being able to produce jobs. We will say that those particular jobs are not good for us and thus we are going to put a law in place to prevent that activity from happening.

There is a larger problem as well, Mr. President. I do think, though, growth lifts all boats, that a rising tide will tend to lift all boats. As we have seen with the dramatic narrowing of economic inequality and income inequality that has occurred in the last 4 years, that there is still going to be large sectors of our economy, large sectors of our population, individuals and their families that are going to be left out of the benefit of that growth.

That is especially true if you take the position, as I do, that we ought to put in place laws that say the United States of America is going to lead the effort to lower trade barriers, that we believe that generally speaking we are better off competing in a global economy. In that global economy with technology, with immigration, with the welfare-to-work programs that are going on, people at the lower end of the wage scale are going to suffer. They are going to be under a lot of pressure.

People making \$5.15 an hour, \$6, \$7, \$8, \$9, \$10 an hour are going to be under a great deal of pressure. They are going to be working more than one job. They are going to be paying child care. They are going to have lots of other problems they are going to face.

It is important for us to pay attention to our capacity to give them the opportunity to get a good education, get retrained, go to college, if they choose to. We have to look at those sorts of things, and keep our eyes open to special problems that exist today that did not exist 30 years ago.

Perhaps the most dramatic difference is that in the 1990's the amount of debt accumulated to go to college exceeds all the debt that was accumulated in the 1980's, 1970's, 1960's combined. By the end of the century \$50 billion of new debt will be acquired by American youth who are trying to go to college; graduating today with an average of \$10,000 debt, growing by some 14 percent a year.

The President's response to try to direct some additional resources for education, I believe, is good. I also think it is important for us to try to come up with mechanisms and enable Americans, using the laws of the land, to acquire the wealth that they need to make those kinds of purchases not just for education, but for retirement as well.

This balanced budget will produce, in short, economic growth. But I do not believe that this balanced budget will take us in every single instance in directions that we need to go.

I think that we are still going to have problems with our schools. I think we still have problems with fighting the war on drugs. I think we still have problems in a number of other areas where our current policies are inadequate to the task. They are going to require us to reach down and look for different ways of doing things if we want to change our future.

The three areas that I would like to address here this morning, Mr. President, where this law does not change our future adequately is the percentage of our budget that is going for entitlements versus discretionary, the amount of wealth that individuals have in order to be able to plan for their retirement, and, Mr. President, I also believe we need to look at the mix of people over the age of 65 versus under the age of 20. I still do not believe we adequately adjusted to the problem that we are going to face when that baby-boom generation begins to retire.

I would like, Mr. President, just to run through a couple of charts here very quickly. You all probably have seen them before. It is what everybody wants to do—look at another chart here on the floor of the Senate.

This is a line that shows the births in the United States from 1910 through 1920. I bring this to the floor because it is a demographic problem that we face, not a problem that was caused by Ronald Reagan or George McGovern or

Phyllis Schlafly, or secular humanists. This is a problem that was created as a consequence of 77 million Americans who were born between the years of 1945 and 1965. And then the birthrate dropped for about 15 years afterward.

Thus, what that has produced is a relatively small number of people who will be supporting a much larger number of people who will be retired out there in the future.

This is a dramatic change, Mr. President, that Congress needs to factor into our thinking because this is our future. This is where we are going. As I said, I am confident 5 years from now, 1997, we will have a balanced budget, but we have not addressed this problem. This is the future for America:

In 1997, 29 percent of our population is under the age of 20; 13 percent is over the age of 65; 79 million in one group, 34 million in the other group. In 2030—all the speeches we give about children, 4 million babies born in America this year, those babies will be 33 years of age in 2030, and all of us understand how quickly 33 years go by. In 2030, when those babies are now out there working, there will be 24 percent of our population, down from 29 percent, under the age of 20. The under-20 population will only have grown by 4 million. But the over-65 population, Mr. President, will have doubled, going from 34 million to 68 million. If you look at the number of workers per retirees, it is even more dramatic, a doubling of the population over the age of 65 and a 20 percent increase in the size of the American work force.

Mr. President, we have simply got to address this problem. The only way for us to do it, in my judgment, is to look at the mix of our budget that is going to mandatory versus discretionary. In 1963, 30 percent of our budget went to mandatory spending, 70 percent went to discretionary spending. At the end of this budget resolution it will be exactly reversed, 70 percent mandatory, 30 percent discretionary. Mr. President, in about 10 or 12 years after that it will be 100 percent mandatory and 30 percent discretionary.

