

accused Mr. LOTT of having "betrayed the national-security interests of the country."

I have to tell you, Mr. President, that I don't think anything like this has ever happened to me. Even though I don't have thin skin—I have been beat up by the liberal media quite often—this is not the case. I never made such a statement.

I even checked the tape of a TV show that I had with the gentleman, Mr. Weyrich recently, and I find nothing but compliments which I made about Mr. LOTT. I did say on a couple of occasions that I disagreed with him on the chemical weapons stand. I disagreed with him on his suggestion in terms of potential punishment for Lt. Flynn. However, I was very complimentary of him.

Just a few minutes ago I received a memo from Paul Weyrich which clarifies the matter. I want to read into the RECORD the first half of that memo, dated this morning.

Once again Ralph Hallow has caused a problem. He called me on my private line and asked my views on Lott and Lt. Flynn, which I was happy to give. He asked me about the rest of the movement, and I told him that at the Wednesday lunch we gave Senator Inhofe a message to take back to the Steering Committee which was supported almost unanimously by the 65 or so in attendance. I then quoted Frank Gaffney as saying that twice in a month Senator Lott had betrayed the security interests of the United States. Instead, he attributes this quote to Senator Inhofe, who refrained from criticizing Lott even though he disagrees with him. Believe me, Hallow did not misunderstand what I told him because he even called me back and said he had interviewed Inhofe and he—Inhofe—refused to be critical of Lott.

Thank you, Mr. President.

#### CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

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

Mr. ROBERTS. I thank the Chair. I thank the distinguished chairman of the Budget Committee.

Mr. President, I rise in support of the overall balanced budget plan and rise expressing some reservations in regard to many of the amendments that we are considering, the pending amendments; some 45 of them, as a matter of fact.

If nothing else, I wanted to pay a personal tribute in behalf of the taxpayers of Kansas and thank the chairman of the Budget Committee for his leadership, his perseverance, his patience. He has the patience of Job. I must confess, having come from the lower body, as described by Senator BYRD, and being the chairman of the House Agriculture Committee, I am not sure I had the patience of Senator DOMENICI. We now spell "persevere" D-o-m-e-n-i-c-i.

How many hours, I ask of the chairman, if he could respond, how many days, even years, have been involved?

Does he have any estimate in regard to the hours he has spent late, early—he and Chairman KASICH of the House? If he gives me an estimate, what is it? 10,000?

Mr. DOMENICI. On this agreement itself, just this year, I would estimate 1,000 hours.

Mr. ROBERTS. 1,000 hours. I said hours and minutes; even years.

This has been the third year on this particular budget plan. This is the culmination of 3 years of hard work that the Senator from New Mexico has put in, all members of the Budget Committee, as well as the staff. This has been a Lonesome Dove Trail ride. I hope we get through the tall grass and balanced budget with all of our body parts intact. If we do, the chairman will get most of the credit.

In the last session of the Congress we had two balanced budgets. We worked very hard and very diligently. They were vetoed by the President. We even came to a Government shutdown. Nobody wants to repeat that. I understand that when you are doing a budget for the U.S. Government, you have many, many strong differences of opinion. After all, for better or worse, the Congress of the United States reflects the diversity we have in this country and the strong difference of opinions. Goodness knows, we have good diversity and strong differences of opinion. The House, the other body, just the other night stayed until 3 a.m., and, finally, by a two-vote margin, succeeded in defeating an amendment that was a deal breaker. It involved highways. As a matter of fact, it involved transportation, the very issue we are discussing on the floor at this very moment other than my comments. Two votes was the difference. Goodness knows, everybody in the House of the Representatives, everybody in the Senate cares about transportation and cares about highways and the infrastructure.

We came within five votes of a deal breaker on the floor of the Senate. I think it was five votes in regard to health care for children. Who can be opposed to additional funds for health care for children? As a matter of fact, the chairman has worked very hard to provide \$16 billion in regard to that goal.

So we had highways, health care, and we had a situation in regard to the construction of our schools, to fix the infrastructure of the Nation's schools—\$5 billion—with a \$100 billion price tag, which set a very unique precedent.

I don't question the intent. I don't question the purpose nor the integrity of any Senator, nor, for that matter, anyone who would like to propose an amendment or a better idea in regard to the budget. But I would suggest that the high road of humility and responsibility is not bothered by heavy traffic in this instance.

Most of the amendments—I have them all here. Here is the stack, 45 of them. Most of the pending amendments right here are either sense of the Sen-

ate or they have been rejected outright as deal breakers.

Sense of the Senate means it is the sense of the Senate. It has no legal standing, has no legislative standing. It is just a Senator saying this would be a good idea in terms of my intent, my purpose, what I think we ought to do. And there are a few that are agreed to that obviously will be very helpful.

But here are the 45. Most of them are simply not going anywhere but raises the point. I took a little counting here. There are 8 Democrats and 11 Republicans—11 Republicans who have decided that they will take the time of the Senate, take the time of the American people, take the time of the chairman of the Budget Committee and staff and go over and repeat their priority concerns in regard to the budget.

There is nothing wrong with that. I understand that. Each Senator is an island in terms of their own ideas and their own purpose and their integrity. I do not really question that but in terms of time, I mean after 3 years of debate, after hours and hours and hours of careful deliberation between the President and the Republican leadership and 45 pending amendments.

I have my own amendments. I have my own amendments. I should have had some sense of the Senate amendments. I feel a bit left out. I thought we had a budget deal. I thought we were going to vote on it. I thought that we were going to conclude. And then during the regular appropriations process, during the regular order, if you will, of the rest of the session, why, perhaps we could address these things that I care very deeply about.

Maybe we ought to have a sense-of-the-Senate resolution introduced by Senator ROBERTS that all wheat in Kansas should be sold at \$6. That is a little facetious, to say the least, but I do have concerns about crop insurance, a child care bill I have introduced, along with a capital gains bill, capital gains and estate tax. I think capital gains should be across the board. I think estate tax should be at least \$1 million. I want a sense-of-the-Senate resolution or amendment declaring that. Or maybe an amendment—I tell you what we ought to have, if the chairman would agree. I think you ought to make a unanimous consent request to consider an amendment that all Senators who offer an amendment on the budget process must be required to serve 6 months on the Budget Committee. Why not? Perhaps in the interest of time, since all of the time that is being spent by the 11 Republicans and the 8 Democrats—oh, I forgot my sense-of-the-Senate resolution on defense. I do not think we have enough money committed to our national defense with the obligations we hear from the Secretary of State, the Secretary of Defense, the administration and everything else. So add that one in Roberts' sense of the Senate.

Maybe we ought to have a unanimous consent request, to save time, to get

this business done, to accept the responsibility for the budget, I could just ask unanimous consent that all amendments pending be laid on the table and considered en bloc and ask for the yeas and nays and we could get the budget deal and go home. I have not made that unanimous consent request. That would be untoward. That is the mildest word I could use for it because it would violate agreements the distinguished chairman has made with other Senators.

So let me say this to all the Senators who introduced all these sense-of-the-Senate amendments, fell asleep, issued a lot of press releases back home and got a lot of credit. And I laud their intent, laud their purpose. What about breaking the deal? What about the law of unintended or intended effects? What about the responsibility of delaying the Senate and possibly delaying 3 years of work, 3 years of work to get to a balanced budget?

As you can see by the tone of my remarks, perhaps my patience as a new Member of the Senate is not near the patience of Chairman Job, Chairman Job DOMENICI, in regard to the Budget Committee.

Now, I had intended on reading the names of all the Senators, their amendments and lauding their intent in behalf of all the things that we would like to see done. As I say, I have them all here. They range from everything from highways to education to defense to making sure that we have proper tax relief across the board. I will not do that. But I would at least ask my colleagues in the Senate to consider the job and the mission and what our distinguished chairman and members of the Budget Committee have brought to the floor of the Senate. And if we could, if we could plead for a little bit of expeditious consideration, because you know what is going to happen. Time will run out and then we will engage in what the Senate calls a votearama, and the votearama is like "Jeopardy" or any other game you play on television. You will not even hear what the amendment is. We will just hear an amendment by X, Y, or Z, Senator X, Y, or Z and then we will vote on it and obviously that will make a good statement back home and we can consider that very serious bill, that serious legislative intent during the regular order which should have been considered that way from the first.

Again, I thank the chairman so much.

Mr. ASHCROFT. Will the Senator yield?

Mr. ROBERTS. I will be delighted to yield.

Mr. ASHCROFT. I appreciate the Senator's remarks. When the Senator holds the stack of amendments, is he suggesting there should be no amendments or is he just focused on sense-of-the-Senate amendments?

Mr. ROBERTS. I think if I could further clarify that, of the 45 amendments

there are about 6 deal breakers, if my conversation with the chairman is correct. Most of them are sense of Senate. And there are others that have been agreed to. But my basic premise is—and goodness knows, this new Member of the Senate is not about to say that we should change the process of the Senate. And this Member of the Senate is not about to preclude any Member from offering any amendment.

The point that I am trying to make is that every amendment, every sense-of-the-Senate amendment, every deal-breaking amendment also to some degree interferes with the process and the conclusion of a balanced budget which has taken us 3 years. And I know because I have been sitting in the chair presiding, listening to the same speeches that are made today in the Chamber during morning business, and people can make them in their districts; they can make them on the steps of the Capitol; they can make them here, and that is quite proper of the Senate and is advisable.

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

Mr. ROBERTS. Could I have an additional minute?

The PRESIDING OFFICER. The Senator seeks an additional minute. Who yields him time?

Mr. DOMENICI. How much time does the Senator desire?

Mr. ROBERTS. One additional minute.

Mr. DOMENICI. I yield it.

Mr. ROBERTS. I find it rather untoward or awkward after talking 10 minutes and expressing concern of the time here I would go on and on about this. I think the point is well taken. I know the Senator from Missouri has a very laudable amendment in regards to something I would agree with and I would not deny him that opportunity. But can we not get on with it after 3 years?

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

#### AMENDMENT NO. 311

Mr. DOMENICI. Mr. President, let me make it very clear to everyone in the Senate, first of all, I have nothing but the highest respect and admiration for both the sponsors of this amendment, the distinguished Senator from Virginia, who has worked diligently to try to create the transportation programs in the committee he serves and do it in the best interests of our whole country, and believe you me, he has had a tough job, and so has Senator BAUCUS in doing a great job, whether working on the committee or with transportation infrastructure.

Their job is very difficult because they have to balance frequently the interests of all 50 States or those that are rural versus those that are very dense in terms of population and thus roadway needs are very different in his

State or mine as compared with New Jersey, if you just take into account how much gasoline tax is taken in because we are small, with small populations, but we cannot get from one place to another without roads, so we are in a different category. And over the decades we have all worked very hard to figure out how to do that balancing act. And then it turns out when it is all finished, the House does it differently than the Senate because the Senate is represented two Senators to each State. So Senator BAUCUS and his co-Senator represent a very small population but they are two. In the House, they always load the bills with the heavy populated States and over here we try to do it with a little more fairness, more fair play.

They have had to be referees over that. In fact, I might tell the Senators, they probably do not remember, but I was a referee on that once as a conferee, and that was pretty interesting, how we found a formula that year.

I might say, in spite of these accolades, this is a very, very strange amendment, to say the least. Here we have been for all these days discussing a balanced budget, and as a matter of fact even those who would break this budget did not unbalance the budget. Or even those who had deal breakers because they would take the principal components of the budget and change them, as our leader said yesterday, pulling the wheels out from under the cart so it would break down. This amendment makes no effort to try to offset the \$12 billion that they add to this budget.

In other words, Mr. President and fellow Senators, this amendment is bold enough to say it just does not matter about a balanced budget. We just want to put in \$12 billion more for highways. Frankly, I am sorry we do not have the money in this budget for that. But we did in fact, we did in fact increase the President's proposal by \$10.4 billion. That is \$10.4 billion more than the President had in mind, and we balanced the budget. We offset it somewhere or in some way reduced the amount of tax cut we were going to have in the overall sense of putting the package together.

But this amendment just comes along and says, well, we just want this additional money spent on highways, and we will wait until another day to worry about the balance. Frankly, we had a very meager surplus in the year 2002. This particular amendment costs \$4.5 billion in the year 2002, and that will bring us out of balance by over \$2.5 billion.

So I urge the Senators who want to support this amendment or this concept, they ought to come down to the floor and cut \$12 billion out of this budget so it is still in balance. Then we would understand what would be hit—education and everything else we have been trying to fund.

So I must say on this one the administration supports us. We were not so

sure yesterday morning, I say to my good friend from Kentucky, but they support us. They sent a letter up here saying they do not support this amendment. They support our efforts to see that it does not pass.

Frankly, I would be less than honest and less than fair with the cosponsors—it is clear we are going to have to do something when the ISTEA Program comes along in the not too distant future. We are going to have to make some serious, serious adjustments. And I think those are going to happen. Perhaps the Senators will help expedite that a bit today by calling to the attention of the Senate the situation as you see it.

But essentially, we have many trust funds in the United States, many trust funds. I used to know how many. But I think it is probably fair to say we have 100 trust funds. I think that is low by 50. I think we have 150. But let us just say we have 100 of them.

Frankly, we do not spend every penny that comes into those trust funds every year, nor do we take them and set them out on the side and say whatever comes in goes out. We have put them in the unified budget. I am not sure—people argue on both sides of that concept. Should you break Government up into 150 pieces and then find some more pieces and have no central government running things, no unified budget, I should say. Forget who runs it, just a budget representing them all. And I have come down on the side of putting them all in and leaving them in, and if there is surpluses take credit for the surpluses. As a matter of fact, it is pretty clear that at some point we are going to have to change the way we are doing business, not perhaps spend more. But I would urge Senators not to vote for this amendment today. I will move to table it. I think it breaks the budget. It unbalances the budget. The intentions are very, very good, but this is not quite the way to do it.

Now I yield to Senator LAUTENBERG—Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Of course.

Mr. WARNER. I thank him for the courtesy. Let's clarify a little bit just how the Senator as chairman of the Budget Committee—and certainly we commend him for the hard work he has done. What is the meaning of a trust fund?

Let's be honest. You are keeping \$26 billion, according to my calculation, holding it back, of the revenues paid at the gas tank, as if it were poker chips to play where you so desire elsewhere in the budget. We specifically did not put in offsets because the offset is there in a trust fund established 42 years ago with a legislative history which clearly said that it belongs to the people and should be returned to the people. That is why we did not have an offset. The offset is there in the form of the money in the highway trust fund. Shall we rename that budget deficit fund?

Mr. DOMENICI. Senator, you will be writing the new ISTEA law. If you will care to rename it, it will be renamed under your direction, not under mine. But I would say, from what I can find out, this \$26 billion trust fund surplus—we spend about \$20 billion each year and they have done that for a long time. This \$26 billion that is referred to is made up of two things: \$20.6 billion of it is compounded interest, and \$5.9 is committed to projects. Frankly, that does not mean we have an awful lot of money to spend. As a matter of fact, we probably do not have very much. But, from my standpoint, this trust fund balance is a very reasonable balance to keep in the fund. If at some point we can get to a better plan and do it over a period of time, you are going to find this Senator on your side.

Mr. BAUCUS. Will the Senator yield?

Mr. DOMENICI. Did Senator LAUTENBERG want to speak now?

Mr. LAUTENBERG. I do.

Mr. DOMENICI. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from New Mexico has 20 minutes left; the other side has 12 minutes.

Mr. BAUCUS. Mr. President, we all deeply appreciate the amount of work the Senator from New Mexico has made to try to put this together. It is an almost impossible task. He made an interesting statement, though, that I would just like to follow up on a little bit. He turned to the Senator from Virginia a few minutes ago—if I heard you correctly; I do not want to put words in your mouth—and said something to the effect: Yes, you are right. At some future time when we take up ISTEA we are going to have to deal with deficiencies that are otherwise going to be available to be spent on the highway bill, ISTEA.

If I heard him correctly, if that is what he meant, I would just like to explore with the chairman where we might find some of those additional dollars if it's not in the context of this budget resolution.

Mr. DOMENICI. Senator, you did not quote me so incorrectly that I would say you didn't quote me right. But, in essence I am just expressing the notion that is pretty rampant, that outside of this budget resolution, at a later date, that in various committees we will be working on what do we do with this highway trust fund and what do we do with the new formula, where there will be a new formula.

All I am suggesting is at some point that debate is going to occur, but I don't believe it should occur here on the floor of the Senate, taking \$12 billion and just adding it to this budget and saying we are just going to go in the red because we have not figured out any other way. There is going to be another way to look at this situation.

Mr. BAUCUS. But again I ask you, at what time, at what point would we begin to find the additional dollars that we all know we need for transportation?

Mr. DOMENICI. Senator, look, the committees in the U.S. Senate are marvelous institutions, and how you work out problems that are complicated and difficult and frequently of longstanding—the Senate is historic in its wise ways of doing this.

Mr. BAUCUS. I understand.

Mr. DOMENICI. All I am suggesting is there is going to be a way.

Mr. BAUCUS. I understand, but I bow to the mighty power of the Budget Committee, when we see the limitations that otherwise are incumbent upon us—

Mr. DOMENICI. I might suggest, I served on that committee for a long time, Senator WARNER. In fact, I would have been chairman three times over with the longevity I would have if I would have been there.

Mr. WARNER. Mr. President, we want the Senator where he is. Please stay. By the way, I volunteered three times to serve on the Budget Committee, and my name will be on there one of these days.

Mr. DOMENICI. All right. Now, how much time do we have left?

The PRESIDING OFFICER. The Senator from New Mexico has 17 minutes left.

Mr. DOMENICI. I wanted to yield to Senator LAUTENBERG, who is my ally here on the floor on this issue, and then find a little time of mine out of it to yield to the Senator from Rhode Island.

Mr. LAUTENBERG. I am not going to take that much time, Mr. President. I think the chairman of the Budget Committee has fairly directly and succinctly made the arguments. The fact of the matter is that none of us are happy with the level of funding that we have for our investments in highways and our transportation needs. We are more deficient, in many ways, than countries down the Third World list. I think we rank about 55th in per capita spending for infrastructure.

So, one would not disagree with the distinguished Senator from Virginia or the distinguished Senator from Montana in terms of the need, the need to correct the situation. But unfortunately, and it is unfortunate for me because I have long been an advocate of more spending on transportation in this country. I think it is common knowledge that the Senator from New Jersey has been an advocate of mass transit, of rail transportation, improving our highway system, of fixing our deficient bridges, which number in the thousands. But we have a proposal in hand that takes a priority, unfortunately, for the moment. That is, to complete the work we started on a balanced budget. We are committed to it.

Believe me, this is not a place I enjoy being, because I do not agree with everything that is in the budget resolution. But I agree with it enough to say that there is a consensus that we fulfilled an obligation that we talked about to children, children's health, to the senior citizens, to try to make

Medicare solvent, to try to not further burden the impoverished in terms of Medicare, to try to take care of those who are in this country legally and become disabled. We fulfilled those obligations.

The economy is moving along at a very good rate and we are still running the risk, in my view, with some of the tax cuts that have been proposed, of taking us away from the direction that we are moving in, which is to continue to reduce the budget deficit until the year 2002, when there will be none.

So we have an imperfect, but pretty good, solution in front us. And, now what we are discussing, in terms of transportation—and this is like me talking against motherhood—but the transportation funds that are there are inadequate because of the structure of our budgeting structure, the budgeting arrangement that we have in our Government. The fact is that we have unified budgets. If one wants to start, as has been claimed here several times, establishing truth in budgeting, under that nomenclature I think one would have to start with Social Security.

Are we prepared today to say we are going to add \$70 billion to our deficit each year? We certainly are not. Yet I think, when you talk about a trust fund, there is no more sanctified trust fund than Social Security, something people paid in, they are relying on for their future, for their ability to get along. But we nevertheless still have the unified budget. That problem, I assure you, is going to get intense scrutiny over the next several years.

Senator ROBERTS said something—I don't know whether you were here, Senator DOMENICI, when he said: Everybody, in order to have the budget fully understood, every Senator should be sentenced to 6 months on the Budget Committee. I thought immediately, there is a constitutional prohibition against cruel and inhuman punishment, so we could not do that, even if we wanted to. I am on the Budget Committee by a quirk of circumstance. When I came here, a fellow I had known who was a Senator said that he would do me a favor and that he would vacate his seat on the Budget Committee for me. And I will get even.

The fact of the matter is, we complain and we gripe, but the money is where the policy is, the money is where the direction is. We take this assignment with a degree of relish, because we want to do the right thing. None of us want to throw the taxpayers' money away. But we are where we are.

It is with reluctance that I am opposing this amendment because both Senators, Senator WARNER and Senator BAUCUS, have been very actively involved in highway funding and highway legislation as a result of our mutual service on the Environment and Public Works Committee. But we are spending more than we did last year. We are spending more than the budget resolution of just 2 years ago.

I was able, with a lot of hard work and with the support of the chairman

of the committee, to get an \$8.7 billion increase over the President's budget request for transportation. I had asked that transportation be included as one of the top priorities in the budget. Unfortunately it is not there. But there is a plan, that we expect to be fulfilled, to have a reserve fund that would allow significantly more funding for some of the transportation needs.

But I want to point out one thing about the trust fund. That is, there is a slow payout in highway projects. I think everybody is aware of that—5, 7 years on many of these things. If we shut down the revenue source now, interest alone would not carry the obligations that are already out there. The obligation ceiling as contrasted with the contract authority are quite different things. We have these obligations that have to be fulfilled, they are there and one day must be met. The balances in the fund, I think, will start coming down with the adjustments that are expected to occur in ISTEA. We have the chairman of the Environment and Public Works Committee on the floor. That will be opportunity to make some of the changes that are being contemplated here.

I just think it is a terrible time to say we ought to burden the budget deficit by \$12 billion, roughly, right now, when everybody has worked so hard, and this budget has been scrubbed, reviewed, reworked, rehashed—you name it. We are where we are, in a fairly delicate balance, I point out to my colleagues. There are very delicate opportunities that will, I think, upset the balance that has been achieved. So, again, I repeat myself when I say with reluctance I am going to vote against it.

Mr. WARNER. Will my colleague yield for a brief question?

Mr. LAUTENBERG. Sure.

Mr. WARNER. Mr. President, the distinguished Senator, a member of our committee, Environment and Public Works, is, according to my records, a cosponsor of a piece of legislation called ISTEA—NEXTEA. Am I not correct?

Mr. LAUTENBERG. That is correct.

Mr. WARNER. In that, it is interesting, there are three bills put in by Members of the Senate. I am co-author—Senator BAUCUS, Senator GRAHAM of Florida; STEP 21, Senator BAUCUS is 2000, you are with Senator CHAFEE.

Mr. LAUTENBERG. Right.

Mr. WARNER. ISTEA. Look into that bill. Right in there is a provision saying we want \$26 billion each year, far more than what the Senator from Virginia is asking. I build up to \$26 billion in the fifth year. You want it beginning this year. In other words, you are saying to the Senate, in a cosponsored piece of legislation together with the distinguished chairman of the committee, you want \$26 billion. Now you stand on this floor and talk in direct opposite. That is what leaves me at a loss. So the question is, you are a cosponsor and—

Mr. LAUTENBERG. Mr. President, in response to the question, before the speech, I would say this—yes, I sponsored that legislation.

My heart is in more funding for transportation, and no one here can say differently. The problem is that we are in a different point in time, and if you want to take it out of highways and say forget the children's health care bill, if you want to take it out of highways and forget the pledge we made to the senior citizens, or take it out of this bill and forget the pledge that we made to those who might be disabled, let's do it, let's talk about that. Let's talk about balancing the budget, because I know the distinguished Senator from Virginia has been a proponent of a balanced budget almost from the day the words were invented around here.

So now we have a different occasion. We are not talking about transportation; we all agree that transportation is definitely underfunded. What we are talking about is at what price do we make this change, and the price is at, again, children's health or otherwise, because we are committed to balancing this budget. And this is strange talk for a fellow like me.

Mr. DOMENICI. I think it is right on, and I hope you make it about five or six times in the remaining couple hours. I look forward to hearing it more times than one.

Mr. President, I wonder, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from New Mexico has 7 minutes; the Senator from Virginia has 10 minutes, almost 11 minutes.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the distinguished Senator from Rhode Island, the chairman of the full Committee on Environment and Public Works, Senator CHAFEE.

Mr. CHAFEE. Mr. President, I thank the distinguished manager of the bill.

I rise in opposition today to the amendment offered by the Senator from Virginia and the Senator from Montana. I might say, these are two Senators for whom I have tremendous respect. I have worked with them. The Senator from Virginia, I think we first started our association in 1969, and the Senator from Montana, I started working with him the first year he came to the Senate, which I think was 1978, 1979, and we have been closely associated ever since.

However, this amendment, which would increase outlays for transportation spending above the levels provided in the resolution before us, I find to be inconsistent with the achievement of a balanced budget by the year 2002.

The Senator from Virginia just said it went beyond the bill, the so-called NEXTEA bill that goes beyond this, and that is absolutely right, but that was before we had a target from the Budget Committee. I believe strongly in the budgetary process we have set up. I voted for it, and I support it.

I think we all can agree that the Nation's roads and bridges are in need of repair. No one argues with that. Transportation plays a critical role in our Nation's economy. We recognize that. In the United States, more than 12 million people, more than 11 percent of the gross national product, is involved in transportation.

Earlier this year, I cosponsored a measure to increase, within the context of a unified budget, the level of transportation spending from the highway trust fund. I am pleased that the budget agreement, crafted by the Senator from New Mexico and the Senator from New Jersey, increases the spending levels implicit in that proposal, the so-called Bond-Chafee proposal. It is \$13 billion over a freeze baseline. That is pretty good.

Would we like more? Sure we would. But I think it is terribly important to recognize that any proposal that boosts highway spending or transportation spending without corresponding offsets is something I personally cannot support. So, I agree with Senators WARNER and BAUCUS that transportation spending should be increased, but not in a manner that would undermine the careful agreement reached by the Budget Committee.

Do we like everything in this budget? No, but it is the best we can get. I am supporting that agreement. It seems to me we simply cannot afford to retreat from our efforts to eliminate the Federal deficit.

So that, Mr. President, is the reason I cannot support this amendment that is before us today. I thank the Chair and thank the manager and thank the distinguished chairman of the subcommittee that deals with these matters. He has worked on them, and I know his heart is in this. As always, he argues his case with vigor and considerable force.

Mr. WARNER. Mr. President, might I ask a question on my time of my distinguished chairman?

There are three bills pending before the Senate relating to the reauthorization of ISTEA. I mentioned that. Seventy-four colleagues have signed one of those three bills. Each one of those bills has the higher level of \$26 billion. I say to my colleague, he also is a cosponsor of the Bond-Chafee/Chafee-Bond legislation. The principle that Senator BAUCUS and I are arguing today precisely is the Chafee-Bond bill. I ask the Senator, does he feel there is any difference in principle?

Mr. CHAFEE. Yes. First of all, I am pleased to call it the Chafee-Bond proposal.

Mr. WARNER. Call it what you want.

Mr. CHAFEE. We call it that in Rhode Island. What the Chafee-Bond proposal does is it says that what came in in the previous year—we do not deal with the interest, we do not deal with—

Mr. WARNER. Mr. President, I do not need an explanation. In principle, pay it in, take it out, isn't that right, in simple English?

Mr. CHAFEE. That's right.

Mr. WARNER. Fine, that's all I need to say.

Mr. CHAFEE. What comes in this year goes out next year, and that principle is in this budget.

Mr. WARNER. That principle is in this amendment. I thank the distinguished Senator. That is all we are asking. But it is interesting we are asking for less than what is paid in to come out, recognizing the challenge before the Budget Committee.

So I say, once again, 74 colleagues have signed on to legislation. We are going to have to answer to our constituents, Mr. President, on this vote. You say one thing in sponsoring the bills, and we will see how consistent you are. I will put a letter on the desk signed by 56 Senators as to how they spoke to this. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Will the Senator from Virginia yield for a few minutes?

Mr. WARNER. Mr. President, I yield all but a minute and a half, 2 minutes I have reserved.

Mr. BAUCUS. Mr. President, we heard today from both the chairman and the ranking member of the Budget Committee that we need to address this problem; the problem that there is a deficiency in highway-mass transit-infrastructure spending that must be dealt with at sometime. But they are also saying they feel constrained to say they cannot deal with it here because they feel constrained by the budget resolution, a resolution agreed to principally between the White House and the leadership.

They talk about an \$8 billion increase. That does not include interest. And because the country is growing, because of additional needs we have and the crumbling bridges, if this resolution is adopted, Senators should know that they will receive less in dollars than they will need for their State's infrastructure.

The Senators, the chairman and ranking member, say, "Well, we will deal with it in the future at sometime," acknowledging that there is a problem and we need more transportation dollars. I must remind Senators that we have a difficult problem ahead of us. When we in the Environment and Public Works Committee in the coming weeks write a bill dealing with CMAQ, dealing with formulas, donor States, donee States, so on and so forth, what do we look at? We look at the number that the Budget Committee sends to us. We are constrained by that number. We must then write a 5- or 6-year bill which locks in the spending limits that the Budget Committee prescribes for us. We are locked in for 5 or 6 years.

Those lower levels cannot be changed next year by a new budget resolution, cannot be changed until or unless this Congress writes a new highway bill. I am not so sure this Congress is going to want to write a new highway bill every year. So I am saying that this is

the time to deal with this problem. It is now. Otherwise, we are locked in for 6 years to inadequate numbers.

We want to make an adjustment of less than one-tenth of 1 percent of our Federal budget, less than one-tenth of 1 percent of our Federal budget, which I am fully confident can be dealt with in conference. It is critical that this amendment be adopted so that we are not locked in over the next 6 years to inadequate numbers. We will be locked into these numbers if this resolution is adopted. We can make adjustments in all the other accounts and still maintain the core provisions of the bipartisan agreement.

So I urge Senators to, therefore, vote for this so we can do what we know is right.

The PRESIDING OFFICER. The Chair notes 2 minutes remain for the Senator from Virginia.

Mr. WARNER. Mr. President, is that all the time that is remaining?

The PRESIDING OFFICER. That is correct. The Senator from New Mexico has 2 minutes; the Senator from Virginia has 2 minutes.

Mr. WARNER. Mr. President, I commend my distinguished colleague. He, in his concluding remarks, gave the clarion call: When we cast the vote, we simply cast a vote to say to the Budget Committee, "Go back and look for that very small fraction so we can avoid this flat green line which is correctly represented on this chart, and allow our several States to build that infrastructure necessary to compete in this world market."

What we have left out, my distinguished colleague and myself, are pages and pages of added requests by our colleagues. I totaled over \$7 billion in addition to what is to be allocated under the formulation for superb programs that are badly needed by the country: Appalachian highway system; for the Indian reservation roads; for expansion of the intelligent transportation system; for innovative financing initiatives; for new funding to meet infrastructure—on and on it goes.

We want to, Senator BAUCUS and I together with other members of our subcommittee and full committee, try and do this, but those we haven't even discussed today. We will never get to one nickel of this unless we are given some additional flexibility.

So we say, with all due respect, we are simply asking a voice mandate in support of our constituents to the Budget Committee, "Go back and reexamine the desperate need of America for these dollars."

I thank the Chair. I yield back all time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Do I have 2 minutes and that is it?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, let me suggest, again, to Senators who might be listening or those who might be listening in their stead, in this budget, we

have tried to do many things. We have tried to cut taxes for the American people; we have tried to cover little children who are uninsured with \$16 billion; we have tried to cover the National Institutes of Health with a 3.5-percent increase.

We heard from people what America had to be doing, and, in each instance, we had to get rid of something. In fact, I have not said it yet, but the President gave up 50 percent of his initiatives in the compromise that was made, and every time we did it, we said, "Let's balance the budget; let's balance the budget." We would come back and say, "Well, we want to add this, what do we take out?" And we would take something out. What we have here today is \$12 billion as if it just flopped out of the sky; no effort to balance the budget, no effort to offset it with expenditures so we can all see where do you pick up the \$12 billion that is needed for highways?

Everybody understands that highways are very much needed in America, but this budget, for the first time, will permit us to spend every cent of new taxes that comes into that fund every single year. We are moving in the right direction. Every cent of new gasoline tax that goes into this fund under this budget agreement will be spent in that year that it comes in, obligated during that year. That is a giant stride in the direction that we have been asked to go by many people in our country.

Frankly, every Governor in America sends a letter in. They want more money. And then some of them get up and criticize that we do not balance the budget right. The lead Governor in America, the head of the association, he wants every penny of highway funds, but this budget resolution just does not get the job done right.

The PRESIDING OFFICER (Mr. ENZI). All time has expired.

Mr. DOMENICI. I yield back the balance of my time, and move to table the amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—51

Allard	Coverdell	Gorton
Bennett	Craig	Gramm
Biden	D'Amato	Grassley
Bond	Daschle	Gregg
Breaux	Domenici	Hagel
Brownback	Durbin	Hutchinson
Campbell	Enzi	Kohl
Chafee	Feingold	Kyl
Cleland	Feinstein	Landrieu
Cochran	Ford	Lautenberg
Collins	Frist	Lieberman

Lott	Murkowski	Santorum
Lugar	Nickles	Smith (NH)
Mack	Reed	Smith (OR)
McCain	Roberts	Snowe
Moseley-Braun	Rockefeller	Stevens
Moynihan	Roth	Thompson

NAYS—49

Abraham	Graham	McConnell
Akaka	Grams	Mikulski
Ashcroft	Harkin	Murray
Baucus	Hatch	Reid
Bingaman	Helms	Robb
Boxer	Hollings	Sarbanes
Bryan	Hutchinson	Sessions
Bumpers	Inhofe	Shelby
Burns	Inouye	Specter
Byrd	Jeffords	Thomas
Coats	Johnson	Thurmond
Conrad	Kempthorne	Torricelli
DeWine	Kennedy	Warner
Dodd	Kerrey	Wellstone
Dorgan	Kerry	Wyden
Faircloth	Leahy	
Glenn	Levin	

The motion to lay on the table the amendment (No. 311) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. History was made with this vote, by two votes, and two votes in the House—that resonates all across this land. It is a wake-up call to all those entrusted with the responsibility of keeping America's infrastructure modernized and safe so we can compete in this one-world market. This is but the first of a series of battles that will be waged on this floor on behalf of America's transportation system. It is my privilege to be a part of that team.

I thank the Chair.

Mr. DOMENICI. Mr. President, I yield myself 2 minutes. I want to compliment those who offered the amendment for the way they have handled matters and to tell the same American people that were listening to the distinguished Senator from Virginia that there will be additional highway funding in years to come, there is no doubt about it, but it will not be done at the expense of unbalancing the budget. It will not be done at the expense of just saying we will spend some money even if the deficit goes up. I look forward to the day we do it in such a way that it is balanced and that, as a matter of fact, if we increase, we cut some things to make up for the difference so we stay in balance.

Mr. STEVENS. Will the Senator yield?

Mr. DOMENICI. I yield 2 minutes to Senator STEVENS.

Mr. STEVENS. As chairman of the Appropriations Committee, I want to tell the Senate that those of us who are voting against some of these amendments are doing it because there is no money to fund these sense-of-the-Senate resolutions. I say to any of you that want to offer amendments that change this budget, that authorize additional funds—show me the money. Show me where the money is when you offer amendments that change the budget plan agreed to with the President.

I have discussed this with the distinguished Senator from West Virginia. We will have the obligation to allot money within the budget among 13 subcommittees. A sense-of-the-Senate resolution does not give us any more money but it gives us the problem that you have sent a message to America that there is money in this budget to do something the Senate votes for in a sense-of-the-Senate resolution.

When the budget resolution, just before, was voted I asked for a chance to come to the floor again, and I ask for you to reserve some time and we will show where a commitment has been made by the Senate to fund items where there is no money. I urge the Senate to wake up. We are voting against these matters not because we are against highways or aid for children who need insurance. We are voting—the Senators from New Mexico and New Jersey have brought us a resolution. We had a budget that has been worked out with the President and we have a chance to vote for a balanced budget. I do not want to be accused of being a tightwad when we allocate the money under 602(b) of the budget act and then we do not cover the sense-of-the-Senate Resolutions.

Again, if anyone is going to accuse us of being tightwads and not following the sense of the Senate, I tell you, if you vote for one of these things, you show us where the money is and we will allocate it. We will not be misled by these attempts to gain publicity and to gain some credit at home on a bill like this. This is a very serious bill. The two of us are going to have a horrendous job trying to meet our duties even within this budget, so do not give us any more of this funny money. You show me real money and I will allocate it to your function.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I yield.

Mr. BYRD. Mr. President, I wish to associate myself in considerable measure with the distinguished Senator from Alaska [Mr. STEVENS]. We have been voting for a lot of sense-of-the-Senate resolutions. I think we had one yesterday, 99-0. We know it is not going to be paid for.

On this business about infrastructure, we hear it said that there is no money. I am from a State that needs infrastructure. We say there is no money. I shall state why I supported the Warner-Baucus amendment. We do not need a tax cut in this country right now. We do not need a tax cut. I say that with respect to the Republican tax cut and with respect to the tax cut that is supported by the Administration. We do not need a tax cut. When we see what we are doing in this budget resolution with respect to cutting taxes—cutting taxes at a time when we are within reach of balancing the budget, if we were to use that money that is going for the tax cut, we would balance this budget much earlier than it is expected to be balanced now and we could also use some of that money for infrastructure. If we want to know where we

can get the money, that is where it can be found. Let's vote against the tax cut.

I am going to vote against this resolution if we have the tax cut tied with it.

I thank the distinguished Senator.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey.

Mr. LAUTENBERG. I yield myself 2 minutes off the resolution.

Mr. President, I don't like being put in the position that appears to be developing here, that I am against investment in infrastructure. I stand on my record of having fought as hard as anyone in this body to invest more money in highways, in mass transit, in rail and aviation, whatever was called for. I never met a transportation project I didn't like if it was a well-founded and well-thought-out project. But the insinuation by our distinguished friend from Virginia to caution us and to lay down the scare that we will be counted upon or we will be looked upon by the Record and by the voters, I want to say this: The Senator from Virginia took the liberty yesterday of voting against the funds for crumbling schools, against schools that are tattered and falling apart, where children can't possibly learn. That was OK to vote against. And the appeal wasn't made, and there was no threat that if you vote against this, you are committing those kids to an even more difficult assignment to try and lift themselves up.

I have defended investments in transportation as chairman of the Subcommittee on Transportation of the Appropriations Committee. Without fail, I have defended investing more. But the onerous comparison is that we neglected our responsibility. It is almost as if you are unpatriotic.

I don't really like everything in this budget resolution. But I am committed by my constitutional responsibilities. If I take the assignment, I have to work on it. We negotiated in good faith, and I don't like some of the tax concessions we have in there. But I think middle-class people in this country are entitled to some tax relief. I think those who want to send their kids to college are entitled to some help to get them the first step up on the economic ladder.

No, I don't like it all. But I have my duty to do, and I did it. It wasn't pleasant. It wasn't pleasant when I went into the Army in World War II, either, but I did it. And the insinuation that somehow or other I have deserted my responsibility is one that really offends me.

We did what we thought was best, each one of us, whatever the vote was. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is my understanding that I was to be able to call up an amendment at this time.

Mr. LAUTENBERG. That is in the order. That is true.

Mr. KERRY. Mr. President, before I use any of that time, just as a matter of courtesy and parliamentary process, my distinguished colleague is also standing for recognition.

If I could ask the Chair what the Senator's intent might be, we might be able to work out an arrangement.

Mr. DORGAN. Mr. President, my intention, having talked to the ranking Member, was to seek 10 minutes for debate on the resolution. Whatever fits with the schedule of the Senator from Massachusetts will be fine with me.

Mr. LAUTENBERG. It is a commitment that was made, I say to the Senator from North Dakota. But the Senator from Massachusetts did have a priority and was on record as being next in line. If an accommodation can be made between the two—if not, the Senator from Massachusetts has an opportunity to offer an amendment.

Mr. KERRY. Mr. President, I ask unanimous consent that the Senator from North Dakota be permitted to proceed for 10 minutes, and subsequently, when he completes, that I be recognized for the purposes of calling up my amendment.

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

Mr. DORGAN. Mr. President, I thank the Senator from Massachusetts for his courtesy. I wanted to speak for a couple of minutes on the resolution itself that is brought to the floor of the Senate. I want to talk just for a moment about what it is and what it is not.

This piece of legislation is a budget agreement that I intend to vote for on final passage. I think a substantial amount of work has been done by the chairman of the Budget Committee, the ranking member, and many others in the House and the Senate and in the White House. They have negotiated in very difficult circumstances the terms of a budget agreement. But, as I said, I want to talk about what this is and what it is not.

This is a budget agreement that provides a balanced budget of the unified budget. Is that something that has merit? Yes, it is. Is that something that moves in the right direction? Yes, it does. But it is not a balanced budget amendment that balances the budget without the use of trust funds, such as the Social Security fund. I want everybody to be clear about that.

On page 4 of this budget resolution, which is on the desks of all Senators, it says "deficit." On line 24, it says "deficit" in the year 2002, "\$108 billion." Why does it say that?

It says that because this piece of legislation balances what is called the unified budget. Many of us believe there is another step to be taken after that. That is to balance the budget without the use of trust funds, especially without the use of Social Security trust funds.

For that reason, I voted for the initiative offered yesterday by the Senator from South Carolina. It got very few votes, I might say. But he said, let us balance the budget and not do tax cuts and not do added investments at the start so that we balance the budget completely without using the trust fund, and then, as the economy strengthens and as we have extra money, let us provide for the tax cuts and let us provide for the added investments. Obviously, that proposal failed.

I will vote for this budget agreement. But it is not truly a balanced budget. It moves in the direction, and it moves the right way. But it will leave this country, still, with a deficit. That must be the next step following action on this document.

There are several steps here in climbing a flight of stairs to get to the point where we make real progress. One step we took in 1993. I was one who voted for the budget in 1993. I am glad I did. I said at the time it was a very controversial vote. It passed by one vote in the U.S. Senate—a budget agreement to substantially reduce the Federal budget deficit. It passed by one vote, the vote of the Vice President of the United States.

Some paid a very heavy price for that vote because it was controversial. It cut spending. And, yes, it raised some taxes. But what was the result of that vote in 1993? The result was a dramatically reduced budget deficit.

In that year, the unified budget deficit was close to \$290 billion. Again, using the unified budget, the Congressional Budget Office now says the unified budget deficit is going to be, at the end of year, \$67 billion.

What has caused all of that? Well, a good economy and a 1993 budget act that a lot of people here had the courage to vote for, that passed by one vote, that says, let's put us moving in the right direction; let's move us in the right direction to substantially reduce the budget deficit. And only with that vote, and only with the progress that came from that vote, are we now able to take another very large step in moving toward a balanced budget.

What was the result of that vote? It was interesting. We had people in 1993 on the floor of the Senate who said, if you cast a "yes" vote and pass this budget, the economy will collapse; the country will go into a recession; it means higher deficits and a higher debt; it means the economy goes into a tailspin.

It passed with my vote—and, yes, the votes of some of my colleagues who decided to say to this country that we are serious, that we are going to move this country in the right direction even if the choice is painful for us to cast this vote.

What happened? What happened was 4 years of sustained economic growth, inflation coming down, down, down, and down, and unemployment coming down and down for 4 years in a row. We have more people working. This country now has 12 million more people on

the payrolls that we did in 1993. We have an economy that is moving ahead, a deficit that is moving down, and inflation that is at a 30-year low.

I wonder if those who predicted doom from that vote now won't join us and say, "You did the right thing. It wasn't easy to do. But because you did it, we stand here today now able to take the next step." The next step is a step in which we now try to choose priorities.

What do we make investments on in our country, and where do we cut real levels of spending?

That is what this document is about. It is a compromise between Republicans and Democrats, between a President and Congress, that tries to establish priorities. Frankly, while it reduces spending in some areas, it cuts out entire classes of spending in others. It also increases some investment in spending in yet other areas.

What are those? Education: It makes a lot of sense for us even as we attempt to move toward solving this country's fiscal problems to say that we don't solve the problems of the future by retreating on things like educating our kids.

So this piece of legislation says education is a priority—more Pell grants, more Head Start, more investing in education, from young kids to college age and beyond. It says we are going to invest in education.

Then it says the environment and health care. It says these areas are priorities. They are areas that make this country strong, and we will continue to invest in those areas even as we move to reconcile our books so that we are not spending more than we take in.

That is why this is important, and it is why it is successful. I am pleased, frankly, after all of these years, to be on the floor of the Senate saying this is something that is bipartisan. Finally, Republicans and Democrats, rather than exerting all of their energy to fight each other and beat each other, are deciding there are ways that we can join each other and pass a piece of legislation that moves this country in the right direction. I think the American people probably think it is a pretty good thing that bipartisanship comes to the floor of the Senate in the form of this budget resolution.