A much bigger and more difficult problem for us to face as a Congress than balancing the budget is balancing the mix of mandatory and discretionary spending. It is not a mathematical formula, Mr. President. If we do not take action on this, people who will retire 15, 20 years from now—and again, this is a problem for the baby-boom generation; this is not a problem for the current generation. There are enough workers in the workplace today to support current retirees. But those people who will be retiring out in the future, Mr. President, they are not going to like that future as a consequence of the kinds of choices that will be forced upon them later, unless we take action earlier to accommodate.

Mr. President, I would like to see this budget resolution changed. I am hopeful we can build some bipartisan

consensus to change it. Senator LIEBERMAN and I, Senator BREAUX, and a number of others have been working on a proposal called Kids Save that would alter the child care credit in this resolution that would enable us to help working families acquire wealth. Unless you expect to hit the lottery, unless you expect to inherit the wealth, the only and the best and most reliable way to generate wealth is to save a little bit of money over a long period of time. Kids Save enables us to do that. It enables working families to have that wealth. If they want to use it for education, if they want to use it, preferably, for retirement, they will have it when they get there.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, Senator WARNER of Virginia is recognized at this time.

AMENDMENT NO. 311

Mr. WARNER. Mr. President, I call up an amendment at the desk by the Senator from Virginia.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself and Mr. BAUCUS, proposes an amendment numbered 311.

(The text of the amendment is located in the RECORD of May 21, 1997.)

Mr. WARNER. Mr. President, we ask now for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. Mr. President, the Senator from Virginia, throughout my career in the U.S. Senate, has fought for the balanced budget as hard as anyone. I say that with humility. I am sure the distinguished Senator from Montana has a like record and a like commitment.

We are also entrusted with the responsibility, in my case as chairman and the Senator from Montana as the ranking member of the Subcommittee on Public Works and Environment, to see that our Nation's infrastructure of highways, and to a certain extent mass transit—although that is primarily in another committee—constantly is administered in such a way as to promote growth in this country.

Talk about a balanced budget. That balanced budget is dependent on the ability of Americans to get to their place of work, to return safely, to provide for their families, and every Member of this body knows that we are falling behind every minute in our ability to keep in place the infrastructure of roads and bridges, much less modernize it to make it safer and more efficient. We are steadily falling behind. But as we fall behind in providing the necessary dollars, the dollars that they are paying in the tank are accumulating in the Treasury in an account called the highway trust fund.

Now, Mr. President, I like to do homework. I learned it as a child under

the supervision of two good, strong parents. So I went back to 1955 when in this very Chamber resonated the voices of the chairman of the Environment Committee, Mr. Chavez, and incidentally, the chairman of the subcommittee, Albert Gore, Sr., the father of our distinguished Vice President. When they came forth with the legislation to establish the highway trust fund, they picked the name "trust." They could have called it the highway fund. They could have said there is a line in the Treasury for just where to put the tax dollars, but they called it a trust fund.

Today the Congress, together with the executive branch, are using it as an escrow account—not a trust fund, but an escrow account—to hold these dollars almost as if they were poker chips to play with them as we see fit, not in keeping with the intention of the founders of this piece of legislation.

I read from the 1955 CONGRESSIONAL RECORD, page 6716, of May 20—is that not interesting, May 20, coincidental in time, Mr. President, 42 years ago—in which Senator Gore concluded by saying, "Had the committee thought it advisable to recommend a more vigorous program than that which is contained in S. 1048, I am sure it would have done so. The sentiment in the committee, if I interpret it correctly, was to act as fast and as energetically as we could while still ensuring that the taxpayer received a dollar's worth of road for his [and I insert her] tax dollars." There it is, a commitment by the U.S. Senate, right in this Chamber, the origin of that legislation, and we are breaking that trust, that fiduciary relationship today.

Mr. President, 18.3 cents is paid by every American and all those using petroleum at the local gas station; 4.3 is taken out for the deficit. That is another argument. We are not dealing with that today. Fourteen cents remains, of which 12 cents is for the highway and 2 cents for mass transit.

We have another piece of legislation under the auspices of Senator BOND and Senator CHAFEE, which I support, saying a dollar in, a dollar out. That is what this does. This amendment is designed to put every Member of this body on record when he or she goes back home that, "I fought to see that your tax dollars that you pay are returned to you and you can apply them to improve that infrastructure to strengthen America's economy."