I started by saying I would talk about what this is and what it isn't. I am going to vote for this. It moves this country in the right direction. It preserves priorities that are important to preserve, and investment in this country's future. It represents a compromise. Many of us would have written it differently. We didn't get all we wanted. But it moves this country in the right direction while preserving the kinds of things most of us think are important as investments in our country's future.

This is not a balanced budget, not truly a balanced budget. It balances something called the unified budget. But it is a major step in the right direction. I hope we will take the next

step beyond this to say that, on page 4 of the next budget resolution, line 24, we will say "zero" in a future year. That is when we will truly have completed the job.

But the choices here are not always choices we would like. The choice that we now ask ourselves is, does this move us in the right direction with respect to the things I care a great deal about—one, fiscal discipline; a more deficit reduction; investment in education, health care, the environment—things that make this country a better place? The answer, unequivocally, is yes. This moves America in the right direction.

Is it an exercise between the President and Congress, between Democrats and Republicans, that will give this country some confidence that the past is over, that the reckless, the irresponsible fiscal policy of saying let's spend money we don't have on things we don't need and run up trillions and trillions of dollars of debt for our kids and our grandkids to assume? Is it a message to the American people that we are beyond that period and have moved on to a new day of bipartisanship to decide together we can plot a better course and move this country toward a brighter future? The answer to that is yes.

If the past is any experience, since 1993, the vote we took then to put us on the road to balancing this budget is a proud vote and one that I am glad I cast. I will be glad I cast this vote as well, because this is the next major segment of the journey to do what the American people want us to do on their behalf and on behalf of so many children who will inherit this country. They will inherit a better country because of what we will have done in this Chamber this week.

Mr. President, I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is my understanding that we have under normal regular order an amount of time at this point.

The PRESIDING OFFICER. That is correct.

Mr. KERRY. I thank the Chair.

I yield 4 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator has no time. The Senator hasn't called up his amendment.

AMENDMENT NO. 309

Mr. KERRY. I call up amendment No. 309.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. ROCKEFELLER, Mr. KOHL, Ms. MOSELEY-BRAUN, Mr. WELLSTONE, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BINGAMAN, proposes an amendment numbered 309.

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

Mr. KERRY. Mr. President, I now yield to the Senator from Minnesota 4 minutes.

Mr. President, before I yield let me just take 1 minute to explain. This is an amendment to hold out a possibility—I yield myself such time as I may use—to hold out the possibility that when we come back in the appropriating process, we may be able to find some money to deal with the issue of early child development. We do not spend money now. We do not trade money. We do not have an offset. We do not spend. We simply want to be able to reserve the capacity to come back at a later time to deal with this issue. I will explain why I feel that is so important, as do the other Senators joining me. This is an amendment that is co-sponsored by Senators KOHL, MOSELEY-BRAUN, WELLSTONE, ROCKEFELLER, MIKULSKI, MURRAY, and BINGAMAN.

I now yield 4 minutes to the Senator from Minnesota.

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

Mr. WELLSTONE. Mr. President, I will be very brief.

I see the Senator from New Mexico.

Mr. DOMENICI. Will the Senator yield?

Mr. WELLSTONE. I will be pleased to yield.

Mr. DOMENICI. How much time is the Senator going to use in total? I am trying to be accommodating. Use as much time as you like. Do we have any idea?

Mr. KERRY. Mr. President, I cannot tell the Senator precisely, but I can absolutely tell you I am going to yield back time. I think it will be somewhere in the vicinity of a half-hour.

Mr. DOMENICI. My problem is, Mr. President, I have to go to an important meeting with the minority and the majority leaders, and I have not had a chance to speak to the Senator about this amendment. I want to speak to him about it. I am wondering, if the Senator does use his whole half-hour, could we then get another amendment ready and call it up and set the amendment aside?

Mr. KERRY. I will be delighted to set this aside for whatever period of time the manager would like. I do want to engage in a dialog on it.

Mr. DOMENICI. Will the Senator agree when he is finished—

Mr. KERRY. I will agree to request that this be set aside.

Mr. DOMENICI. When the Senator is finished, will he suggest the absence of a quorum and I will return as soon as I can?

Mr. KERRY. Mr. President, I will be happy to agree with the Senator from New Mexico.

Mr. DOMENICI. Then I ask unanimous consent that when they are finished with the argument, the quorum call be called for and I will then attend the meeting and return as quickly as I can.

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

Mr. DOMENICI. We cannot do that. We all understand.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will have an opportunity to have an amendment and speak on it a little later this afternoon, so let me be very brief.

I rise to support this amendment that Senator KERRY has introduced. I think more than anything else it is an amendment that almost asks us to engage in some reflection. It does not call for spending any additional money. It asks us to pause and think deeply about our priorities and at least consider the possibility that we might eventually be able as we go through this reconciliation process to make some significant investment in these very critical and very important early years.

As a former college teacher, and I think more importantly as a parent and grandparent, I am absolutely convinced from my own experience and from spending time in a school in Minnesota about every 2 or 3 weeks during the school year we have to get to the point where every child who comes to kindergarten has been read to widely, that we have to get to the point where every child who comes to kindergarten knows the alphabet and knows how to spell his or her name, knows colors, shapes, and sizes. And we have to get to the point where every child who comes to kindergarten comes with that sort of wonderful readiness to learn.

The critical challenge for all of us, which kind of speaks to what we are really about, speaks to what our goodness is, is to make sure that each and every child enters kindergarten with this wonderful readiness to learn. The problem is that for all too many children this does not happen. I am sure that Senator KERRY has referenced so much the neuroscience evidence that is coming out now. I think we know what to do. I do not think it is true we do not know what to do. And we just have to get it right. There is sort of an interconnection of the nutrition part and the health care part and the intellectual development and child care part and we have to do much better for children in this country.

Hopefully this amendment will be an amendment that will generate bipartisan support. I think it is a plea. I think it is a call upon all of us to reflect. It is an effort to say to all of us, think deeply and let us, at least, hold out the possibility as we move through this reconciliation process we can invest in these children and their opportunities.

I yield the floor.

Mr. KERRY. Mr. President, I thank the Senator from Minnesota not just for his support for this but especially for his long-term commitment to it and his enormous understanding as a former teacher of how important these ingredients are.

Mr. President, I yield 5 minutes to the Senator from Wisconsin.

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

Mr. KOHL. I thank the Senator from Massachusetts.

Mr. President, I rise today as a supporter of this budget and as a cosponsor of the Kerry amendment.

This budget deserves the support of the Senate for several reasons. It is bipartisan and it is centrist. It funds priorities like education and child health that transcend party lines. It includes reasonable tax relief targeted toward families and economic growth. It balances the budget by the year 2002 and it produces surpluses to reduce the debt in the years after that.

This good deal will be made better by adopting the Kerry amendment which makes clear the Senate's commitment to very young children. A compelling amount of research on the brain has confirmed what scientists have long talked about for years, that the most significant period in a child's development is between the years of zero to 3. Unfortunately, the Federal commitment to early childhood education has not caught up with our understanding of how important the first 3 years of life are. Early education and child care receive fewer resources for teacher training, salary, and even respect than the rest of the education system.

According to data compiled by the Rand Corp., while 90 percent of human brain growth occurs by the age of 3, public spending on children in that age range equals only 8 percent of spending on all children.

And so, Mr. President, we are clearly missing a unique opportunity. A look at the current Department of Education budget shows the stark funding disparity against early childhood education. Of \$29.4 billion in current estimated education expenditures, only \$1.5 billion or 5 percent is spent on children from birth to age 5. A new commitment to quality child care is a necessary response to the fact that children between the ages of zero and 3 are spending more time in care away from their homes. Almost 60 percent of women in the work force have children under the age of 3 requiring care. Many of these working families will not be able to find quality child care for their young children. And while Federal, State, and local governments have helped build a strong education system for 5- to 25-year-olds, care and education for zero to 5-year-olds is largely unstructured, undervalued, and scarce. Resolving this inequity will require solutions through the public and private sector.

I proposed legislation to encourage the private sector to invest in child care for their employees through a new tax credit. I intend to work with Senator HATCH who is the primary cosponsor of my bill to see to it that this important child care incentive is included in the overall tax provisions of the budget.

The amendment before us now would give us the opportunity under this

budget to enhance innovative early childhood programs focused on the educational needs of children in the zero to 3 age group. This initiative does not earmark a specific amount of money. It does not create any new bureaucracy and it does not threaten this budget. So, Mr. President, a solid and sensible commitment to early childhood education specifically focused on children from zero to age 3 is long overdue. I urge my colleagues to support this amendment, and I yield the floor.

Mr. KERRY. Mr. President, I am particularly grateful to the Senator from Wisconsin for his support because as a supporter of the budget—and he has long been an advocate of balancing the budget and reducing the deficit—he has taken some tough votes in the Senate in an effort to do that, sometimes separating himself from colleagues on this side of the fence, but he is supportive of this amendment.

My hope is that colleagues on the other side of the aisle will not see this amendment as a threat but, rather, see it as an opportunity for us to simply reserve the possibility that as we go into the process of reconciliation we may find that revenue expectations are better or that we are in a better position to take money from some other program that people have thought differently about and invest some of it in early childhood development and education.

I have been working to try to develop a way to do that with Senator COATS from Indiana, Senator MCCAIN, Senator BOND, and Senator DEWINE. We have not yet resolved exactly the methodology by which we would want to do it, but I think it would be a mistake were the Senate to preclude the opportunity, to have potential points of order and all kinds of parliamentary gobbledygook restrain us from coming back to this if Senators on both sides of the aisle can find a good means of coming together on this. I think there are enough people on both sides of the aisle who recognize why this is important and why we ought to do it, but my principal objection to this current budget that is in front of us is the absence of a sufficient commitment to our children.

We hear an enormous amount of talk in and out of the Senate, all around the country, properly so, about the implosion of family, about the absence of family values, the absence of community in many cases in our life.

If you look at the statistics with respect to the increase of juvenile violence and you look at the statistics with respect to the condition of some of our education system and schools, if you look at the absence of after-school programs, the absence of sufficient drug treatment and other problems, it is clear that in many ways what we are doing is running a national farm system for the trouble spots. We are running a national farm system for young people to move up the ladder of difficulty, ultimately to become \$50,000- or \$80,000-a-year wards of the State.

Now, that is not an exaggeration. That is a reality that is documented by facts, implacable facts that none of us can deny. The truth is that since 1969, the gross domestic product of the United States has doubled, but in that same span of time child poverty has increased in the United States of America by 50 percent. As I stand here today in this Chamber, all of us know that there is a huge problem in America with births out of wedlock. Some people may say all right, what does that have to do with this budget and where we are heading?

We are living in an age where 33 percent of all the children in America are born out of wedlock. One-third of America's children are born into a single parenting situation. And in a world where 60 percent of the mothers of children from 6 on down are at work in the workplace, we have got to stop and think about what is the availability of surrogate parenting, of care for those children when they are away. What you know is that if 33 percent of your children are being born out of wedlock without even measuring the difficulty that many two-parent families have, you know that the vast majority of that one-third are born into a state of crisis, a very difficult structure for parents to adequately be able to teach and adequately be able to instill those children with the values we talk about.

Now, some people may say, well, that is going to happen automatically. The fact is it does not happen automatically. I just share with you the results of that.

In our country, while the stock market is at the rate of 7,290 or so points, while chief executives of our corporations are earning a record 200-plus times the average worker, while we have a record level of employment and a record level of control of inflation at least for some 30 years, we find that an American child drops out of school every 8 seconds; an American child is reported neglected or abused every 10 seconds, is arrested every 15 seconds, is born with a low birthweight every 2 minutes, born into poverty every 34 seconds, is killed by gunfire—an American child is killed by gunfire every hour and a half and commits suicide every 4 hours.

The costs to our society of these children who are being raised without adequate supervision, without adequate input, are simply enormous. Business Week estimated, in a study that it released recently, that we are spending \$425 billion a year annually on crime in the United States. The total annual economic cost to society of drug abuse is \$67 billion. So we are just losing \$67 billion out the door as the cost of people who wind up being part of the drug culture, largely as a consequence of their lack of capacity to make a better choice.

We have learned a lot in the last years. I used to be a prosecutor and I spent a lot of time, and I still spend a lot of time, talking to young kids, 14

and 15 years old, or 16 years old, who are in trouble. Almost every kid I have ever talked to, once they finally get into some kind of mentoring program, once they finally have some kind of adult supervision in their lives, has said to me: Senator, this is the first time in my life that somebody has provided a structure for me. This is the first time in my life that somebody has told me I am valuable. This is the first time in my life somebody said I can be somebody, I can do something. It is the first time in my life I had to get up in the morning and do chores and be responsible for myself.

Inevitably, anybody of good sense is going to stand back from that and say, wait a minute, why are we waiting until they are 15 or 16 years old for kids to be able to say this is the first time these experiences, which hopefully most normal kids get all through their lives, are experienced?

I have sat with my friends on the other side of the aisle and we talk about this. We talk about, what do you do if 33 percent of your kids are born into a situation where it is almost predictable that they are going to have trouble? I respectfully suggest it is not enough to simply say, oh, it's individual responsibility. Oh, it's up to the parents. Because, obviously, these are situations where the parents have already failed and where there is no individual capacity to make a difference.

The question for all of us here is, who is going to make a difference? Or, are we going to be so blind, and even sometimes so stupid, that all we are going to do is wait until they come down that track, get into trouble, and we are finally going to make great speeches and say, throw the book at them, send them away.

We have learned a lot in the last years about the science of brain development and of children. It is not altogether new to all of us, because the fact is that pediatricians and people of good sense, child psychologists and others, have been telling us a lot of this for a long period of time. But what we now know scientifically is that the brain of a baby develops almost fully in the first 3 years—almost fully. The brain of a child, when it is born, has about 100 billion neurons in it and those neurons are rushing around, making the connections that empower that brain to be able ultimately to create the capacity to relate to people, to do certain tasks, to learn.

Mr. President, this is a CAT scan of two brains. These brains were originally shown to doctors and the doctors were asked, "What do you see there?" The doctors said, "Well, those are the two brains; one is an adult's brain fully developed, and the other is the brain of an adult with Alzheimer's disease."

They were wrong. These are both the CAT scans of 3-year-old brains, both of them. One is the 3-year-old brain fully developed, with the area of red, yellow and green which represents the full development of that brain. Here in the

dark areas of this brain there is nothing. It is blank. The scientists now tell us that the brain of a 3-year-old, properly stimulated so those neurons properly make connections, will be 25- to 30-percent larger than the brain of a child that does not receive that kind of stimulation.

I want to read to you what that is all about. This is from "Nightline." Ted Koppel did an interview with the doctors who were involved in this. I want to share with you what Dr. Stanley Greenspan at George Washington University says. He said:

Well, what we've learned is that a lot of commonsense makes common sense, but we've added a few little twists onto common sense. For example, we've identified the six kinds of experiences in the early years that will help promote not just our intelligence, but our morality and our sense of self. It starts with a baby learning to pay attention. We figured out that babies attend differently. Some babies like high pitched sounds, some low pitched sounds, some bright lights, some dull lights. So now we can cater the experiences to the baby's senses.

We've also learned that babies fall in love, the second step, differently. Some babies need to be wooed. We need to pull them in. We need to smile a lot. Other babies reach right out and charm us.

The third step in the building of our intelligence and our morality and sense of self, learning to be logical. By eight months, babies are capable of give and take games with smiles and smirks and head nods and back and forth, but some babies we need to woo into these interactions.

He goes on to say that, later on, at toddler stage, babies learn to be problem solvers and that one can develop the intelligence much further by encouraging that child in that problem solving, and so forth.

Unfortunately, when so many of our children are born into this state of crisis, when so many of our children are even the sons and daughters of children, of 15- and 16- and 17-year-olds, they do not have a clue about these interactions. They don't understand what parenting is at that stage.

And if we are not going to inherit a significant number of those children as children with learning disabilities, children with health problems, children with sociopathic problems, with the inability to adjust, the inability to relate—then somehow, if we are going to come back from this precipice, I respectfully suggest to my colleagues we need intervention in the place of that incapacitated parent. In the absence of the parent, who is going to provide the structure for that child to have the values that all of us want that child to have?

I am not here to suggest it should be the Government. I don't want the Government to do it. We've learned a lot about the downside of that. I am not here to suggest that it ought to be another big Federal program. We've learned a lot about that. I am here to suggest that we have to create a new model, a new way to think about this.

I think Senator COATS and Congressman KASICH and some others have

thought about that a lot. But I do not happen to agree with their methodology of how they get the resources for it. I do agree with the notion that there are thousands of efforts out there in this country, Boys Clubs, Girls Clubs, YWCA, YMCA, the Youth Build, the ABC mentor programs, Success by Six, Smart Start—North Carolina, by Governor Hunt—a host of efforts that are proving their capacity to provide grassroots, local, home-grown efforts that make a difference in the lives of these children.

But every single one of them is drowning in the demand, and there isn't a sufficient supply. I was in an early infant toddler care center in Boston the other day, the Castle Square Child Development Center. There are about 67 children in there, early infant toddlers, getting this kind of input. But for the 67 that are in there, there are 400 on the waiting list. And those 400 will never cross the threshold of that place because they will be 6 years old before there is room for them.

What I am respectfully suggesting is that there is an ability for us to reduce these costs that we are spending on drug abuse, on imprisonment, on the violence in our streets, on the back end, and rescue a whole generation from this problem of lack of sufficient input at the early stage, if we would think about how to empower those local entities directly; not with big Federal bureaucracy, but directly.

Mr. President, in the last 10 years, we have taken our prison population in America from about 450,000 to 1.5 million. So we are filling up our prisons, and we are building more prisons. There has been, I think it is, a 248-percent increase in prison spending in the last few years. I want to show you the spending on children, because it is absolutely inverse.

This blue line represents the line of brain development. It goes up, obviously, dramatically in the first 3 years. It grows a little bit as you go on from there, and when you reach about 14 years old, it flattens out, regrettably, and then for all of us who are getting older, at the back end, it starts to tail down.

Mr. President, a 15-year-old's brain versus the brain of a child, a baby, the brain of the baby is growing 1,000 times faster than the 15-year-old. The brain of a baby is growing 10,000 times faster than the brain of a 50-year-old.

Here is the line of expenditure of the United States. We are spending exactly inversely to the most important years of brain development. We spend the most money at the very tail end; we spend the least amount of money up front.

I want to underscore what we are trying to do here. This is not coming to the floor with a specific program. It is not coming to the floor saying money will go to early Head Start or money will go to the charitable institutions I talked about, although I would like to see that happen. We are merely trying

to reserve the capacity to be able to agree in the course of the next months that we will do something to address this vital issue. I am confident that we will be able to find a bipartisan place to begin in order to be able to focus on what really works.

I would like to see us at least have some pilot projects that invest in the capacity to put some leverage directly into those charitable institutions so we can see the grassroots do a better job at the local level of being able to reach out and intervene. It is my hope that colleagues will recognize the wisdom of at least reserving a place in line so that we can argue about this at a later time.

Mr. ROCKEFELLER. Mr. President, I thank the Presiding Officer and I thank the Senator from Massachusetts. I was listening to his speech. It was very interesting.

Mr. President, I should say at the beginning, I am an original cosponsor, of Senator KERRY's bill, and proud to be the second on a distinguished list. I think there is a tendency in this body, when we do something for children—let's say we do a tax credit or we do something in Head Start or where we do something in health care—to say that we made a dent and we can go on the next issue in the next year. I think of all the areas of life that we deal with in the Senate, that is the most inaccurate assessment and approach. When it comes to what our children need to prepare for their futures and what they are going to be like as adults, we need to follow through. And we must begin in the earliest years.

I spent a number of years in Japan. In Japan, when a baby is born, and while the baby is growing to a certain age, they do not have cribs. They do not have cribs, because in Japan the baby sleeps between the mother and the father. Why is that so? That is so because they, as a matter of culture and history and instinct, know that bonding has to start at the beginning. That is about the clearest form of bonding that there can be.

But even before that, there is a Japanese word called *taikeo*, in which the pregnant mother talks to—and this is standard in Japan—they talk to the baby in the womb on a regular basis. That would make a fairly strange sight, I guess, walking down the streets of Washington, DC, or West Virginia. But the Japanese understand something that Senator KERRY showed with his graphics there about the two brains, that we clearly don't. They understand when you are looking at the raising of children and their future, you have to take a holistic approach. You have to start with early childhood development. You have to follow through, and keep providing the support, education and development support. And you must keep at it. That is both enormously frustrating, but, in a nation which purports to care about its children, it is absolutely essential that we understand that helping children

and strengthening families is an unending job. The work on behalf of children is never finished, no matter how much we do. In the private sector, as individual parents, it is not good enough. No matter what we do in the public sector, there will be more that could and should be done if we are serious about the real definition of children's future—and we must be for their sake, and the sake of our society.

I spent, as I have said before, as this Senator said before on this floor, 4 years as the chairman of the National Commission on Children. We took a comprehensive look at children's needs—income security, health care, education, values, and the effects of media. We did everything, and we came out of it with a unanimous report. I picked the name for the publication that we put out. I liked it. It was called *Beyond Rhetoric*. That is what we have to come to terms with in this body, that we are very good at the rhetoric. In fact, on children—our rhetoric tends to be more bipartisan than other subjects which is good. And we actually do some good things, insofar as the public has any role in that, as apart from parental responsibility and even children's responsibility to themselves.

But we are in a huge new world of responsibilities as parents, which I am as a private citizen and concerned father. I am also public citizen and a Member of the Senate. I have obligations to children as both a private citizen and member of my community, and as a public official as well. We are just not going to get off easily if we accept the challenge to move beyond rhetoric and really do something for children.

So I think on this floor, we are going to have to start thinking about those graphs, about those two brains. They are studies of contrasts—both kids' brains, one kid getting attention, one kid not getting attention. What a difference it makes.

I will say another final thing. We do not purport or believe that we are doing everything for the future now with this amendment. What we are trying to do here is a reserve clause to capture the attention of the people. An argument that gets used here often, but not very effectively, is extremely compelling in this case—we need to take action because of the children, but we also need to act to save money for the taxpayers in the future.

We hear that a lot. People discount it. They say, "That's nice that for Head Start, you save \$10 for every dollar you put in now." But, we have to spend the money now, to save the long-term costs of neglecting our children's early development. That is what our problem is. We are in a budget resolution here.

But in the case of children, we are talking about spending billions and billions of dollars more on crime and remedial education, if we do not do the right thing in the early years for children.

Senator KERRY has focused on the zero-through-6 period. He is doing that

with an intensity, with a passion which is absolutely unmatched and which attracted me. I tend to be a Member who votes against amendments on this floor to protect the integrity of this budget deal, which I think we have to adopt. But I feel so strongly that he is on the right track and he is doing the right thing and that I support the Kerry amendment. We have to learn to discipline ourselves to exempt children from the way we ordinarily look at problems: Pass legislation, get the private sector to do something, and then go on to the next thing. Children, their problems, their growth, their development are vital and with us forever. The time to start thinking about children and their futures is right now.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I am particularly grateful to the Senator from West Virginia. His work as the head of the National Commission on Children was absolutely extraordinary. It was way ahead of its time. I am very honored to have him working as part of this effort.

I just say to him that the example about Japan that he raised, that in 1965, when PAT MOYNIHAN first talked about 27 percent then known as illegitimacy in America, the rate of illegitimacy in Japan was 1 percent. It is now 33 percent overall in America; that is up from 27 percent. He was referencing only African-Americans. It is now 69 percent among African-Americans in America; 49 percent among the Hispanics; and 27 percent among the whites. It is still 1 percent in Japan—1 percent.

What is interesting is the Japanese have an adage that the Senator is obviously familiar with. They say that the soul of a 3-year-old will be with you for 100 years. They have been way ahead of us; they have understood that. I am particularly grateful to Senator ROCKEFELLER for his participation and effort in this.

Mrs. MURRAY. Mr. President, I rise to speak on a topic which significantly affects every citizen in America. An issue that has consequences for every child and parent, and tremendous bearing on our Nation's economic status and welfare—early childhood development.

Recent research has proven that an infant's brain initially holds approximately 100 billion neurons. However, without the proper care, nurturing, love, stimulation, and involvement of adults—which most of us were lucky enough to receive—these neurons will not make connections essential for healthy development. The amount of brain development which occurs between the ages of zero and 3 has enormous consequences later in a child's life. Children who are rarely touched develop brains 20 to 30 percent smaller than normal for their age. The 2-year-old girl whose mother is too pre-

occupied with her job to provide the proper care will not be as likely to develop to her potential. This child might feel deprived and angry. The good news is that if parents are given up-to-date information on how to promote brain development, they will be able to raise healthy children. The result will be more productive young adults.

Clearly, we must do something as a nation to provide help when help is needed. The most practical, ethical, and cost-effective way to solve such problems as a nation is to increase funding for early childhood development.

Mr. President, a person's brain develops the most rapidly between the ages of zero and 3, by 350 percent. Ironically, we spend the least amount of Federal money on children during this period, only 20 percent of the public expenditures from which they will benefit prior to adulthood. Between the ages of 3 and 18, however, while the brain develops by another 50 percent, public spending on children increases by 800 percent. We need to change this discrepancy. Parents need more and better information about how to best care for their infants. They need the tools to provide this care most easily.

With greater attention to early childhood development, we will spend less money on children later in their lives. National studies have found increased violence and crime among youth when they do not receive adequate developmental care as young children. Furthermore, greater attention to early childhood development will help children avoid falling through the cracks. It will help them succeed. They will make important contributions to our country—instead of possibly ending up in jail, institutions, or on welfare. The Early Childhood Development Act makes investments now that will benefit our society later by saving money, keeping us competitive, and preventing needless suffering.

I personally know that this is a worthwhile investment. As a preschool teacher 15 years ago, I saw children in need of nurturing. For some children, I was their only source of such care. I knew that my assistance was helping these 2- and 3-year-olds to lead productive adult lives. As a parent educator, I had information to give parents the tools they needed to provide the best possible environment for their children. All parents have something to gain from learning these skills—we just need to make the tools available to everybody.

Senator KERRY's early childhood development amendment puts us on the road toward this goal. The amendment gives grants to States to establish State Early Learning Coordinating Boards. These boards give grant funds to community projects for child care improvement, including parent education and involvement in schools. The amendment establishes forgivable loans for child care workers, who earn a degree in early childhood develop-

ment and agree to work in early childhood development for 2 years. This will not only increase general awareness for early child care, but it will empower individuals to access quality care. This amendment also expands currently successful programs. The Family and Medical Leave Act is expanded to grant parents time to become involved with school. Early Head Start will also have increased funding, which will improve health and nutrition services for low-income infants and toddlers. In addition, this amendment will fully fund WIC, ensuring that every mother has adequate nutrition—and a healthy baby. This will save taxpayers tremendous amounts of money in health care expenditures avoided.

A child learns more from its experiences in the first 3 years of life than at any other time, and the dollars we invest in early childhood now save billions later in welfare, emergency room, and court costs. I have seen a tremendous amount of commitment to children, by many caring adults, in my own experiences teaching preschool. But in order to make a real difference, we need a widespread sense of commitment to improve early childhood development services everywhere. We need a national strategy for informing parents, so they can send their children to the right child care providers, and take an active role in their development.

This amendment is a catalyst for all of these desperately-needed improvements. As policymakers, we must encourage and allow America's children to grow into healthy adults. We need to positively influence the lives of young people right now. Let us change the message we are sending to children, by investing in their futures.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the quorum call be charged equally off the resolution.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KERRY. Mr. President, I ask unanimous consent that my amendment be temporarily set aside and that the time remain as it is on both sides.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. No objection.

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

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 331

Mr. BUMPERS. Mr. President, I call up amendment No. 331.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 331.

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

Mr. BUMPERS. Mr. President, this amendment is very simple, and I will not belabor the Senate's time. It will just take me 4 or 5 minutes to explain it.

I have two amendments, incidentally, 331 and 332. I hope we can dispose of both of them right now.

Under this budget agreement, we assume \$135 billion in tax cuts over the first 5 years of this budget. And of that \$135 billion, \$115 billion is in Medicare cuts.

Mr. President, I yield to the distinguished floor manager.

Mr. DOMENICI. Mr. President, I say to Senator BUMPERS, I inadvertently made a mistake. Our understanding was that we would just consider a Democratic amendment, and Senator SPECTER from the Republican side was entitled to make the next amendment, and then Senator BUMPERS was next. I think we knew that. It has been very difficult. Senator SPECTER has waited around a long time. I wonder if you would consider—

Mr. BUMPERS. Certainly I will accommodate the Senator any way I can.

Is Senator SPECTER here ready to go?

Mr. DOMENICI. We will send out word that if Senator SPECTER is ready, he should come down.

Mr. BUMPERS. I hope to dispose of mine before he even gets here.

Mr. DOMENICI. Maybe we can do that.

Mr. BUMPERS. I will proceed. If he comes, I will lay my amendment aside.

Mr. DOMENICI. I thank the Senator.

Mr. BUMPERS. So anyway, Mr. President, the budget resolution calls for a \$115 billion cut in Medicare, ostensibly to provide some solvency in the Medicare trust fund.

The Finance Committee, in my opinion—in my opinion, we should not go forward with this budget and allow the people in this country who depend on Medicare for their very lives, we should not allow them to believe, as they have a perfect right to believe, that we are cutting \$115 billion out of Medicare and, make no mistake about it, they will suffer.

We say we are going to take it out of providers', hospitals', and doctors' hides. They are going to take it out of the patients' hides and the patients are going to get fewer services.

So I do not want to go home and face my constituents and have them say,

"You cut \$115 billion out of Medicare, and that's all laudable as long as it goes into the trust fund to make the thing more solvent. But did you do that, did you put this on the deficit?" "No." "Did you put it on child health care?" "No." "Did you put it into education?" "No." "What did you do with it?" "We gave it to the wealthiest people in America in tax cuts."

That is the accusation that every Senator should be prepared to face up to when he goes home this fall and in the election year next year.

So what I am saying is, it is a laudable thing to try to make the Medicare trust fund solvent, but what we are doing here is using that \$115 billion to provide \$135 billion in tax cuts. We say, "Well, we're going to make up \$50 billion of that; the net tax cuts will only be \$85 billion." What I am saying in my amendment is we require the Finance Committee to come up with a total of \$115 billion in offsets to offset what we are cutting Social Security by. Otherwise, we stand fairly accused of using Medicare funds to cut taxes for the wealthiest people in America.

Look at this chart. Here is the Medicare savings—\$115 billion. That is the cut in Medicare. What we are going to do is we are going to use that as an offset to accommodate \$135 billion in tax cuts. That is undeniable, unarguable, unassailable. We are using \$115 billion of Medicare cuts to provide tax cuts.

So what I am saying is, let us instruct the Finance Committee not just to put the airline ticket tax in at \$32 billion over the next 5 years, but come up with enough additional offsets to offset the entire \$115 billion in Medicare savings. That is not hard to understand, Mr. President. I hope my colleagues will support this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. If nobody wishes to debate that amendment further, I would like to call up amendment No. 330. I do not want to do this while the chairman's attention is diverted.

Mr. DOMENICI. I am sorry, I say to the Senator.

Mr. BUMPERS. I say to Senator DOMENICI, I will follow up with my other amendment and debate it right now unless you wish to speak on the one I just offered.

Mr. DOMENICI. The Senator wants to offer another one?

Mr. BUMPERS. Yes.

Mr. DOMENICI. Does the Senator reserve any time on the one he offered?

Mr. BUMPERS. I will be happy to have 10 minutes equally divided.

Mr. DOMENICI. On this one?

Mr. BUMPERS. I am finished on this one.

Mr. DOMENICI. You must have great confidence in it.

Mr. BUMPERS. I am hoping we can get back home and tell people how great it is.

Mr. DOMENICI. When Senator SPECTER comes, we will call on him.

I ask unanimous consent that we further set aside both the Kerry amend-

ment and the Bumpers amendment No. 331 while Senator BUMPERS offers his second amendment.

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

AMENDMENT NO. 330

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 330.

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

Mr. BUMPERS. Mr. President, my second amendment is one I feel strongly about—both of these—but I want you to listen to this.

It would delay the tax cuts that are provided in this budget resolution. We are going to face all of this later on in the reconciliation bill. I know that. But what we ought to do is delay the tax cuts until the year 2002. All I do in this amendment is I strike the first \$63.3 billion of tax cuts over the years 1998 to 2001.

You know what that does, Mr. President? It does not balance the budget in the year 2002. It balances the budget in the year 2001. Now, why would we not, after reading the paper this morning and seeing that the Treasury Department reaped a gold mine in April—the surplus in April of income versus expenditures was \$97 billion.

CBO has now said that the deficit could be as low as \$65 billion come September 30. That is a remarkable achievement.

On this floor in August 1993, we passed a bill called the Omnibus Budget Reconciliation Act of 1993. I regret, Mr. President, not one single Republican voted for it. You know what the effect of that was? I told the President as far as I am concerned that is going to be his legacy. All these other things he is trying to accomplish, they are all laudable. I have no quarrel with them. But 5 solid straight years of real budget deficit reduction is going to be his legacy.

But I will tell you how that legacy can be destroyed. That is to proceed with a budget that we have right here which cuts taxes by \$135 billion for the wealthiest people in America, and revenues go down every single year—every single year. If we were to postpone these tax cuts until the year 2002, we could balance the budget in the year 2001.

Let me tell you something else. If we do not strike while the iron is hot, we are going to regret it. I promise you, the assumptions in this bill that our economy is going to be as hot as these assumptions say it will be over the next 5 years is a very dicey situation. We have already had an unbelievable prosperity for the past 6 years. Nothing looks like it since Eisenhower was President. To assume it is going to continue another 5 years is the height of folly. You cannot depend on this budget to balance anything unless you agree with those economic assumptions, and I do not.

I have spent 22 years in the Senate standing in this aisle, screaming my head off about budget deficits. In 1981, when Ronald Reagan was riding the crest the likes of which has never been seen since Franklin Roosevelt, the herd instinct swept through this body and all my screaming was for naught. It did not do a bit of good.

I said—and I will send anybody a copy of the speech that would like to see it—you pass this budget and you are going to create deficits big enough to choke a mule. You cannot cut taxes, increase defense spending and balance the budget any more than you can lose weight on five chocolate sundaes a day. That is the five-chocolate-sundaes-a-day diet. And that is exactly what we are coming back to.

What does it take to educate this body? If you do not learn from past experiences, what are you going to learn from? When Ronald Reagan left office 8 years later, the national debt—which at that time was \$1 trillion and took 200 years to get to \$1 trillion—when he left, all his 8 years later, it was \$3 trillion. He had tripled the national debt because of the folly, the political folly, the political herd instinct that swept across this body in 1981.

I am proud to tell you, Mr. President—a little self-serving—I did not vote for it. There are only 11 Senators who voted against the tax cuts. There were only three Senators who voted against the tax cuts and for the spending cuts. We could have balanced the budget by 1985 easily if everybody had voted the way those three Senators voted.

So here we are, back at the same old stand: It did not work before, but it'll sure work this time. We will cut taxes, are going to cut taxes, going to increase spending, and bring you a balanced budget.

While the deficit goes from \$67 billion anticipated this fall, the fifth straight year, from \$290 billion in 1992—\$290 billion—to \$67 billion this year, 5 straight years of deficit reduction, what does this budget do? Why, it takes it back up to \$97 billion next year and \$97 billion the following year and \$83 billion the following year and \$50 billion the following year. Then the following year a \$1 billion surplus.

I have some great land in the Everglades I would like to sell you if you believe that is going to happen.

Mr. President, all we have to do is vote very simply to postpone the tax cuts. I am not saying do not ever cut taxes. But you are either for cutting taxes or for balancing the budget, but you cannot be for both and be economically sound in the process.

So I am asking my colleagues to say, postpone the tax cuts until the year 2001 and balance the budget at the soonest possible date. Then you can argue all the other economic nonsense. But our first priority is to balance the budget. You are not going to do it with this budget. If you assume that the economy is going to stay like it is

right now for the next 5 years—I do not know whether I will be here or not. I would just like to be around at the end of 5 years so I can say, I told you so. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I say to Senator BUMPERS, I wonder if we could ask how much time the Senator used, and I would use the same amount of time, and then there would be no more time used.

Mr. BUMPERS. Mr. President, I will be happy to reserve 2 minutes.

Mr. DOMENICI. Two minutes.

Mr. BUMPERS. Of additional time.

If I may, Mr. President, I ask unanimous consent to add the Senator from Virginia [Mr. ROBB], as a cosponsor of this amendment.

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

Mr. DOMENICI. Mr. President, while I am having a great deal of difficulty discerning the difference between the two amendments, let me tell the Senate what I believe the sum total of the two amendments are.

The distinguished Senator from the State of Arkansas does not believe in tax cuts. It is just that simple. When you go to work on a budget, you ask the American people to let you reform some programs that are out of control, and you save some money.

When you ask the American people to let you reduce spending in some other areas, or at least keep it intact, when you do that, you come up with a surplus, and you say, we want to give that back to the American people. You know that is a tax cut.

We do not have any other way to give back to the American people what is theirs. We give the American people a lot of programs. But when you reduce taxes, you are giving them back what is theirs. They already earned it.

No matter how you cut it, both of these amendments—one says in this budget resolution you are permanently prohibited from giving any tax cuts. That is plain and simple. That is one of them. Now maybe my friend will explain it with relation to other things, but that is, plain and simple, what it is.

What we have done in the overall budget, we have restrained Government such that there is sufficient funding to give the American people a modest tax cut, a net of \$85 billion out of a tax take in the trillions. It is not like we are giving them a huge tax cut. Well, let us give them something. Balance the budget and give them some kind of balance. What is the use of having a balanced budget if there is nothing in it for the people?

We are trying to get the economy running better, and to do that we want to get a balanced budget and to make sure the American people feel better about their day's work and their taking a chance on investing. You want to give them some back. To those moth-

ers and fathers raising kids under 18 years of age, we would like to say to them, we understand your problem and we have enough savings in this budget we will give you a tax break. It is not pie in the sky.

The economic assumptions, and I know we are not supposed to talk about technicalities, but the distinguished Senator said he would not rely on any of these assumptions. Mr. President, let me tell you, there are literally thousands of American businesses who do economic planning, thousands of them, and the biggest of them in America rely on more generous economic assumptions than are in this budget resolution. The Office of Management and Budget has more generous economic assumptions. We have the most conservative set of economic assumptions you will find from any major institution or business in America. We did that because that is a way of saying if you should have a downturn, if you should have a downturn you have taken that into consideration by using very, very conservative economic assumptions. Nobody does it any differently. Nobody comes along and says, well, let's write a 5-year budget and in the third year, let's have a recession and plug it in. First, nobody wants to do that because they are frightened to death of such a concept, but what economists do is build in low economic assumptions. That is what we did.

Frankly, I do not want to be on the side that says there is no room in the Federal budget to balance it and give the American taxpayers a break. I believe there is. In fact, I believe, absent some untoward happening, something untoward happening, I believe we will be balanced ahead of 2002 because I believe the economic assumptions are so low that we will do better for at least 2 out of the next 4 years than are estimated here. I did not choose to put that in. I choose to use modest, conservative economic assumptions.

Now, the Bumpers amendment that tries to allude to Medicare has nothing to do with Medicare. The President of the United States joined with Democrats and Republicans and said to the senior citizens of America, we want to do something for you in this budget that is positive and good. Lo and behold, what we have done is make the Medicare trust fund solvent for 10 years. That is not bad. It is bankrupt in about 3 years if we do not do that. That is No. 1 on the positive side, we made it solvent for 10 years. We told the providers in America that they will get paid differently, and for the most part paid less. We told the Medicare people that run the program, give the seniors all kinds of options because there are options to get better service at cheaper rates. We also moved part of home health care out of the trust fund and said we will take care of it under a more generous program, all of which contributes to the senior citizens of America in a very mighty way.

Now nobody can kid anybody anymore. The tax cuts have nothing to do with that. Let me tell you, you wipe out the tax cuts—let's just do that. We will think it out here, take out the tax cuts. But also if you think through Senator BUMPERS's proposal—maybe we ought to wipe out all those reform measures that save money for the Medicare fund, or what I am saying in another way is that all of the savings for the Medicare goes back to Medicare. All of the savings for Medicare go back to Medicare. They do not go to taxpayers, they go back to making that program solvent. That is pretty logical, it seems to me, when you have done that, and balanced the budget and found room for a tax break.

We relish the idea of voting on these two amendments today. We Republicans want to vote on them. We hope a lot of people vote against it, but not a single Republican should. I hope they do not. Because what we are saying is, the modest tax cut in this budget resolution ought to be carried out, and it ought to be carried out in a manner prescribed in this budget resolution.

If I have additional time on the amendment, I reserve it but I do not think I will speak more than 1 minute on either of the two amendments. If Senator BUMPERS wants to use 2 minutes, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I remember a great lesson when I was a boy about Joseph having a dream. Everybody in this body knows the rest of the story. Joseph dreamed there was going to be 7 years of plenty and 7 years of starvation. So he told the King of Egypt, if you want to survive, you better start saving everything you can the first 7 years.

I want to relay that to every Senator in the U.S. Senate. I am telling you, if you have the 5 years, if you have the 5 years you are talking about here, do not assume that the deficit will continue to go down and we will start paying on the national debt, because we have never had prosperity for that length of time.

I give you Joseph's admonition: Strike while the iron is hot and while the economy is hot.

The Senator from New Mexico said I do not believe in tax cuts. I do not believe in using Medicare for tax cuts from the most vulnerable people in America, our elderly, who go to bed petrified every night fearing what their medical bills might be. I do not believe in using Medicare and I do not believe in tax cuts at the expense of balancing the budget.

Every poll I have seen has shown overwhelmingly that people will take a balanced budget to tax cuts, and that is the option. As far as my liking taxes or not liking taxes, the present small business exemption for people who invest in small businesses, which the President endorsed in 1993, was mine. I am the author of it, trying to help small business.

Right now, I have a bill up here in case we cut capital gains, and we are going to, to 19.8 percent—I reduced the capital gains on small business investments to half that, 9.8 percent.

Mr. President, I used to have a little dachshund, a female dachshund. Betty and I worshipped that little dog, but we had a problem. We could not train her, could not train her to go outside. The only perfect analogy to that is the U.S. Senate. We cannot seem to train the U.S. Senate that you cannot cut taxes and balance the budget. I do not care how many times we do it. We did it in 1981 and paid a disastrous price, and we are about to do it again, and we will probably pay another disastrous price. We cannot resist the siren song of tax cuts. Politically, it is wonderful to go home and say, "Oh, yes, oh yes, I voted to cut your taxes, you bet."

"How did you do it?"

And then you start obfuscating and trying to confuse the issue. You do not want to tell them you did it at the expense of a balanced budget.

Mr. President, this amendment makes eminent good sense and there is not a Senator in the U.S. Senate—I take that back, there might be a few—who does not know that what I am talking about is pure common sense. It makes common sense in your life. It makes economic sense for the Nation to save up and to balance the budget, something the people in this country have been yearning for as long as anybody can remember.

I have not announced whether I will run again or not. I do not mind telling you that two things that sort of make me want to be around here the next few years are that I would like to be here after investing 22 years in trying to balance the budget. I would like to be here when it happens. And the other thing I would like to be here for is when we change the way we finance campaigns. Why in the name of all that is good and holy we continue to cherish this absolutely outrageous system for raising money for campaigns, when every time you take a vote they rush and see whether somebody gave you money last year or the last time you ran, and how that affected your vote. Why would we not want to get rid of a system like that?

If anybody believes this great Nation, the greatest democracy on Earth, with the oldest Constitution on Earth, can continue to survive when the people we elect and the laws we pass depend on how much money we put in it, is day-dreaming. It cannot last forever. Those are two things that I would give anything in the world to see happen before I leave the U.S. Senate.

So I plead with my colleagues, I plead with you, vote for common sense and vote to postpone these tax cuts and balance the budget in the year 2001. What is sacred about 2002? I have been hearing 2002 for I do not know how long. What is sacred about 2002? If you have a chance to do it in 2001, do it. That is what I am asking you to do.

I yield the floor.

Mr. DOMENICI. Has the time of Senator BUMPERS elapsed on the amendments?

The PRESIDING OFFICER. No formal consent—

Mr. BUMPERS. I am prepared to yield. I wish Senator SPECTER was here so we could get something going.

Mr. DOMENICI. We will be going, do not worry. We will be ready shortly.

AMENDMENT NO. 332 WITHDRAWN

Mr. BUMPERS. I have an additional amendment at the desk, I think 332, and I ask unanimous consent I be permitted to withdraw that amendment.

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

The amendment (No. 332) was withdrawn.

Mr. DOMENICI. The list is down to 70 amendments, I guess. I am just kidding.

Mr. President, I yield to Senator LAUTENBERG.

AMENDMENT NO. 330

Mr. LAUTENBERG. Mr. President, far be it for me to seek an argument with our distinguished colleague from Arkansas. I cannot argue the other side very effectively.