Critics say, well, Senator WARNER and Senator BAUCUS, you did not provide offsets. Well, we did not have to provide offsets, I say to my colleagues, because the offset is there in the word "trust." That is what it means—trust means exactly that. The people of this country trust the Congress of the United States, and in this instance, more specifically, the Senate, trust them to find the necessary means to balance the budget without a breach of trust to those who contribute at the gas tank, consistent for 42 years, given by the U.S. Senate.

I say to my colleagues, weigh heavily when you cast this vote. Put this amendment on. Let it go to conference. Let the distinguished chairman and the distinguished ranking member in the context of a conference decide how to continue the preservation of the balanced budget but at the same time keeping trust with the American people to return their dollars, their hard-earned dollars, submitted at the gas tank.

I yield such time as my distinguished colleague desires with the caveat that I would like to reserve for the Senator from Virginia 2 minutes at the end and 2 minutes for the distinguished Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I want to first commend the chairman of the Budget Committee, the ranking member, the President, and negotiators for putting together a bipartisan agreement. I know it was not easy. It was difficult. But I think the American people are very gratified that the President and the Congress put together the outlines of a budget agreement which brings the budget deficit down to zero.

One of the provisions in that agreement is the amount we will spend on highways and transit for the next 5 years. Under the budget agreement, the highway and transit programs will receive funding levels equal to the estimated revenue collected each year.

But Mr. President, I would suggest we need to do better.

That is why the Senator from Virginia and myself are offering this very simple amendment. Under the amendment, whatever comes into the trust fund through gasoline taxes and diesel fuels, et cetera, plus interest on what is earned on the balances in the trust fund, is available to be spent. In other words, whatever revenue comes in, will go out. This is truth in budgeting. It is a very modest amendment.

Mr. President, current balances in the highway account of the highway trust fund is \$14.3 billion. If you look at this chart, you will see that the balances in the highway account will almost double by the end of the 5 years covered by the budget resolution. Under the resolution, the balance in the highway trust fund will grow to almost \$27 billion. It just seems to me, Mr. President, and to all of us who are concerned about the balances in the highway trust fund, that it is wrong for that balance to continue to grow or double when those dollars being contributed by motorists who expect to see transportation benefits.

I might add, Mr. President, that motorists are already paying 4.3 cents a gallon which goes to deficit reduction. Over the 5 years of the budget resolution will amount to about \$35 billion.

If our amendment does not pass, there are serious consequences. If our amendment does not pass, I must tell

Senators that they are not going to receive funding levels close to the highway funds or the mass transit funds that their States expect. That is what is shown in this chart. I apologize for the small print on this chart, but we have after all 50 States and it is difficult to get every State on the single chart.

This chart shows what will happen to a State's anticipated funding under the various highway bills that have been introduced, such as STARS 2000, STEP 21, NEXTEA and ISTEAs. Senators have signed onto those bills anticipating certain funding levels. If the Warner-Baucus amendment does not pass, each State will receive a reduction in funding.

I look at the Presiding Officer. New Hampshire—as an example, New Hampshire signed up for the ISTEAs reauthorization bill. If New Hampshire thinks it is going to get \$142 million a year, that is wrong. If my amendment does not pass, New Hampshire is going to receive \$30 million less. If my amendment passes, New Hampshire will get the \$142 million.

That same example holds for every single State.

So it is very clear that Senators are not going to get the money they think they are going to get if this amendment does not pass.

I want to also add that there are other reasons to increase transportation spending.

Our Department of Transportation says that we need about \$50 billion dollars annually to maintain our highway system. The \$26 billion provided for under this amendment is a little more than half of that. That is all.

Think of the competition in the world. The Japanese spend four times what we do as a percentage of GDP than the United States. The European Union, spends twice as much.

We are hurting ourselves in not keeping our transportation system up to snuff.

In addition, if the budget resolution becomes the law, areas that are experiencing growth or areas with an aging infrastructure will not get the money they need. And programs that mean a lot to Members, such as the Congestion Mitigation and Air Quality program, or enhancements and bike trails, will not have the money they need.