Tax cuts at this point in time, I do not think, are the best idea. What I think are some good ideas are the facts that we will, by virtue of this tax cut, we will be saving the middle-class families, those in more modest income circumstance. This will help pay for the insurance of your children. If they choose not to go to a 4-year college there is a program in here that will give them \$1,500 worth of tax relief if their child wants to go to a 2-year college or a vocational school.

I find it hard to disagree totally with my friend from Arkansas. I do want to say this, and this may not be the appropriate defense, but I have to look at it as a member of the Budget Committee and also as a member of the Appropriations Committee as an advance toward something that we want to do. We would like to be able to pay down our deficit, and I think that one day in the not-too-distant future, half a dozen years, which is not much in the lifetime of a country, that we will be able to start paying down our debt, starting to relieve ourselves of the biggest costs we will soon have in the budget which is the interest on the debt. That will happen and it happens because there is a compromise that has been fashioned, and as usual, the compromise is a consensus of minds but not a consensus of hearts.

I do not really like everything that I am supporting here but there are things that I really love that I am supporting. I love the fact we will take care of 5 million children's health needs, and I love the fact we are not saying to those that are here legally if some accident or sickness befalls you that renders you disabled you will not be kicked off the rolls, which was an intent here for some time.

There is going to be some relief for the impoverished, up to 150 percent, approximately, of the poverty level for any increases in the part B premium necessary as a result of the switch from part A to part B of home health care. That will help make that part A more solvent. I think that is a worthwhile objective.

Meanwhile, we see that the economy is boiling, as you suggested, and that there is some hope that it will continue, and the economic assumptions, I think, are relatively conservative. So there is room to achieve the objectives that we want to without simply saying that the tax cuts are the thing that are driving this. That is not the case. The tax cuts are part of it. I do not approve of the tax cuts, either, but I voted for this bill because I think it is an essential part of getting our books in balance and working our way out of debt and not leaving our children with ever larger debts to pay off.

So while I agree with the Senator in principle, the fact of the matter is that I think we have a job to do here that robs us of some of the things we would like to see. I voted against investments in transportation. That was really painful for me. I voted against expanding programs for children. That was painful to me. I do not like doing those things, but I like doing the job here as conscientiously as I can, which is to say at some point we want to reduce our debt, we want to reduce our deficits, we want to invest in our society, but we do not want to continue to pay the incredible interest rates that we are forced to pay, something around \$250 billion a year.

It is an outrageous thing for us to have to be subjected to. But we are trying to fix it. That is what this is about.

I hope that the Senator will try at another opportunity to make the adjustments that he is talking about.

Mr. DOMENICI. Mr. President, we are still on our side expecting Senator SPECTER to arrive. I assume Senator BUMPERS will not mind if we stack some votes, if we have him present his, and in due course we will get to his. Then I will have a chance to discuss further with the distinguished Senator from Massachusetts his pending amendment.

I want to close now on this note. I truly wish Senator BUMPERS would not have tied Medicare to this tax cut.

First of all, Mr. President and fellow senior citizens—I can say “fellow senior citizens.” I just turned 65 a few days ago. But the truth of the matter is we have far more savings from other accounts than the reforms in Medicare to pay for tax cuts. In fact, there are almost three times as many savings in the first 5 years from other sources—two times from other sources, and from the reform measures that are part of Medicare.

My last remarks are: If you wipe the tax cuts out of here, you still have to do all those things for Medicare to keep it solvent. You have to do those

kinds of things or raise taxes, which nobody has suggested we do.

So, I close by saying I opt for a balanced budget that includes some tax relief. I am comfortable and confident we can do both this time. We have done much in moderation in this budget, which has caused some of our friends who want to do much more, both in cutting the budget and cutting taxes, to opt out of this agreement, not wanting us to pass it. But I think we have had a moderate approach to both sides. I for one hope both of these amendments get defeated overwhelmingly to show the American people that they deserve a tax break along with this balanced budget.

I am prepared now to move on to another amendment.

Did Senator BOND want to proceed?

Mr. BOND. I am ready.

Mr. DOMENICI. I am not aware that the Senator is next in line.

Is there any commitment on the part of the Senator that he is next in line?

Mr. BOND. That was my understanding.

Mr. DOMENICI. I think the Senator from Missouri was supposed to be after Senator SPECTER and after Senator ASHCROFT. But Senator SPECTER is not here.

How much time does the Senator want on his amendment?

Mr. BOND. Mr. President, there are a couple of people who want to speak. I think 20 minutes.

Mr. DOMENICI. Which amendment is the Senator calling up?

Mr. BOND. Disproportionate share of hospital payments, sense of the Senate.

Mr. DOMENICI. I hope that the Senator will take less time. We will accept the amendment.

Mr. BOND. We would like very much to have a vote on it. If they were stacked, that would be acceptable. But this one is a very serious matter to the States of Missouri, Texas, and Washington.

Mr. DOMENICI. I, once again, have put myself between a rock and a hard place because I thought Senator SPECTER would be next. We do not know who will follow him. I told Senator ASHCROFT he would be next.

Let's do it this way. I believe Senator SPECTER will be awhile arriving. So will the Senator let us go with Senator ASHCROFT, and then the senior Senator from Missouri would go next?

Mr. ASHCROFT. Yes. I yield to the senior Senator.

Mr. DOMENICI. I ask unanimous consent that the pending amendment be temporarily set aside so that we can proceed to Senator BOND's amendment.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Without objection, it is so ordered.

Mr. BOND. Mr. President, I thank the distinguished chairman. I know that this is an extremely difficult time. The analogy of loading frogs in a wheelbarrow is very apt when dealing with scheduling budget proceedings. The chairman has done an outstanding job.

AMENDMENT NO. 324

Mr. BOND. I call up amendment No. 324.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, Mrs. MURRAY, Mr. GORTON, and Mr. ASHCROFT, proposes an amendment numbered 324.

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

AMENDMENT NO. 324, AS MODIFIED

Mr. BOND. Mr. President, I send a modification to the desk and ask unanimous consent that the modification be included.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment (No. 324), as modified, is as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING THE PROTECTION OF CHILDREN'S HEALTH.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Today's children and the next generation of children are the prime beneficiaries of a balanced Federal budget. Without a balanced budget, today's children will bear the increasing burden of the Federal debt. Continued deficit spending would doom future generations to slower economic growth, higher taxes, and lower living standards.

(2) The health of children is essential to the future economic and social well-being of the Nation.

(3) The medicaid program provides health coverage for over 17,000,000 children, or 1 out of every 4 children.

(4) While children represent 1/2 of all individuals eligible for medicaid, children account for less than 25 percent of expenditures under the medicaid program.

(5) Disproportionate share hospital (DSH) funding under the medicaid program has allowed States to provide health care services to thousands of uninsured pregnant women and children. DSH funding under the medicaid program is critical for these populations.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the health care needs of low-income pregnant women and children should be a top priority. Careful study must be made of the impact of medicaid disproportionate share hospital (DSH) reform proposals on children's health and on vital sources of care, including children's hospitals. Any restrictions on DSH funding under the medicaid program should not harm State medicaid coverage of children and pregnant women.

Mr. BOND. Mr. President, in addition, I ask unanimous consent that Senator HUTCHISON of Texas be added as a cosponsor.

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

Mr. BOND. Mr. President, today I rise to discuss a sense of the Senate amendment on behalf of myself, Senators MURRAY, GORTON, ASHCROFT, and HUTCHISON, which simply states that “careful study must be made of the impact of Medicaid disproportionate share hospital, or DSH, reform proposals on children's health and on vital sources of care including children's hospitals.”

It is our strong belief, and the sense of the Senate indicates, that any restrictions on DSH funding should not harm Medicaid coverage of children and pregnant women.

While I recognize and strongly support the need to control Federal spending, I am deeply concerned about the impact of billions of dollars in new Medicaid DSH spending reductions.

I know that my colleague, the distinguished chairman of the Budget Committee, can point to some States in which there may be disagreements about how the DSH payments were used. I don't say that there has been the same kind of usage of Medicaid disproportionate share payments in other States as there has been in Missouri.

But I do know from our standpoint that since 1981 the Medicaid DSH Program has enabled hospitals who provide care to a disproportionate share of low-income people to serve as a safety net for those with little or no access to health care.

In Missouri, the DSH Program has been a key variable in expanding health care coverage to thousands of pregnant women and children. More than a quarter of a million, more than 250,000, people have been served as a result of the DSH payments.

These payments have enabled my home State to successfully reduce the number of uninsured Missourians by enrolling them. It has improved access to health care services for those who remain uninsured.

In addition to using DSH funds appropriately, our State of Missouri also uses them efficiently.

For Federal Medicaid benefits plus DSH payments per beneficiary: The national average is \$2,454; in Missouri the figure is \$2,288 versus the national average of \$2,454.

Overall Medicaid spending in Missouri is also below the national average. A recent report by the Kaiser Commission illustrates the efficiency of the Missouri program. Missouri spends \$3,190 annually per Medicaid enrollee compared to the national average of \$3,290.

Yet, reductions in the Federal DSH payments would be devastating for Missouri, a State which has used its Federal DSH dollars in an efficient, effective, and appropriate manner.

Anywhere from 56,000 to 348,000 Medicaid beneficiaries in Missouri could lose health coverage if the DSH reforms that have been publicized are enacted, and there is no compensating source of revenue funding for them.

President Clinton's proposal specifically would eliminate Medicaid benefits for 162,000 Missourians.

This is simply the wrong approach. Reducing DSH payments does not focus on cutting the fat in the Medicaid Program. Instead, it cuts crucial health care benefits for low-income pregnant women and children whose lives depend upon this critical coverage.

Yes, Congress should increase State Medicaid flexibility, as this budget res-

olution calls for. But we should not target DSH funding—funding which has allowed many States to expand health care coverage to our Nation's most vulnerable population.

Again, I reiterate that this resolution fully recognizes and supports the need for a balanced Federal budget. At the same time it guarantees that when working out the details of achieving Medicaid savings, Congress will have sufficient information to ensure that reforms in disproportionate share payments will not threaten low-income pregnant women and children, as well as providers of health care such as children's hospitals, public hospitals, and other safety net hospitals.

I look forward to working with the Finance Committee in the coming months regarding this issue, and I am confident that we can structure a plan that takes into consideration the health of our most vulnerable citizens.

I ask unanimous consent that several statements in support of this amendment be printed in the RECORD. I ask unanimous consent that statements by Lawrence McAndrews, president and CEO of the National Association of Children's Hospitals; Governor Met Carnahan of the State of Missouri; Douglas Reis, president of Cardinal Glennon Children's Hospital in St. Louis; Ted Frey, president of St. Louis Children's Hospital; and Randall O'Donnell, president and CEO of Children's Mercy Hospital in Kansas City be printed in the RECORD.

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

STATEMENT BY LAWRENCE A. MCANDREWS,  
PRESIDENT AND CEO, NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS

The National Association of Children's Hospitals strongly supports Senator Kit Bond's resolution on children's health and Medicaid.

He is absolutely right on all three counts. A balanced budget is very important to children. Medicaid is very important to children. And Medicaid disproportionate share payments are very important to children, especially the patients of children's hospitals and other safety net hospitals.

Medicaid is far more significant to children's health than most of us realize. It pays for the health care of one in every four children and one in three infants.

Medicaid and Medicaid disproportionate share hospital payments are far more important to children's hospitals than most of us realize. On average, children's hospitals devote nearly half of their care to children who are covered by Medicaid or are uninsured.

If it weren't for Medicaid disproportionate share payments, some children's hospitals could be in jeopardy. Even with such payments, Medicaid often does not pay enough to cover the full cost of children's health care.

For example, even with these extra payments, children's hospitals still average only about 80 cents from Medicaid for every dollar of health care they provide. Without them, they would receive closer to 70 cents for every dollar of care.

As a former CEO of Children's Mercy Hospital in Kansas City, I know just how important Medicaid and disproportionate share payments were to our ability to serve all of

the children of our community, no matter how poor or sick.

Senator Bond's resolution fully supports the balanced budget. It simply makes sure that in working out the details of changes in Medicaid spending, Congress will have the information it needs to ensure that changes in disproportionate share payments will not jeopardize children or other safety net hospitals.

EXECUTIVE OFFICE,  
STATE OF MISSOURI,  
Jefferson City, MO, May 19, 1997.

Hon. CHRISTOPHER BOND,  
U.S. Senate,  
Washington, DC.

DEAR KIT: I write to inform you of my serious concern about the Medicaid provisions in the budget resolution.

As you know, the resolution calls for savings of around \$17 billion over five years from the Medicaid program. It is presumed that this savings level would be achieved primarily through reductions in disproportionate share (DSH) payments to states. Such a plan could have a devastating impact on Missouri's Medicaid program, and more importantly, on the citizens of our State who rely on Medicaid to meet their health care needs.

Missouri runs a very well-managed and fiscally responsible Medicaid program. Our spending is frugal and already below most other states. In fact, Missouri's per capita spending on Medicaid for adults is the lowest in the nation. We are willing to swallow hard and do our share to balance the federal budget. But to disproportionately reduce the DSH program to achieve Medicaid savings, the federal government would merely be using DSH cuts to subsidize the cost of Medicaid in other states, many of which have chosen to develop overly generous and costly programs.

Medicaid has already made a massive contribution to deficit reduction. In February, the Congressional Budget Office lowered its baseline projections of future Medicaid spending by \$86 billion. States are achieving these savings through implementation of a number of innovative measures such as Missouri's Medicaid managed care program, MC+. At the same time, we are considering expanding Medicaid to cover more uninsured. We want to continue making this progress, but we may be unable to do so if our Medicaid funding base is eroded through extensive reductions in the DSH program.

It is my understanding that a portion of the Medicaid savings called for in the budget resolution may also be achieved through a package of state flexibility initiatives. We will be working with the House Commerce Committee and Senate Finance Committee over the next couple of weeks in hope that they will craft a package of Medicaid savings that is both fair and responsible, and one that does not disproportionately harm the DSH program. I hope you will do all in your power to assist us in this regard.

Thank you for your attention to this extremely important issue for the State of Missouri. If I can provide you with further information, please don't hesitate to let me know.

Very truly yours,  
MEL CARNAHAN,  
Governor.

CARDINAL GLENNON CHILDREN'S  
HOSPITAL,  
St. Louis, MO, May 21, 1997.

Hon. CHRISTOPHER S. BOND,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR BOND: The officers and staff of Cardinal Glennon Children's Hospital support your amendment to express the sense of

the Senate regarding the protection of children's health.

As a provider of tertiary health services to a broad geographic region including metropolitan St. Louis, Missouri and Illinois, the disproportionate share funding under Medicaid is critical to our mission. Your efforts and those of your colleagues to sustain momentum in providing health care coverage to uninsured pregnant women and children is directly dependent on the expanded use of disproportionate share funding.

Thank you for your continued support for this important funding source.

Sincerely,

DOUGLAS A. RIES, FACHE,  
President.

ST. LOUIS CHILDREN'S HOSPITAL,  
St. Louis, MO, May 21, 1997.

Hon. CHRISTOPHER "KIT" BOND,  
U.S. Senator  
Washington, DC.

DEAR SENATOR BOND: Thank you for supporting fair and adequate Medicaid payments for disproportionate share hospitals (DSH). As you know, St. Louis Children's Hospital serves a patient population which consists of approximately 50 percent Medicaid patients. We have qualified as a DSH provider ever since the Medicaid program recognized the need for additional funding to those hospitals serving an extraordinary Medicaid and uninsured patient load.

We certainly agree with the Senate's observations regarding the high priority which should be placed on the health care needs of low income pregnant women and children. In Missouri, restrictions on Medicaid DSH funding would seriously impair our Federal Reimbursement Allowance (FRA) program. The FRA targets DSH payments to hospitals serving a high volume of Medicaid and low income patients. As Governor Carnahan points out in his May 19 letter, Missouri has made significant progress expanding Medicaid eligibility in recent years and we would hate to see our program threatened by proposals which may not have been carefully evaluated in terms of impact.

Please contact me if there is anything I can do to help and thank you again for your continued leadership on behalf of all children.

Sincerely,

TED W. FREY,  
President.

THE CHILDREN'S MERCY HOSPITAL,  
Kansas City, MO, May 21, 1997.

Hon. KIT BOND,  
U.S. Senate,  
Washington, DC.

DEAR KIT: On behalf of The Children's Mercy Hospital in Kansas City, Missouri, I wish to thank you for your resolution on children's health and Medicaid. The Children's Mercy Hospital recognizes the need to control federal spending, but we are deeply concerned about the impact of billions of dollars in new spending reductions in Medicaid, which would come on top of major savings states already have begun to achieve.

Never has the Medicaid safety net for children been more important than now. Without the Medicaid safety net, the numbers of uninsured children would increase dramatically. It is of paramount importance that any Medicaid proposal preserve a base-year formula that includes all "disproportionate share hospital (DSH)" payments in order to continue to serve all of the children in our community.

We applaud your dedication to children and the betterment of their lives. Your efforts will not only benefit the children of Missouri, but the children of the entire coun-

try for generations to come. Thank you for your continued support.

Sincerely,

RANDALL L. O'DONNELL, Ph.D.,  
President/Chief Executive Officer.

Mr. BOND. Mr. President, I yield the floor and reserve the remainder of my time.

Mr. SPECTER addressed the Chair. The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Senator BOND has not yielded his time. Has he reserved?

Mr. BOND. Mr. President, I have reserved time. I see one of the cosponsors of the amendment on the floor. When she finishes, I would be willing to have this set aside to accommodate the Senator from Pennsylvania.

May I ask the Senator from Washington how much time she requires?

Mrs. MURRAY. I will only take 30 seconds.

Mr. BOND. I yield 1 minute.

Mr. DOMENICI. Mr. President, before we yield to Senator MURRAY, let me once again ask my friend, Senator BOND.

You know, we are reaching a deadline here with an awful lot of things that haven't been handled. From my standpoint, the way the Senator has accommodated his amendment in working with us is acceptable. I urge that he let us accept it at some point and not insist on a rollcall vote. I assume the rollcall vote will probably be 100 percent. But I don't think that helps the Senator any more. I am trying to tell him as clearly as I can that is not going to help him any more than if he lets us accept it. It is going to a conference which is on an expedited process. I want to help him. I am doing everything I can. I don't know if I want to go through a rollcall and then, you know, be very helpful after that.

I yield the floor.

Mr. BOND. Mr. President, I appreciate the good advice from my very wise leader on the Budget Committee.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am pleased to join with my colleague from Missouri in offering this amendment. I have been extremely concerned about the impact of a \$14 billion reduction in the disproportionate share hospital payments.

The Bond/Murray amendment sends a strong message to the authorizers that the health care needs of low-income pregnant women and children remain a priority in developing any DSH reform legislation. I am not opposed to reforming the program to ensure that payments are being targeted to those most in need, but we cannot allow reform efforts to threaten the delivery of care to our most vulnerable populations.

Massive changes in DSH implemented in order to be a deficit reduction target could jeopardize the ability

of many hospitals, especially children's hospitals to serve low-income children, pregnant women, and the disabled. For many hospitals, DSH payments are the difference between solvency and bankruptcy.

As we all know, few States would be in a position to off set the loss of Federal DSH payments. Meaning that hospitals would have little choice but to eliminate or reduce services for the most vulnerable in our society. Without the flexibility of DSH, States cannot hope to expand Medicaid coverage for uninsured children or pregnant women. In addition, any efforts to expand Medicaid for HIV positive individuals in order to prevent the onset of full blown AIDS, could be impossible.

I am hopeful that the authorizers will carefully craft a reform proposal drive by policy, not just numbers. DSH is too important to allow simple numbers to be the guiding influence.

I urge my colleagues to support this amendment to send an important message that DSH reform should not result in the loss of health care coverage for children, the disabled and low income pregnant women. We need to use extreme caution to prevent any further eroding of health security for these vulnerable populations.

I thank Senator BOND for his efforts in bringing this amendment to the floor and I look forward to working with the authorizing committee in developing a fair and equitable DSH reform legislation.

Mr. DEWINE. Mr. President, I rise in strong support of Senator BOND's resolution, the sense of the Senate regarding the protection of children's health. While I believe that our children will be best served by a balanced budget, we also must ensure that this agreement sends a strong message that we must preserve the access of low-income children to quality health care.

May children's hospitals are designated as disproportionate share hospitals or DSH hospitals because they serve a disproportionate share of low-income children. DSH payments make a vital difference in the ability of hospitals to serve this population. They are a critical part of the health care safety net for vulnerable children.

For example, two of the largest children's hospitals in Ohio have informed me that approximately 40 percent of the children they serve are covered by Medicaid. Without the additional DSH payments, the ability of these hospitals to serve low-income children would be seriously impaired.

DSH payments are even more important to independent children's teaching hospitals that do not receive Medicare support for graduate medical education, known as DSH dollars. In fact, I'm working on a letter to the Finance Committee about this GME inequity now.

But my point here is that if DSH funds are cut from children's hospitals—that already are not receiving dsh funds—then these hospitals will

find it very difficult to provide quality care for poor children. Although we must balance the Federal budget, we also want this balanced budget to make children's health and well-being a top priority.

Senator BOND's resolution is consistent with that message. It recognizes how important a balanced budget is, and it recognizes that some changes in DSH payments may well be necessary. But, it also recognizes how important—within such a budget—DSH is to children's health. I strongly support the Bond resolution.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I do not want to get myself into another situation where I am confused. Senator BOND has a lot of time. Has he yielded his time?

Mr. BOND. Mr. President, I had several other cosponsors who wished to speak. I would like to reserve 5 minutes for them to speak and yield back the remainder of the time. In the meantime, until they come to the floor, I would be happy to ask unanimous consent to have the amendment temporarily set aside so I can confer with the chairman and give an opportunity for the cosponsors to speak.

Mr. DOMENICI. Could we establish this, however? Either before we accept the amendment, if that is the approach, or before we vote on it, if that is the approach, the Senator from Missouri would use 5 minutes immediately prior thereto.

Mr. BOND. I would be agreeable with that.

Mr. DOMENICI. I ask unanimous consent that that be the case.

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

Mr. DOMENICI. I understand that we could temporarily set aside the pending amendments and proceed now to Senator SPECTER, the Senator from Pennsylvania, for one of his three amendments. I understand that the Senator from Pennsylvania has agreed that the other two will not be called up.

Mr. SPECTER. Mr. President, the distinguished manager articulates it correctly. I will offer one amendment.

Mr. DOMENICI. Thank you, very much.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 340

Mr. SPECTER. Mr. President, I call up amendment No. 340.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 340.

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

Mr. SPECTER. Mr. President, this amendment adds \$1.1 billion to function 550, which is the health function, for fiscal year 1998, with an offsetting \$1.1 billion reduction in nondefense discretionary functions, which would hold

Federal agency administrative costs to 96 percent of the estimated 1998 level.

The offset constitutes a reduction in nondefense spending of four-tenths of 1 percent. This four-tenths of 1 percent could be accommodated by reducing administrative costs only 4 percent, so that the net effect would be to have Federal administrative costs reduced by 4 percent to 96 percent of the estimated 1998 level.

This amendment is being offered, Mr. President, because the Senate yesterday adopted, by a vote of 98 to nothing, a sense-of-the-Senate resolution to increase spending for the National Institutes of Health by \$2 billion. And while that sounds good, to those who are unaware of the inner workings of the Senate, a sense-of-the-Senate resolution does not have any real effect but just says what we would like to have occur. This amendment will be directed toward having hard dollars placed in the budget resolution for the National Institutes of Health. I am offering this amendment on behalf of Senator HARKIN, Senator MACK, Senator D'AMATO, Senator JEFFORDS, Senator INOUE, Senator COLLINS, Senator HUTCHISON, Senator FEINSTEIN, and Senator REID.

Mr. President, there is a general acceptance that the National Institutes of Health has been one of the real treasures of the U.S. Government, making enormous advances in the most dreaded diseases which we face today. There have been enormous advances in cancer, breast cancer, prostate cancer, enormous advances in Alzheimer's disease, cystic fibrosis, more recently in schizophrenia; a new generation of AIDS drugs are reducing the presence of the AIDS virus and HIV-infected persons to nearly undetectable levels, and the phenomenal work being done by the National Institutes of Health has led to a consistent rise in funding for that agency.

Since becoming chairman of the Subcommittee on Labor, Health and Human Services and Education, we have raised the funding for NIH by some \$643 million in fiscal year 1996. We have raised the funding for the National Institutes of Health by \$820 million in fiscal year 1997, but this year we are faced with a reduction in the health account. So that if this budget goes forward, and this budget signifies what funding will be available for NIH, there will be a cut in all health accounts and accordingly, on a pro rata basis, a cut on the National Institutes of Health.

The total allocation and funding for the health account, account 550, was frozen from last year at \$25 billion, and in this budget it is in at \$24.9 billion, or, as I say, a cut of some \$100 million.

This is \$400 million short of what the President's original budget mark was for 1998, and over \$3 billion short for the 5-year budget period. The budget would cut the health account by some \$2.2 billion through the year 2002. But, most importantly, from the point of view of what we are doing here today,

we have the President coming forward with a budget increase of some \$400 million, and this account is now cut by \$100 million.

If this is left to stand, Mr. President, we will have the anomalous, or hard-to-understand situation where the Senate has said we ought to increase the National Institutes of Health by \$2 billion, and then when it comes to my committee where I chair and have the responsibility for establishing the mark, suddenly we will find not only no money for an increase, but the account is cut by \$100 million. So, on a pro rata basis, there would have to be a decrease.

We find this at a time when other accounts have increases in spending. Defense spending rises by \$3.2 billion in fiscal year 1998; international affairs rises by \$900 million in fiscal year 1998; energy rises by \$400 million in fiscal year 1998; natural resources and environment rises by \$1.3 billion for this year; commerce and housing goes up \$300 million; education and training goes up \$4.3 billion; administration of justice up by \$1.4 billion, the general Government rises by some \$800 million. But no one has come to the floor on any of these lines and has said there ought to be a \$2 billion increase. The only line in the items which I have just spoken about would be defense. But for the National Institutes of Health, yesterday we had a spirited presentation with many speakers saying NIH ought to go up by \$2 billion. The reality is it is all Confederate money unless there is some allocation which is more than a sense-of-the-Senate or our very best wishes but a specific amount which has a specific offset.

That is, in itself, somewhat of an oversimplification, but that is very close to the reality. The whole budget resolution, in a sense, is an expression by the Senate, by the Congress of what we ought to have done, contrasted with the specific appropriations bills which are then legislated and then ultimately signed by the President.

I conferred with the distinguished chairman of the Appropriations Committee after talking this over with the distinguished chairman of the Budget Committee, and Senator DOMENICI said, well, you better see how Senator STEVENS is going to respond to it. And Senator STEVENS says we need to have the hard dollars through the budget process. So that if the National Institutes of Health is to avoid having a cut, this amendment is going to have to be adopted.

It goes without saying that as one Senator who chairs a certain subcommittee, I am bound by the will of the Senate. If the Senate says in this vote that the National Institutes of Health is not to have an increase but, in fact, is supposed to have a decrease, to the various interest groups who want breast cancer to be funded, who want prostate cancer to be funded, who want Alzheimer's to be funded, who want heart disease to be funded, who

want AIDS to be funded, then I can say I went to the floor and I laid the case on the line—and I am not totally without experience as an advocate—and the Senate said, no, we are not going to increase the funding for the National Institutes of Health. I have a specific offset, and that is administrative costs that go down 4 cents on the dollar. I think that administratively you can cut 4 percent. It is four-tenths of 1 percent across all discretionary non-defense budgets, but it comes out of, could come out of 4 cents on the dollar on administrative costs.

If the Senate says that on Wednesday night we said put it up \$2 billion, that is what we would like to see, but when the Senate faces the hard choice and has to put its money where its mouth is, a sense-of-the-Senate amendment is where the Senate's mouth is. This budget resolution is where the money is. If the Senate says we are not going to put our money where our mouth is, that is on the record. And when people say NIH did not get an increase, it is because the Senate turned it down.

So this is an opportunity for the Senate, bluntly speaking, to put its mouth where its money is. Mr. President, we have only 1 in 4 approved grants funded, and we have people dying as we speak from cancer, dying as we speak from heart disease, dying as we speak from many, many ailments. The National Institutes of Health has been our very best capital investment in the health of the American people.

That, in effect, lays it on the line in just a very few moments. So at this point I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so that I might present an amendment, which will only take 5 minutes, and then we can go back to the amendment, unless the Senator just wants to wait for someone else to speak.

Mr. SPECTER. Mr. President, I have no objection to my distinguished colleague proceeding.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? If not, who yields time to the Senator from Texas?

Mr. DOMENICI. Mr. President, I yield—how much time, I ask the Senator?

Mr. GRAMM. Five minutes.

Mr. DOMENICI. Five minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 320, AS MODIFIED

Mr. GRAMM. Mr. President, I send to the desk a modification to amendment No. 320. I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

If the Senator will withhold, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself and Mr. BOND, proposes an amendment numbered 320, as modified.

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

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

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

**SEC. . DEPOSIT OF ALL FEDERAL GASOLINE TAXES INTO THE HIGHWAY TRUST FUND.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Since 1956, federal gasoline excise tax revenues have generally been deposits in the Highway Trust Fund and reserved for transportation uses.

(2) In 1993, Congress and the President enacted the first permanent increase in the federal gasoline excise tax which was dedicated to general revenues, not the Highway Trust Fund.

(3) Over the next five years, approximately \$7 billion per year in federal gasoline excise tax revenues will be deposited in the general fund of the Treasury, rather than the Highway Trust Fund.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions in this resolution assume that the Congress should in the extension of the Budget Enforcement Act, ISTEA reauthorization, appropriations acts, and in any revenue bills, that all revenues from federal gasoline excise taxes, including amounts dedicated to general revenues in 1993, should be dedicated to the Highway Trust Fund so that such taxes may be used for the purpose to which they have historically been dedicated, promoting transportation infrastructure and building roads.

Mr. GRAMM. Mr. President, I ask unanimous consent that Senator BYRD be added as a cosponsor to amendment No. 320 with a modification in its stated purpose.

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

Mr. GRAMM. Mr. President, we set up the highway trust fund in 1956, and from 1956 until 1993, every time we had a permanent gasoline tax, that gasoline tax as a user fee for use of the highways was deposited in a highway trust fund that was spent largely for highway construction, though in recent years some portions of it have been dedicated to other purposes like mass transit. But from 1956 to 1993, when somebody went to the filling station and stuck that nozzle in their gasoline tank and filled up their car or truck, they were paying a tax on gasoline that was used to build the roads that they would drive over using that car or truck.

In 1993, in the budget and subsequent tax bill that flowed from it, for the first time in American history since the adoption of the highway trust fund, we had a permanent gasoline tax of 4.3 cents a gallon that went not into the highway trust fund but into general revenues, so that for the first time

since we set up the trust fund we had a gasoline tax that was adopted for the purpose of paying for general Government and not building highways.

We know from the vote in the House on the Shuster amendment, we know from the vote in the Senate on the Warner amendment that there is a strong belief that money collected on gasoline taxes ought to be used to build roads and it should not be taken to fund other programs of American Government.

I have put together and sent to the desk in my modification to amendment No. 320 a very strong sense-of-the-Senate resolution that simply makes note of the fact that this 4.3-cent-a-gallon tax on gasoline, which has been diverted for the first time ever from the highway trust fund, should be returned to the highway trust fund, and that as we move on to consider our Budget Enforcement Act, as we consider ISTEA reauthorization, as we consider appropriations acts, and as we consider other revenue bills, all revenues coming from a gasoline excise tax, including the 4.3 cents a gallon that currently goes to general revenues, should be deposited in the highway trust fund and should be used for the purposes that the trust fund has been historically dedicated to: building roads and paying for other modes of transportation. This is the first of many amendments that we will have, aimed at moving the 4.3-cent a gallon tax on gasoline out of general revenue, where it funds general Government, into the highway trust fund so that this roughly \$7 billion a year can go for the purpose that the gasoline tax was collected. I know this is a controversial amendment in some areas, but I believe there is a strong consensus in Congress that we need to move in this direction. I do believe that later this year, when we do a tax bill, that this will be done. So my purpose here is simply to begin the process of putting the Senate on record.

Let me also say, and I discussed this with Senator DOMENICI, and I feel a little sheepish about doing it, but when we had so many people who felt so strongly about this issue, one of the things that I promised them was that they were going to get an opportunity to vote on it. So, what I would like to do is simply ask that this be put with another amendment, possibly a unanimous consent that this be a 10-minute vote following some other vote that we would have, so we might actually give people a chance to be on record on this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I cannot agree to the unanimous-consent request regarding the 10 minutes. Would the Senator leave that up to us as we schedule it? Does the Senator want to get the yeas and nays?

Mr. GRAMM. Yes.

Mr. DOMENICI. I ask unanimous consent it be in order we get the yeas and nays.

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

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

Mr. DOMENICI. 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.

Mr. DOMENICI. I thank the Senator from Texas. I intend to support his amendment.

The PRESIDING OFFICER. Who yields time?

AMENDMENT NO. 340

Mr. SPECTER. Mr. President, I ask Senator SANTORUM be added as original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time on the pending amendment?

Mr. SPECTER. 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. Who yields time on the pending amendment?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I want to inquire parliamentary wise, how much time does Senator SPECTER have remaining on his amendment?

The PRESIDING OFFICER. The Senator from Pennsylvania has 50 minutes remaining.

Mr. DOMENICI. How much?

The PRESIDING OFFICER. Five-zero, 50 minutes.

Mr. DOMENICI. How much time did he have for the amendment? I thought he had an hour. He only spoke 10 minutes?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. I am sorry. I thought he spoke much longer than 10 minutes.

Would the Senator agree to reduce his time to 30 and we will take 15 on our side?

Mr. SPECTER. I do.

Mr. DOMENICI. I so propose.

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

Mr. DOMENICI. Mr. President, I might inquire, the sequence has been somewhat misunderstood, but I think we are close to an agreement. If Senator ASHCROFT, from the State of Missouri, can agree to 30 minutes on his, then I would proceed to ask that he go next, and then Senator WELLSTONE go next; but in the event Senator WELLSTONE is inconvenienced for 5 or 6 minutes, that we do other business but

not deny him the next amendment to be called up to be his, after Senator ASHCROFT.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, might I just inquire of the Senator from New Mexico, I believe my colleague from Missouri is planning to take the full half-hour?

Mr. ASHCROFT. That is correct.

Mr. WELLSTONE. I say to my colleague from New Mexico, I think I will be here. I thank him for his courtesy. If I am not, a 1-minute quorum call will do the job and I will be ready to go.

Mr. DOMENICI. We will send out word for you and we will give you a little time, because you accommodated us and I appreciate it.

Does the Chair have an inquiry of the Senator?

The PRESIDING OFFICER. The Senator yields the floor?

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER. Mr. President, I inquire of my distinguished colleague from Iowa, how much time he would like? The distinguished ranking member of the subcommittee on Labor, Health, Human Services and Education, former chairman of the subcommittee?

Mr. HARKIN. And the proud cosponsor of your amendment, I might add. How much time do we have?

Mr. SPECTER. We have 20 minutes left. Parliamentary inquiry, how much time does remain on my side?

The PRESIDING OFFICER. It is the understanding of the Chair that the request was for 30 minutes, equally divided.

Mr. DOMENICI. No, that was not our intention. I asked the Senator if he would agree with a total of 30 minutes, and then I would agree to 15 minutes.

Mr. SPECTER. That is correct. That was my understanding.

Mr. DOMENICI. And that is the consent. He has, whatever time he has used, the total he is going to get is 30 minutes on the amendment and I have agreed to reduce my time from an hour to 15 minutes in rebuttal. Is there something wrong with this that makes it complicated? I thought it is very, very simple.

The PRESIDING OFFICER. So the Senator from Pennsylvania has 15 minutes?

Mr. SPECTER. I have 20 minutes. Mr. President, the statement was made that I had spoken 10 minutes. Senator DOMENICI asked a few moments ago how much time remained on my account: 50 minutes, 5-0. I spoke for 10 minutes. I have agreed to speak for 30. So 10 from 30 would leave 20. Senator DOMENICI has agreed to accept 15 minutes. So the total time remaining would be 20 minutes on my side and 15 minutes on Senator DOMENICI's side.

The PRESIDING OFFICER. Then that will be the order.

Mr. HARKIN. May I have 10 minutes?

Mr. SPECTER. I yield 10 minutes to Senator HARKIN.

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

Mr. HARKIN. Mr. President, I am pleased to join my colleague, the chairman, Senator SPECTER, to support this important amendment. Yesterday the Senate went on record in support of doubling research at NIH with the adoption of the Mack sense-of-the-Senate amendment, a unanimous vote last time. This amendment that Senator SPECTER is offering is a modest first step toward making good on that commitment.

Senator SPECTER said the amendment would add \$1.1 billion to the health account to restore, first of all, the \$100 million cut contained in the resolution and additional moneys to enable our subcommittee to provide adequate funding for NIH and other health programs. Without our amendment, it will be virtually impossible to provide even an inflation adjustment for medical research in the year 1998.

Mr. President, the resolution before us, despite the other merits, is, to put it kindly, extremely shortsighted when it comes to support for finding cures and more cost-effective treatment and prevention for the many diseases and disabilities that affect us. In so doing, it shortchanges our future, shortchanges Americans' health, and shortchanges efforts to control health care costs and keep Medicare solvent in the long run. At the same time we are shortchanging basic investments in health care, the Pentagon gets another multibillion-dollar increase. Here is a chart right here that will show you. Here is the shifting priorities. This is our budget agreement versus last year's spending.

Defense gets \$3.2 billion more; health gets \$100 million cut. Wrong priorities.

Another way of looking at it is to see what is happening with our spending on discretionary health funding. The President's budget had \$25.3 billion; the 1997 budget was \$25 billion; the budget agreement is \$24.9 billion. That is where that missing \$100 million is. We are going in the wrong direction in spending for basic research in this country.

Let me just give a couple of examples to show the folly of what we are doing. Last year, the federally supported research on Alzheimer's disease totaled about \$300 million. Yet it is estimated that we spend about \$90 billion annually caring for people with Alzheimer's. In other words, for every \$100 we spend caring for people with Alzheimer's we are spending about 3 pennies on research for Alzheimer's. Supported research on diabetes is about \$290 million a year, yet it is estimated we spend over \$25 billion on diabetes care. Mental health, research is about \$613 million a year, estimated \$130 billion a year spent annually on mental health care.

So, these penny-wise and pound-foolish statistics are even more illogical

today. We are at a time of great promise. Just about every day we read about new discoveries and new breakthroughs, new therapies and new treatment strategies. We are making progress. But, while we aren't suffering from a shortfall of ideas, we are suffering from a shortfall of resources. I have often made this analogy, when it comes to medical research. It is like we have 10 doors and they are all closed. We want to find out what is behind those doors. If you look behind one door, the odds are 10 to 1 you are not going to find what you are looking for. Right now, we are funding less than 25 percent of the peer reviewed, accepted grant proposals at NIH. That means we may be looking behind door No. 1, but doors 2, 3, and 4 are still closed.

That is the odds. They are not good odds we are going to find the right treatments, strategies, cures, interventions. "Let's Make A Deal" had better odds than that. Maybe there is a cure for breast cancer behind door 3, or Alzheimer's behind door No. 4, or Parkinson's behind door No. 2, but we don't know because we aren't committing the resources to unlock those doors.

There is another impact that lack of medical research funding has. Young people, maybe looking ahead, thinking about pursuing a career in medical research, yet they see the resources are not there to let them do long-term research. So the doors are locked to the cures but so are the doors to careers.

Our lack of investment in research is discouraging people from pursuing careers in medical research. Here is a figure. The number of people under the age of 36 applying for NIH grants dropped by 54 percent between 1985 and 1993.

I know there are a lot of factors, but we believe that the lower success rate among all applicants is making biomedical research less and less attractive to young people. This amendment, by Senator SPECTER, provides a very modest downpayment on what is needed. It begins to put us on the right path, the path that we committed to last night unanimously by adopting the Mack amendment. This amendment today will have a real impact on efforts to support medical research. But let me be clear, even with adoption of this amendment we can't get the job done. The budget resolution before us makes it clear that the only way we can devote the resources we need to help research, to help health research and stop robbing Peter to pay Paul is by going outside of the regular discretionary spending process.

This resolution calls for \$24.2 billion in discretionary health spending by the year 2002. That includes NIH, CDC, Community Health Centers, Older Americans Act, health professional training, maternal and child health care, and on and on. To double funding for NIH, as this body committed to do last night, would cost over \$26 billion by the year 2002. That is \$2 billion more than the entire health function is allotted by the year 2002.

So even if you eliminated all funding for breast cancer screening, Meals on Wheels for seniors, drug treatment, Older Americans Act, community health centers, and on and on, if you eliminated all of that, this budget resolution would still not enable us to meet the goal that we said last night by a vote of 98 to 0 that we wanted to meet by the year 2002, which is to double NIH funding.

The only way we are going to get this is through another mechanism. I believe the best other mechanism is called for in S. 441, National Fund for Health Research Act, that Senator SPECTER and I introduced. Basically, what this trust fund says is, look, we spend about \$650 billion a year in health plans—Blue Cross/Blue Shield, Aetna, HMO's, on and on. All we are asking is that 1 percent, 1 penny out of every dollar that we spend on health care in this country, be remitted to a trust fund, just like a highway trust fund. Every time you buy a gallon of gas, you put money into the highway trust fund. It is like an airline ticket tax; you put money in to keep the airports going.

What we are saying is, it is unconscionable that we spend all this money in health care in America and we put nothing from that health care budget into research.

The bill Senator SPECTER and I have introduced, S. 441, will do that. It will take 1 penny out of \$1 to put into a research trust fund, because if we do not do it, then all we did last night were just words, so much hot air. Ninety-eight Senators last night said they want to double funding for NIH by the year 2002. Let's put our resources where our mouths are.

The first step toward that is adopting the Specter amendment to at least meet the needs next year to make sure that we do not have this \$100 million cut in health spending, and to make sure that we have higher-than-inflation-spending resources for the National Institutes of Health.

Mr. President, expanding our commitment to research will promote health care, control health costs, create jobs and strengthen our economy and competitive position in the global marketplace. This amendment is an investment in our future.

I urge the adoption of the Specter amendment so that we can meet—start to meet—what we said we were going to do last night when we adopted the Mack resolution.

I yield back whatever time I have remaining.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SPECTER. Parliamentary inquiry, Mr. President. When I suggest the absence of a quorum, how is that time charged?

The PRESIDING OFFICER. The time is charged to the Senator from Pennsylvania.

Mr. SPECTER. And when no one speaks and the Senate is in session, there is no quorum call, how is that time charged?

The PRESIDING OFFICER. Time is charged equally between both sides.

Mr. SPECTER. I do not suggest the absence of a quorum.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER. How much time remains?

The PRESIDING OFFICER. The Senator from Pennsylvania has 9 minutes, 36 seconds; the Senator from New Mexico has 15 minutes remaining.

Mr. SPECTER. I will not yield time but await response, if any, from the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to make sure my friend, Senator GRAMM, has 4 or 5 minutes, so will you remind me when I have used 5 minutes, and then I will yield as much time Senator LAUTENBERG needs and then withhold a few minutes for the Senator from Texas. If not, I will take it off the resolution.

First of all, let me say it is with great regret that I cannot support this amendment. It does not make any difference what the U.S. Senate said last night in a sense-of-the-Senate resolution. They expressed a wish, a hope. The truth of the matter is that we cannot afford this amendment, nor will it work as proposed by the proponents of the amendment.

First of all, it is without saying, that no matter what we do to try to add money to the function of Government that the two Senators who are proposing this control in the appropriations process, that the allocation of the moneys will be done by the chairman of the Committee on Appropriations. So, in a sense, we are going through an exercise as if we are really increasing NIH when we really are not. There is no doubt in my mind that if this amendment were to be adopted, that Senator STEVENS would not have any chance of being fair to all the rest of the parts of Government and take \$1.2 billion and add it to this function of Government.

The second point is, just to be absolutely frank and honest, even if we did it and the chairman of the Appropriations Committee did not agree and did not put any money in, there is plenty of money in the subcommittee to increase NIH by \$1.1 billion if the chairman and ranking member chose to do so. They will just have to do what all the other committees do; they will

have to reduce a lot of other spending within their committee to make an addition of \$1.1 billion to NIH.

So, in a sense, this is like expressing a desire, but in this one, we actually change the numbers and presume that this is going to be what is going to be carried out. I do not think we ought to do that.

For Senators who would like to know what the effect of it is, because there is nothing free, you take \$1.1 billion out of the rest of the functions of Government and here is what I assume: First, I assume that the agreement between the President of the United States and the leadership, with reference to preferential accounts, will hold, and that in the subcommittees, we will fund those items that are preferred. The distinguished Senator from Pennsylvania has a huge amount of money for these protected items, most of them in education, but I assume they are the largest number of protected accounts wherein more money is put in the subcommittee than any other subcommittee.