Our proposal is very simple: That we pass this amendment, which will increase the deficit in the last year from a \$1 billion surplus to about a \$2 billion deficit. That is all. Over all 5 years, \$12 billion. It does not go to the core of the agreement. It does not touch Medicare or Medicaid and does not touch taxes. It does not touch any of the provisions that Senators have been arguing about over the past few months as to what should or should not be in the bipartisan agreement. It doesn't touch those at all. It just says let's spend the interest, plus what comes into the trust fund as revenue each year. That way we can prevent further deterioration of our highways and bridges.

If this amendment should pass,—the Senator from Virginia and I will work with the managers of the Budget Committee and with the administration to try to find some way to accommodate this \$12 billion increase in conference.

I want a balanced budget. I think every Senator wants a balanced budget. Fifty-seven Senators have written the Budget Committee asking for more money in transportation. In fact, what they asked for was a full \$26 billion every year for 5 years. We are only asking for a ramp up to the \$26 billion level over the 5 years. This is very modest and nowhere close to the request made by 57 Senators who have asked for a full \$26 billion to be included in transportation for every year.

This is a very small change in the agreement which the budget and administration negotiators put together. It can very easily be accommodated in conference.

I might add, to those Senators from the Northeast who are concerned about mass transit, this amendment also—the \$12 billion increase in outlays I mentioned—includes increases in mass transit.

So, Mr. President, it is really very simple. I grant that it is technically an increase in the deficit by \$12 billion. I am also saying that we as Senators should not be caught in a box. We should not be rigid. We should not be knee-jerked. We are elected to be thoughtful. We are elected to do what is right. We are elected to be creative.

What do the American people think is right? First, balance the budget; second, do it in a way which is fair to our country and our country's needs.

It is clear that we can balance the budget, including the framework agreed to by the budget negotiators, the administration, and the leadership, and still meet our States' infrastructure needs.

It is a very modest amendment. Again, it just says spend what comes in, plus interest, to the trust fund. In fact, even under our amendment we end up with a \$17 billion balance in the trust fund. So under our amendment, we are not spending anywhere near the amounts the trust fund could sustain. But the Senator from Virginia and I are trying to be modest.

So, I again urge Senators, just go the extra mile. Vote for this. We will all work together to balance the budget in a way which also does not hurt the core provisions of the agreement but addresses the very serious transportation needs of this country.

I reserve the remainder of my time.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first, I commend my distinguished colleague. We worked together as a team on this. He has spent a good deal of his career in the U.S. Senate fighting to improve America's infrastructure and transportation.

I am going to place at the desk at the time of the vote a letter signed by 66 Members of this body supporting precisely what it is we have before them today in this amendment, together with letters from each of the Governors. All 50 Governors support a higher level of funding for our highways.

Senator BAUCUS and I, as we worked on this amendment, decided not to take the top dollar. As Senator BAUCUS clearly said, \$17 billion remains in the trust fund. We tried to take a reasonable amount of increase.

This chart shows the green line of what this budget resolution does in terms of highways—flat. Our amendment takes this up at a gradual increase to where we reach the \$26 billion, that figure subscribed to by 66 Senators, that figure subscribed to by all 50 Governors.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that we temporarily set aside the amendment that is pending and permit Senator PAT ROBERTS to speak for up to 10 minutes on the bill, after which we return to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object.

Mr. BAUCUS. Reserving the right to object. I am sorry. I did not hear the request.

Mr. DOMENICI. I had checked with Senator LAUTENBERG. All we did was ask that the Senator set aside his amendment for 10 minutes and return immediately to it after PAT ROBERTS speaks for 10 minutes.

Mr. BAUCUS. How much time is remaining on the amendment?

The PRESIDING OFFICER. Twenty-nine minutes on Senator DOMENICI's side and 12 minutes on Senator WARNER's side.

Mr. BAUCUS. Thank you. No objection.

Mr. INHOFE. Mr. President, I rise on a point of personal privilege.

The PRESIDING OFFICER. Who yields time?

Mr. INHOFE. I ask unanimous consent to be allowed 2 minutes to count against either side.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLARIFICATION OF PRESS REPORT

Mr. INHOFE. Mr. President, I was shocked a little bit this morning to read in the Washington Times a story by Ralph Hallow in which he quotes a statement that was supposedly attributed to me by Mr. Paul Weyrich. I would like to read it.

Hallow writes that:

Mr. Weyrich said that at his regular Tuesday meeting for conservative leaders, Senator James Inhofe, Oklahoma Republican,