Having said that, I am going to assume in this explanation to the Senate that we protect all the other accounts we have agreed to protect, which are considerable. This small amount of money that they are talking about cutting, on that assumption, would yield cuts like this: Veterans, \$190 million; WIC, \$38 million; LIHEAP, which many around here worry about, emergency energy, \$14 million; Social Security administrative expenses, \$36 million.

Frankly, I do not think we ought to be doing that here today. I have the greatest admiration for the distinguished Senator from Pennsylvania, and, yes, indeed, he has done a marvelous job in seeing to it that he can push NIH up as much as possible, for which we are all grateful. And, yes, I will say he has been very helpful to the Senator from New Mexico, and I hope this debate on the floor will never change that. But I just cannot, in good conscience, let the Senate take \$1.1 billion, which I assume is going to come from the unprotected accounts of this Government, and put them into the function that is called 550, where it could be spent for anything in that function. There is nothing we are going to do here today which says you put it in and it must be spent for NIH. The good judgment of the chairman and ranking manager will be what controls it. They could put more in education if they like and nobody could stop them.

Until the chairman of the Appropriations Committee looks at all the money available in the nonprotected accounts and determines how much he wants to give this subcommittee, we are not going to know how much the subcommittee has to spend, and I regret that, but I believe that is the case.

I do not think we ought to do this to the rest of the budget. Yesterday evening, when we debated the desire of the institution, called the U.S. Senate, to do more for NIH, you did not hear

the Senator from New Mexico say, "And that assures you in this budget we are going to change it by \$1.1 billion," and had anybody asked me, I would have said it does not assure you of that. This budget is finished. That wish is in the future, and I think the proponent of that amendment knows we are not going to get there very easily doubling NIH. It is just we want to shoot for the stars when it comes to science research, especially biomedical research.

I yield the floor and yield whatever time Senator LAUTENBERG wants, and if we have a few minutes left, I will yield to Senator GRAMM.

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

Mr. LAUTENBERG. Once again, Mr. President, I find myself on the opposite side of an amendment that, frankly, I would not mind supporting. I do not think we do enough to combat the diseases that plague our society, things that we could ultimately save, I think, a fortune with if we could develop some of the programs that are now kind of just showing up with a light at the end of the tunnel.

I met with a group of drug executives last week in New Jersey, and when they laid out the programs that are near completion—some of those are in testing now in FDA—and the prospect of saving costs for long-term diseases, whether it is Alzheimer's or osteoporosis and so many other things, it is a great advantage for us, both financially and functionally, as a society.

Because we are in this bind where the funds would come from functions like education, environment, crimefighting, frankly, I am going to have to oppose it. It is one of the tasks we inherit when we take on an assignment like budget, which was declared earlier in this Chamber to be one of the least popular assignments in the place. As a matter of fact, one Senator suggested that every Senator ought to have a sentence of 6 months on the Budget Committee to understand what it is like. Budget committees are fun when there is lots of money. When there is not much money, to put it mildly, it is a drag.

Mr. President, I yield back any time remaining.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from New Mexico has 6 minutes 30 seconds.

Mr. DOMENICI. I yield 4 minutes to Senator GRAMM.

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

Mr. GRAMM. Mr. President, I am in favor of doubling funding for NIH, and I am going to vote for it. When the appropriations bill comes to the floor and we are shooting with real bullets, as I like to say, I am going to offer this amendment if nobody else does. I think we ought to vote on funding NIH, but I

want to make it clear that we are not voting to fund NIH here. We are voting to give the Labor-HHS Subcommittee another \$1.1 billion, with no guarantee where that money is going to go.

I would like to make this point: There is no program under their jurisdiction that is more popular than the National Institutes of Health. The National Institutes of Health is going to end up getting this \$1.1 billion no matter what we do here, but if we did transfer this money and if the Appropriations Committee actually decided to do it, something we cannot mandate they do, what we are doing is larding the very social programs that make up the biggest growth in this budget.

The President of the United States said, in one of his most honest statements, this budget provides the largest increase in social spending we have had since the 1960's. The point is, most of those programs are under the jurisdiction of the Labor-HHS Subcommittee, chaired by the distinguished Senator from Pennsylvania. All we are asking is that we not give that subcommittee more money; that they have to set priorities, and if we are for the National Institutes of Health, we have to decide that there are other programs that are less important than it is.

I remind my colleagues that the discretionary allocation alone to the Labor, Health and Human Services Appropriations Subcommittee is going to be at least \$60 billion.

The National Institutes of Health gets about \$13 billion. So we could quadruple funding for the National Institutes of Health in 1 year if we were willing to take it away from other programs.

So I am glad we are voting on this amendment now because when we have this appropriation come to the floor of the Senate, if NIH does not have this money and nobody else on the committee and no one who is on the subcommittee offers an amendment to give it to them by taking it away from other social programs, I intend to offer the amendment to see that NIH gets the \$1.1 billion.

But let us not today give the fastest growing part of the domestic budget, Labor, Health and Human Services, another \$1.1 billion with no guarantee that we are protecting the National Institutes of Health but every guarantee that we are larding programs that many of the Members of the Senate do not even support, much less do not support giving more money to.

So if you want to raise funding for NIH, vote for it when the appropriations bill is on the floor. But there is over \$60 billion in discretionary funding under the jurisdiction of this subcommittee. If they want to quadruple NIH next year, they can do it.

But they have to do it the way families make a decision about sending their child to Texas A&M University. They have to say, "Well, look, I wanted to buy a new refrigerator. That was great. I wanted to go on vacation. That

was even better. But I didn't do those things in order to send my child to college."

If we want to fund NIH, let us fund it. And let us do it by giving less money to things that are less important. I think that basically is what this amendment is about. That is why I am going the opposite.

The PRESIDING OFFICER (Mr. SANATORIUM). Who yields time?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

The PRESIDING OFFICER. The Senator from Pennsylvania has 9 minutes 30 seconds.

Mr. SPECTER. Mr. President, I will be interested to see when the distinguished Senator from Texas offers his amendment during the appropriations process what his offsets will be. On my time, I am interested to hear them now, if the Senator from Texas would care to give us a preview.

Mr. GRAMM. Well, let me say that I do not have the listing before me, but I can certainly tell you that it would be my intention to go through the list and to look at many of the areas where we are funding programs that are of a lower priority than the National Institutes of Health.

When a family decides they are not going to go on vacation, that is not because it is not important. It is just because they have other things that are more important.

Mr. SPECTER. Mr. President, I appreciate the answer from my distinguished colleague from Texas. But I ask him if he would cut the Social Security administrative costs which total some \$6 billion or cut the Medicare administration costs or if he would cut the job training programs or student aid or Pell grants?

I understand that, in posing this question to the Senator from Texas, it is not possible for him to give a very meaningful answer without having the list before him, but I suggest at the same time that when he says we could quadruple the accounts because we have \$60 billion; we had \$74 billion last year and the funding was very, very short. And contrary to what the distinguished Senator from New Mexico says, that we are just talking about expressing a wish and a hope, that the accounts are going to be set by the appropriators, that really is not so.

When the chairman of the Appropriations Committee, the full committee, sits down for the 602(b) allocations, what the Budget Committee has done will be very, very important. When the Senator from New Mexico says that we can make allocations, yet at the same time has stated that there are protected accounts on education that cannot be utilized for the health account, it is just a little bit inconceivable to this Senator how the Budget Committee comes up with the 550 account which is less than a freeze on last

year's account. The reality is that there will not be the funds for us to make an allocation for the National Institutes of Health.

If this amendment passes, there will be a statement from the U.S. Senate to the Appropriations Committee that there ought to be an increase by \$1.1 billion, which will net out to about \$1 billion for NIH, and that when you go through, as the Senator from New Mexico did, and specify what the costs will be other places, that it is doable to have a cut of 4 percent in administrative costs. The administrative costs are \$25 billion today. Nobody can tell me that you cannot cut 4 cents out of a dollar on administrative costs.

What we did last night in talking about a \$2 billion increase for NIH is "talking about it." What we are doing now is putting our money where our mouths were last night.

If the Senate votes this down, then there is a ready answer that this Senator will have because I have the responsibility as chairman, Senator HARKIN has the responsibility as ranking member, of saying what we are doing. On this date of the record, it looks like there is going to be a \$2 billion increase.

How does the American public, how do the people understand what the sense of the Senate is? You say it is the sense of the Senate. Is there a sense? Yes, there is a Senate. Does the Senate have any sense? Well, not really if you pass a sense-of-the-Senate resolution which does not mean anything; \$2 billion. Does the Senate have any sense? Well, not if you pass a sense-of-the-Senate resolution which is vacuous and meaningless.

This is the money. Where is the money? It is in this amendment. If you do not pass this amendment, fine. I have a way to tell the people who want breast cancer to be financed, there is not the money. The Senate voted no. I have a way to say to the people who wanted money for mental health, there is no money to increase mental health.

The fact is that there has to be a pro rata cut. You have less in the 550 health account. There is no way to have an increase for inflation. Now, if that is sense, then the Senate does not have any sense.

How much time remains, Mr. President?

The PRESIDING OFFICER. Four minutes thirty seconds.

Mr. SPECTER. I yield 2 minutes to my distinguished colleague from Iowa.

Mr. HARKIN. I will try not to take more than a minute.

The Senator from Texas said, if I heard him correctly, that we can double in 1 year the funding for NIH if we would just set our priorities straight.

Mr. SPECTER. If the Senator will yield for 1 minute?

Mr. HARKIN. Sure.

Mr. SPECTER. He did not say, "double." He said, "quadruple."

Mr. HARKIN. In 1 year?

Mr. SPECTER. In 1 year. That is what he said.

Mr. HARKIN. I thought it was double.

We are spending about \$13 billion a year at NIH.

Mr. SPECTER. Four times 13 is \$52 billion, and we have \$8 billion left over according to the \$60 billion figure. But we only have worker safety and child care and education.

Mr. HARKIN. I ask if the Senator from Texas would amend his statement in the RECORD and provide us with a table. If the Senator from Texas says we can quadruple spending for NIH, please tell us how. Please put in the RECORD for all to see what the Senator from Texas would like to cut in order to increase that kind of funding for NIH. If he does not, well, then the words are just words; they do not mean anything.

So I challenge the Senator from Texas to back up his words with examples of where we are going to get the money to quadruple in 1 year funding for NIH.

Lastly, let me just say, again for the record, there has been some talk we put the money there, but we don't know where it is going to go. We offer the amendment as chairman and ranking member of the subcommittee as cosponsors. We have the votes on his side and our side to make sure that is where the money goes, to NIH. There should be no doubt in anyone's mind that that is where this money is going to go.

I thank the chairman for taking the lead on this.

Mr. SPECTER. Mr. President, beyond the assurance as to where the money is going to go, there is money there, so that if there needs to be a reallocation, there will be some funds that can be allocated.

The subcommittee has the responsibility for job training, student aid, Pell grants, LIHEAP, the Center for Disease Control, child care, Social Security administrative costs, Medicare, and a long list of items which have very, very high priority. And when the Budget Committee returns to the health account less money than it had last year, obviously, there is no money for NIH because the other items have been cut to the bone as it is.

The last 2 years Senator HARKIN and I consolidated or eliminated 134 programs to save \$1.5 billion to put into NIH and to put into education. And the additional funds here are on projected programs.

So it is a very clear vote. It is a vote as to whether we want to put our money where we spoke so eloquently last night on \$2 billion or whether we want to have NIH unable to have an inflation rise and, in fact, have a pro rata cut.

How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from Pennsylvania has 1 minute 22 seconds.

Mr. DOMENICI. Is the Senator finished?

I yield 2 minutes to Senator GRAMM.

Mr. GRAMM. Mr. President, I want to go back to this issue a moment because I think it makes my point. I was thinking in terms of yesterday in talking about \$60 billion for this subcommittee. They are now up to \$74 billion. They blew through \$60 billion in a hurry, and then another \$14 billion.

My point is this—and I stand by the point—if they wanted to give this project more money, they could do it. But the point is they have got to take it away from somebody else. Actually, they could increase it fivefold. I was being overly conservative, as usual.

But let me just give you an example. I do not have the list in front of me. I will have to have the list when I offer the amendment on the floor to provide this money. I will have to cut some.

Let me give you one example. \$491 million for Goals 2000. Maybe local education could do without Federal Government telling them how to run the primary and secondary schools. Maybe we could sacrifice and not obligate that \$491 million of budget authority. That would be about half of the way home toward meeting this goal.

So I just begin with that one example. I will start that out of the bidding process. You can have all \$491 million of that project. My guess is with the list before me, in another 45 seconds I could probably come up with the other funds it would be required to do this.

But the point is, not that it is easy, not that you want to do it, but the point is, their argument is sort of like the parent saying, "Well, you know, I'd really like my child to go to college but, you know, I've got to buy a new refrigerator. We have been planning to go on vacation." The point is, families make those decisions; why cannot Government?

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

Mr. SPECTER. Mr. President, if it were the old U.S.S.R., and Senator GRAMM were Premier Stalin, he could cut the \$400 million for Goals 2000. That happens to be one of the President's premier projects. Every time you turn around within that item, there are matters which are very, very important to someone.

But I will await the vote. I will abide by the will of the Senate. I will be fascinated to see Senator GRAMM's amendment.

I yield the floor.

The PRESIDING OFFICER. Does the Senator yield back his remaining 50 seconds?

Mr. SPECTER. Mr. President, not until I hear what Senator DOMENICI says.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield myself 3 minutes. What I do not have I will take it off the bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I guess I would like to once again com-

pliment the sponsors and certainly indicate that I have great respect for their desire to fund programs like NIH.

But I tell you, fellow Senators, to say you are going to go across the entire budget of the United States and you are going to get rid of some administrative costs and then you are going to take those administrative costs and you are going to put them in this subcommittee so it can spend it on NIH is a pipe dream.

There is not going to be any 4-percent cut or 2 percent, whatever it is, in overhead unless it is made by each subcommittee who is doing that. What this amounts to is deciding here on the floor of the Senate that all of the other subcommittees of the U.S. Senate that handle everything from the Department of the Interior to Veterans—in fact, if I were the chairman of the Veterans' Subcommittee I would be here on the floor and I would say, "I don't think the U.S. Senate has given the veterans enough." I would ask John ASHCROFT, "Will you help me? Why don't we just say, let's cut overhead and give the veterans \$5 billion more? After all, they're preferred people in America."

Boy what an amendment that would make up here at the desk. Who is going to turn it down? It does not cost you anything—does not cost you. Of course it costs you something. Huge numbers of other programs are going to have to be cut. All I am suggesting is, we ought to wait for the appropriators to make that decision.

I think I am glad we stopped the amendments and there are not any more. I would look at very popular programs and send the subcommittee chairman over here and say, well, let's just cut 8 percent out of the Subcommittee on Health and Human Services, the one they are adding to, and just cut 8 percent out of overhead, and stand here and tell the Senate, well, we did not hurt anything in the subcommittee; we took 8 percent out of overhead and put it in the veterans.

Maybe you can think of a good one, or maybe you can think of a good one. I gave you some ideas, but I do not want you to do that. I tell you, that is what this amounts to. What we ought to do is leave it up to the appropriators as we have in the past.

It has been said that the Budget Committee's numbers are important as to how they allocate. Let me tell you, sometimes I am pretty puffed up about this process. Other times I wonder what in the world am I doing working so hard at this process. The truth of the matter is, in the last 14 years, the appropriators have used the allocations of the Budget Committee how many times, would anybody think? Once. One time Senator Mark Hatfield said, "I am brand new at this job as chairman, so I am just going to take your allocations and just accept them." Boy, that did not last very long. By the next year, they figured out what their allocations ought to be and that was the end of

that, and they probably departed from it by \$5 billion. In other words, they moved it from here to here but stayed with the total.

I think we ought to stay with the totals. Frankly, I hate to do this because I am a strong supporter of NIH. In fact, I may very well urge that Ted STEVENS put more money in NIH when we look through all the accounts of Government and see how we can fit it. I do not think it is fair to come here and say it is not going to cost anybody anything, it is a tiny bit of overhead. The other phrase we used to use is "fraud and abuse." The best fraud and abuse salesman around here was Senator Dennis DeConcini. He used to come down here at the end of the whole process and say, "I am not spending anything. I just want to tell the Government to save \$600 million on fraud and abuse," and he would write up an amendment, fraud and abuse, take the \$6 million, put it in the subcommittee, and say we will spend it there, and everybody went home and he got a press release. The truth is, nobody found the \$600 million or the \$400 million in fraud and abuse, and so what happened, another committee has to eat it.

That is what we are asking to do here. I do not think that is the way to do it. We will have a little more time spent on this amendment before we finish here today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I am delighted I did not have an offset here on fraud and abuse. I have an offset on administrative costs.

As the distinguished chairman knows, there has to be an offset. I chose an offset which I think is realistic. When the distinguished Senator from New Mexico says the appropriators are going to do whatever they want to do, I wonder why we are here at all. Why have we been spending the last 2 days on a budget process that does not mean anything? The fact is that it does mean something.

When the Senator from New Mexico says, call on the subcommittee chairman of Veterans' Affairs, how about the chairman of Veterans' Affairs? I chair the Veterans' Affairs Committee. Let me tell you, it would be a boon to that committee to have this researched.

Now the question is whether there is going to be any sense of the Senate at all, and if there is, this amendment will be adopted.

Mr. DOMENICI. I understand this amendment will be stacked in the normal manner that we are planning, or if we have not gotten that agreement, we have a number of amendments we will stack by unanimous consent soon. But we have another amendment to call up, and I ask whatever the pending amendment is, that it be set aside.

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

AMENDMENT NO. 322

Mr. ASHCROFT. I call up an amendment numbered 322, and I ask unanimous consent that Senators MCCAIN and INHOFE be added as original cosponsors, and Senator GRAMM is now reflected as a cosponsor of the amendment, but, if not, I ask his name be added.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT] for himself, Mr. GRAMM, Mr. COVERDELL, Mr. ABRAHAM, Mr. HELMS, Mr. FAIRCLOTH, Mr. MCCAIN and Mr. INHOFE, proposes an amendment numbered 322.

(The text of the amendment is printed in the RECORD of May 21, 1977.)

Mr. ASHCROFT. Mr. President, I rise today with an open mind, for I have not yet decided how to vote on the budget resolution before the Senate. I understand and I appreciate that we should not let the perfect become the enemy of the good. If I forget that, the leadership and the Senator from New Mexico will be quick to remind me, I am sure.

Having been a Governor, I understand that budgeting requires choices, choices that will not satisfy everyone but should benefit everyone. Like Senator BOND, who served as Missouri Governor before me, I balanced eight budgets in our State of Missouri, working with our State legislature. The economic results were a strong, growing economy, more jobs, low taxes, and the Nation's highest bond ratings. We developed a record of which we could be proud in balancing the budgets. We developed a rainy day fund, several hundred million dollars in the cashflow operating reserve.

But the State law that we had equipped us with the necessary tools to balance our budget. We had a constitutional provision and requirement that we balance the budget. We had the line-item veto. We had the requirement and the power to balance our budgets and then the tools to enforce our agreements. We worked with good people who had good intentions, and we reached good agreements. But we also had a good process to ensure that our agreements were kept.

I have only been in the Senate for a relatively short period of time, but it seems to me there is no shortage of good people with good intentions here in Washington. What disturbs me is that here in Washington we do not have good processes in place to ensure that the budget agreements we make 1 year will be kept the next year. Particularly, we lack the right kind of mechanical structural devices in Government to make sure that the budget agreements we make in one year, like 1997, would be kept in the year 2002.

You can believe in and trust the people who reach disagreement in good faith, and I do believe in them and I trust in them. But the history of failed budget agreements and the continuous deficit spending without enforcement

measures makes a mockery of good people and it makes a mockery of good intentions. We need more than good intentions and good people. We need good guarantees. We need strong enforcement provisions. We need the limits contained in the agreement to make sure that the agreement is not broken.

We have heard a lot on the floor of Senate that if you do this to the budget, it will be a deal-breaker. Well, I want to make sure that we add some enforcement so that we have a deal-keeper. I hope that there will not be folks anywhere in this Chamber who say that because you have an enforcer of this agreement that it is a deal-breaker. It would be awfully difficult to hear people argue that anything that forces us to keep the agreement breaks the agreement. I think what we have here is the need for a deal-keeper and a deal-keeper cannot be a deal-breaker.

Most of the people who are involved in the debate might not be in office 5 years from now. The President certainly will not. So if we expect to balance the budget, we need a principled process, we need the structure of protection to be added to this agreement. We should not trust the next generation's future to a handshake agreement between people who will not even be around when the real crunch time comes. That would be the triumph of hope over experience.

For me, a balanced budget in the year 2002 is worth voting for, but good intentions are not enough to be worth voting for and good intentions alone will simply not protect us until we get there. The budget resolution which we have before the Senate today claims to reach balance by the year 2002. The American people will furnish every single dollar that is taxed and spent under this budget deal. I believe they are entitled to the very strongest possible guarantees, guarantees that promises made under this deal today will be promises kept tomorrow. People outside the Washington Beltway have a healthy skepticism of promises to stay on course for a balanced budget.

The amendment which I have introduced and which I am introducing with those other Senators whose names have already been recited enforces the assurances that the leadership is promising under this plan. It does not change the bipartisan agreement between the President and the constitutional leadership. It simply adds additional enforcement mechanisms to ensure that the Nation actually reaches balancing its budget by the year 2002.

Now, if we are truly committed to balancing the budget, we must have adequate enforcement mechanisms. This amendment ensures that any legislation, any legislation would be out of order if it caused total outlays to exceed total receipts for the year 2002, or any fiscal year thereafter, unless three-fifths of the whole number of each House provide for a specific excess of outlays over receipts by a rollcall vote.

Under this amendment, any legislation would be out of order if it caused an increase in the public debt above the levels in the fiscal year 1998 budget resolution for fiscal year 1998 through 2002, remaining at the 2002 level thereafter unless three-fifths of the Members of each House provided for such by rollcall vote. Under this amendment, any legislation would be out of order if it caused an increase in revenues unless approved by a majority of the whole number of each House by a rollcall vote. That is the requirement for an absolute majority in the event of any increase in taxes.

Now, over the past 30 years Congress has not been very good at exercising self-control in budgetary matters. We need these enforcement tools to lock in our commitments to the American people to balance the budget by the year 2002. Senators should recognize these concepts which I have just mentioned. The fact that it would be out of order to increase the debt above the levels in the agreement, it would be out of order to have outlays that exceeded our income, it would be out of order to have tax increases without the whole of a majority of each whole House in a rollcall vote, because these are the very provisions, these are the very provisions which we all voted for, which 66 Members of this Senate voted for in the balanced budget amendment to the Constitution debate.

I say to the 66 Members who voted in favor of this, this should be the structure we work in perpetuity, as long as this Nation exists. If it was good enough to put in the Constitution as long as America would exist, it ought to be good enough to put into this budget agreement for the next 5 years. It is that simple.

Deficit spending has wrested power from the people it has deposited here in Washington. We have inverted the Framers' will. They expected us not to spend the money of the next generation. This approach is to do one thing, and one thing alone, and it is to curtail the deficit. It is to put enforcement and teeth into this agreement. It is to hold this agreement in place during the next 5 years. It is not to add spending to this agreement or take spending out of this agreement. It is simply to make this agreement an honest agreement for the people of the United States of America.

Our ability to spend the money of the next generation is one of the skills we have refined to a very high level, and it is a skill we ought to curtail and guard against. This amendment would guard against it.

We have tried time and time again to deal with the dilemma of recurring debt. We have not been able to deal with it. We simply have not been able to summon the discipline. Well, I say put the discipline in this agreement. We should make part of this agreement the kind of guarantee that will make sure we keep our word. Put "deal-keeper" into this agreement. Stop talking

about deal-breakers. Make this a deal-keeper.

Chronic overspending does not simply result when one group decides that it will try and stop it. We have to have the right structure in place, and the amendment which I have offered today is the right structure for doing that.

This budget agreement suggests that Congress will balance the budget by the year 2002. We must have the enforcement provisions necessary to ensure that this goal is actually reached to place the very provisions in this agreement, the very provisions which were voted for overwhelmingly by this Senate when it sought to pass the balanced budget amendment to the Constitution. Sixty-six Members voted for those items. That makes good sense.

Incidentally, for those who didn't vote in favor of the balanced budget amendment, the rest voted against it and almost universally said give us a chance to vote for this as a statute.

We don't need to tamper with the Constitution. Here is that chance. This is a chance to say, "Yes. We agree that statutorily the very conditions which were so favorably received in the balanced budget amendment proposal are available as statutory law here." I believe this is an addition to the budget agreement, which won't be a deal breaker but which would be a budget agreement keeper.

If the Senators believe that this budget deal will lead us to a balanced budget by the year 2002, then they shouldn't fear adequate enforcement provisions that will make this a certainty. The American people are rightly skeptical that this deal will lead to a balanced budget. Firm enforcement would go a long way to assure the American people of Congress' resolve to do the right thing and to keep its promise to balance the budget.

As I mentioned, 66 Senators voted to abide by the enforcement provisions in this amendment when they voted for the balanced budget constitutional amount.

I hope that they will join in support of these very items which would provide an assurance that the conditions of this agreement would indeed be met.

Senator INHOFE and I have combined forces on another amendment. I wanted to thank him for his cooperation in getting that done.

I yield the remaining time to Senator INHOFE.

Mr. INHOFE. Let me yield 2 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. I thank my colleague from Oklahoma.

Mr. LAUTENBERG. Mr. President, parliamentary inquiry: Perhaps I didn't understand the Senator from Missouri. Was the Senator yielding time to the Senator from Oklahoma to speak on the Ashcroft amendment?

The PRESIDING OFFICER. The Chair understands that the Senator from Missouri yielded his remaining time to the Senator from Oklahoma.

Mr. INHOFE. If I could be recognized for a point of clarification, I believe that the Senator from Missouri was recognized for the purpose of explaining the provisions of the amendment 323, and inadvertently said "322."

Mr. ASHCROFT. I had two amendments. The second amendment I was going to use at the same time.

Mr. INHOFE. We are going to ask for the yeas and nays.

Mr. ASHCROFT. I would like to ask for the yeas and nays on amendment 322.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I want to congratulate our colleague from Missouri.

This is a very important amendment. Quite frankly, the only reason anybody would oppose this amendment is if they don't believe that this budget agreement is going to produce a balanced budget. I think this budget agreement is really short on enforcement. I think enforcement is very important in a budget because you are talking about what you are going to do 5 years from now.

We all know the old adage: "After all is said and done more is said than done." And in politics that adage should grow by some multiple. In fact, we have stood on the floor of the Senate on many occasions and pounded our chests and said we balanced the Federal budget. It is not balanced yet. And, in fact, we are a long way from the goal line.

As I pointed out yesterday, 97 cents out of every dollar of deficit reduction, as compared to current discretionary spending and current law, in this budget comes from assuming good things are going to happen in the future.

What the amendment of the Senator from Missouri does is say that is just great, but, if it doesn't happen, we are going to have an enforcement procedure that says you have to have a three-fifths vote to raise the debt to pay for this deficit, that you have to balance the budget by the year 2002 unless 60 percent of the Senators vote to waive it. Obviously, they are going to be under political pressure to live up to their promise—and that you have to have a rollcall vote and a constitutional majority on raising taxes.

These provisions weren't made up by the Senator from Missouri last night. These provisions weren't simply dreamed up or written on the back of an envelope. We enshrined these agreements forever when 66 Members of the Senate voted to make this part of the Constitution of the United States of America. In fact, had two of our colleagues, who had pledged to vote for it, not changed their votes it would be part of the Constitution today, and this wouldn't even be needed.

If 66 Members of the Senate were willing to make this the Constitution, why couldn't 51 of them vote to make it part of this budget agreement, that for the next 5 years as a part of this budget agreement we have the same enforcement procedures we would have had had one more person voted for the balanced budget amendment to the Constitution?

So I want to congratulate our colleague from Missouri. I think this is a very important amendment. If you have any concerns that Congress may not live up to what it said, if you have any reason to be suspicious that all may not go well or as planned and you want to buy a little insurance policy that says there is something different about this budget than all of the others that we have adopted, vote for this amendment. I intend to vote for it. I think it is a very important amendment. I urge my colleagues to do the same.

I thank our colleague for yielding me this time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I send a second-degree amendment, numbered 323, to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. A second-degree amendment is not in order until all time has expired on the amendment.

Mr. INHOFE. Does the Senator from Missouri yield back all his time on 322?

Parliamentary inquiry: As I understand it, if the Senator from Missouri would yield back the remaining time on amendment No. 322, then it would be in order for me to send this to the desk.

The PRESIDING OFFICER. If the Senator from Missouri and the Senators who control the time yield all time, then the amendment would be in order.

Mr. INHOFE. Mr. President, I ask unanimous consent that I send a second-degree amendment to the desk and ask for its consideration and that it be accepted.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma has the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GORTON. Mr. President, I yield such time in opposition to the amendment by the Senator from Missouri to the Senator from New Jersey as he may use.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair.

As we examine the amendment sent up by the Senator from Missouri, it kind of recalls some other debates that we have had here, and he so aptly reminded us, that included the balanced budget debates and the subsequent vote that took place. And it therefore seems to me to be out of range to attempt to do that on this budget resolution.

Frankly, in discussions that we have been having informally, it is my understanding that this amendment not only is opposed by me on behalf of the Democrats but also is opposed by the Republican management, and I certainly hope so because this is outside certainly the structure of this budget resolution.

We are, Mr. President, working with a set of estimates. That is the best that can be done. One cannot put this into concrete and say that absolutely at the end of your fiscal year 1998 or even at the end of the fiscal year 1997, which is relatively imminent, we are going to be able to precisely gauge exactly what the outcome is going to be. It cannot happen. So we are working with estimates.

But there is something else we are working with, and that is the good faith of the institution. I have heard it said on this floor in recent moments that the implication is that we in this body can't be trusted. And the words that were uttered came from a Member or Members of the institution.

I don't know who it is that can't be trusted. Is it everybody else except the speaker? Is it everybody on this side of the aisle? Is it everybody on that side of the aisle? The one thing I must tell you I find difficult to comprehend—now, my background is business and I spent 30 years doing that. We didn't find everybody always meeting their word. But typically, if someone had a position of responsibility, you gave them the benefit of trust. And if there was, sometimes, a misunderstanding on an agreement, why, we chalked it up to a misunderstanding, we chalked it up to a misinterpretation. But to suggest that there is no trust in the U.S. Senate, sent here, 100 of us, by 260 million people—what fools those people are to send us here. We can't be trusted. You hear it coming from those who work here, those who have been sent here: Oh, no, we can't be trusted.

I will tell you this. I don't know anybody here—anybody here, on either side of the aisle, who can't be trusted. I may disagree with their point of view. I may disagree with their judgment. I wouldn't say—I am trying to think of the instances where, perhaps, in my 15 years here, that I have run into someone who you just can't trust. There are rumors about a person here or there. But to suggest that the body is not trustworthy and therefore we need special shackles, special handcuffs, special rules, special procedures?

It is not enough to say, look, I was sent here by, I don't know, 2 million people in the voting booths, or that I represent a State with 8 million people, or this one represents a State with almost 50 million people, or that one represents a State with 18 million, or that one represents a State with 350,000 people—to say those people are either naive, stupid, don't know what is going on? They made a choice that suits their intellect and suits their view of what life is about, what they need to carry on their responsibilities. I don't think we need these constraints.

I want to look at the record. I look at a record and if we get partisan about this, I look at a record of two parties, one Republican, one Democrat. The Republicans came into power in full force in 1980. President Reagan was a popular President, among the most popular in the history of the country. He came in, made decisions about tax cuts, \$2.8 trillion worth of tax cuts—\$2.8 trillion. By the way, in this budget, we have \$250 billion, and there is a fair amount of debate. I didn't hear a lot of people say, don't trust him. It was voted, it was part of the law, and we succeeded in creating skyrocketing deficits, year after year, growing more each year than the year before, until we were almost at our wit's end.

In 1992, a Democrat was elected President, a Democrat from the tax-and-spend party. That Democrat brought the budget deficit down from \$290 billion to what is anticipated this year to be below \$70 billion, 1992-97, 5 years' worth. We have been doing pretty good. That, to me, looks like we kept our word, all of us, because we have legislated. We have been lucky, too. We have had a very good economy to bolster the revenue side of things.

But Government is smaller than it was by a significant measure, over a couple of hundred thousand people. We have tightened up in lots of ways that needed tightening up, and the results are pretty good. We have close to 12 million new jobs, unemployment is at its lowest point in 24 years, inflation at a steady rate, very low. There is not too much concern—a little worry, but it's not like it used to be. It's not like it was when it finally worked its way up to 21-or-so percent some years ago. It has been modest. Things have been happening.

Our tax-to-GDP ratio is the lowest among the industrialized nations. Our ratio of deficit to GDP, very low. Signs are pretty good. Is this going to last forever? I don't know. Neither does anybody else here. Is it going to get worse immediately? No one knows that here, either.

We look at the statistics. They look pretty good: PPI down, CPI down, everything in the right direction. That, again, does not mean it is going to last, but it does mean this is a heck of a time to, after struggling, struggling to get a balanced budget amendment on the books—and we are this close, Mr. President, this close to a balanced

budget. It can be done in this body within hours from now, within hours, 4 or 5 hours; pass a balanced budget amendment—a balanced budget. I am sorry. A balanced budget. That was a slip of the tongue. Not one I meant to make, I can tell you. Within 4 hours, we can have a balanced budget, bipartisan—their side, my side.

I don't know that we are walking arm in arm, but as I said for the newspaper the other day, at least we are not looking nose to nose, we are looking shoulder to shoulder, which I think is a better way to do it, and feeling pretty good about a lot of hard work.

I don't get paid overtime. I don't want to get paid overtime. I did it because I took the job I wanted to have. I am so privileged to serve in this body. So many times I go over to my desk and I lift the top drawer—this is for the Senator from Missouri. I lift the top of my desk. It is right back there. Underneath that top, it says, "Truman, Missouri." There is only one Truman I know, who was the President of the United States. I think his name was Harry—"Truman, Missouri." The man who stood for don't pass the buck: "The buck stops here." The distinguished Senator from Missouri had served as Governor of that State. He is someone highly thought of. But I could not disagree with him more on this resolution.

When I see things going as they are, and we have an opportunity for us to work in a bipartisan fashion, 6 weeks, roughly, of long days, long nights of sitting across the table from one another—no growling, no grouching, no anger, no fits or bursts of temperament, walk out of the room—none of that stuff. We disagreed. We discussed it. But nobody tried to put anything over on the other person. And we had the President's people in the room with us, three parties to the agreement.

And I tell you, talking for myself and for my colleagues over here, there are things in here that we just don't like. I can be sure that there are things over there that they just don't like. But in a consensus arrangement—I have heard that even occurs sometimes in marriage. Two people get along, have nice kids and all that. Sometimes they disagree. Hard to believe?

In any event, here we are. We have worked together and we walked out of that room, that day, feeling pretty good, even though we had the disagreements that followed on. We have worked, now, for these couple of days to try to get this agreement in place so it could go over to the House, have a conference on it, get the President to sign it and say to the American people—I hold my head high when I do it, in conscience. And my conscience—my name means a lot to me. It means a lot to me because whenever I am in here, I always remember that my parents were brought here as children by their parents from Europe—poor, hard-working people. They always said to me, "FRANK, get an education. That's the

way up. That's the way you get out of this. That's the way you get out of the store," with my mother waiting on the tables, cleaning them off all day and all night.

So, my name means a lot to me. When I lent my support to this agreement, I did it feeling full well that I had done it with all the knowledge that I had available to me, that I did it in good conscience and that we were going to be able to get this agreement passed, out of the way and passed, and that we would be working hard to make sure that we met the objectives that are in here.

The budget amendment says—and I perhaps paraphrase here because I am not reading from the amendment but I am reading from a summary. It requires a three-fifths vote of the Members of each House to provide for specific excess of outlays over receipts or to provide for such an increase in the level of the public debt.

That is pretty significant. Normally, we operate with a majority, except in some special cases—veto override or supermajority that are required, sometimes, in budget affairs. But typically it is 51 votes takes it all.

Here we say that, no, even though it is now in order, even though it is on paper, even though these are estimates, I once again say, and even though it was done with the best judgment that people could exercise, no, we are now going to go back to the debate on the balanced budget amendment. That is essentially what this is. Because we saw it defeated when it was presented here. It needed 67 votes. It got 66, as I remember. And one of the Senators on the floor before said that we would have had a balanced budget amendment if a couple of people hadn't changed their minds. We would have had it in place. It would have been attached to the Constitution.

Far be it. It took a lot of States. They had to make a lot of votes; 50 of them had to vote to approve it before it got into place—not all 50 of them, but three-quarters of them.

So it would not be in place. To now be doing a balanced budget amendment when we have a balanced budget 5 years in duration, 10-year projections, we don't expect—we could be wrong, but that's judgment. That is why we were sent here. Use your judgment, make sure your conscience is clear in things that you do. We could be wrong, but it looks in the 10 years, in the next 5-year cycle, that there will not be an explosion of growth in tax cuts, there won't be an explosion in the annual deficit, that we will be able to muster a surplus so we can start paying down some of that debt and get rid of some of the interest we have to pay every year. We have to pay more than a quarter of a trillion dollars in interest every year that every citizen in this country pays for in one way or the other, that children, future generations, will be called upon to pay your debt. They didn't sign any papers to ac-

quire that debt. But we are on the way to solving some of those problems.

Now, when I look at this amendment, it says, further, that it waives these provisions for any fiscal year in which a declaration of war is in effect, certainly, or the United States is engaged in a military conflict which causes an imminent and serious threat to national security. Are there threats to our society other than war? Is instability within our society a threat to this society? Is violence in the street a threat to our society? Is constant tension and hostility between parts of our society, one with the other, classes in our society? I think that is a real threat to national security. But there are no provisions if we are all wrong and a recession starts; if, worse, a depression occurs. If we had the same rules in place today in the early 1930's, then the Depression—everyone who knows anything about business or economics, who studied the problem, will tell you the Depression would have been considerably ameliorated if we had unemployment insurance, if we had other protections for people during that period of time.

I think, frankly, as we look at this amendment, demanding now a 60 person vote in order to change things, to try and anticipate all the problems you have, is a terrible mistake. I think it violates the structure of the budget resolution. It will blow this agreement out of the water absolutely, because I know that there are not enough people who would vote to sustain a point of order if that is called upon. I expect to do just that.

So, Mr. President, I hope that we will leave well enough alone in this case, get on with the business at hand, pass the balanced budget resolution, and let us start solving our problems and not create new ones.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. I yield such time on the amendment as I may use.

Mr. President, my colleague and ally from New Jersey a few moments ago said of the amendment of the Senator from Missouri on this case I could not disagree more. I must say I could not disagree less and still disagree, but disagree I must do.

The reason I put it in that form is that the Senator from Missouri has presented us with an amendment that is for all practical purposes in statutory form the constitutional amendment on the balanced budget that was supported by almost but not quite two-thirds of the Members of this body. It differs, of course, not just in being in budget resolution language but in being effective immediately rather than several years from now, and in dealing with declining budget deficits as if each of them was the triggering mechanism for the supermajority requirements that are included within it.

It is, nevertheless, a theory with which this Senator and the manager of

the bill, the Senator from New Mexico, agree. The point with which we disagree, however, is the proposition that this philosophy should be added to this budget resolution. The issue is an important one. It is an appropriate one to be debated.

I can remember personally a decade ago when I had serious enough reservations about a constitutional amendment on the balanced budget when I felt that this philosophy ought to be passed in the form of a statute so that we could determine as a country whether or not it worked before we moved toward placing it in the Constitution. Personally, I would still be willing to do that.

However, it is important enough, it is vital enough that it ought to be debated independently of a budget resolution, which, as the Senator from New Jersey has said, marks the first time on which we have had a budget resolution in the time that I have been here at least that was supported largely by both sides of the aisle and in this case by the President of the United States.

And so while it is possible to argue, I suppose, that this amendment does not formally or technically breach the bipartisan agreement on the budget, as did yesterday's amendment on a tobacco tax and several of the other amendments that have been voted on here, it clearly breaches at the very least the spirit of this budget resolution agreement. It also clearly represents a vitally important policy decision which should not be debated for an hour or 2 hours as an amendment to this bill and then added to it.

It is for that reason, keeping what this Senator believes to be a commitment to pass this budget resolutions essentially in the form in which it was presented to this body, that I regret to say it is not acceptable to the leadership on this side as it is not to the leadership on the other side.

Now, Mr. President, for the information of other Members of the Senate, when all time has been yielded back on this debate—and I intend to yield our time back in just a moment—the Senator from New Jersey will raise a point of order against this amendment. I believe that the Senator from Missouri will move that the point of order be waived, will ask for a rollcall vote on that subject, and then we will stack that rollcall vote after the one previously ordered. We will go on to a similar but not identical amendment that will be sponsored jointly by the Senator from Missouri and the Senator from Oklahoma, and I suspect, although I cannot guarantee this, that when debate on that is completed we will probably have a series of votes, all of the votes that have been stacked at that time, which might very possibly take place at or around 6 o'clock.

With that, Mr. President, I am prepared to and I do yield back the remainder of my time on this amendment.

Mr. ASHCROFT. I yield back the remainder of my time on amendment 322.

The PRESIDING OFFICER (Mr. HAGEL). All time is yielded back.

Mr. LAUTENBERG. Mr. President, the pending amendment is not germane and therefore I raise a point of order that violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. ASHCROFT. Mr. President, I move to waive the point of order and 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.

Mr. ASHCROFT. Mr. President, I ask that the amendment be temporarily set aside.

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

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 323

Mr. ASHCROFT. Mr. President, I call up amendment 323.

The PRESIDING OFFICER. The clerk will report.

Mr. WELLSTONE addressed the Chair.

The assistant legislative clerk read as follows.

The Senator from Missouri [Mr. ASHCROFT] proposes an amendment numbered 323.

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

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

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

Mr. ASHCROFT. Mr. President, I believe we are prepared to agree that debate on this amendment be limited to 30 minutes in total.

Mr. LAUTENBERG. Mr. President, I would ask the Senator from Missouri if he would permit the exchange that we expected to have—the chairman of the Budget Committee is here—and that was that we would switch side to side. Now, we have had an amendment from Senator GRAMM, from the Senator from Pennsylvania, one amendment from the Senator from Missouri. Meanwhile, a commitment was made to the Senator from Minnesota, who has been waiting virtually all day. We have not had a chance to deal with it and I think—

Mr. DOMENICI. I think unless Senator WELLSTONE and you want to yield a second opportunity to our side, we have had three in a row. I did not know Senator ASHCROFT was going to offer two. I said let's have one. And if you do not want to yield to them, they will be next after Senator WELLSTONE.

Mr. WELLSTONE. Mr. President, that would be my preference.

I thank the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

AMENDMENT NO. 313, AS MODIFIED

Mr. WELLSTONE. Mr. President, I call up amendment 313.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 313.

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

AMENDMENT NO. 313, AS MODIFIED

Mr. WELLSTONE. Mr. President, I ask unanimous consent to modify my amendment.

Mr. GORTON. Objection. The PRESIDING OFFICER. Objection is made.

Mr. WELLSTONE. Mr. President, this is a typographical error. I believe we sent it to the staff earlier.

Mr. President, I am pleased to work this out. We had given it to Senator DOMENICI's staff several hours ago.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GORTON. I inform the Senator from Minnesota there will be no objection to his modifying his amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I send a modification to the desk. I thank my colleague from Washington.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. WELLSTONE. I thank the Chair. The amendment, as modified, is as follows:

On page 3, line 3, increase the amount by \$1,650,000,000.

On page 3, line 4, increase the amount by \$2,190,000,000.

On page 3, line 5, increase the amount by \$3,116,000,000.

On page 3, line 6, increase the amount by \$4,396,000,000.

On page 3, line 7, increase the amount by \$5,012,000,000.

On page 3, line 11, increase the amount by \$1,650,000,000.

On page 3, line 12, increase the amount by \$2,190,000,000.

On page 3, line 13, increase the amount by \$3,116,000,000.

On page 3, line 14, increase the amount by \$4,396,000,000.

On page 3, line 15, increase the amount by \$5,012,000,000.

On page 4, line 4, increase the amount by \$5,400,000,000.

On page 4, line 5, increase the amount by \$1,601,000,000.

On page 4, line 6, increase the amount by \$2,539,000,000.

On page 4, line 7, increase the amount by \$4,141,000,000.

On page 4, line 8, increase the amount by \$6,543,000,000.

On page 4, line 12, increase the amount by \$1,650,000,000.

On page 4, line 13, increase the amount by \$2,190,000,000.

On page 4, line 14, increase the amount by \$3,116,000,000.

On page 4, line 15, increase the amount by \$4,396,000,000.

On page 4, line 16, increase the amount by \$5,012,000,000.

On page 21, line 25, increase the amount by \$1,101,000,000.

On page 22, line 1, increase the amount by \$1,690,000,000.

On page 22, line 8, increase the amount by \$2,039,000,000.

On page 22, line 9, increase the amount by \$2,616,000,000.

On page 22, line 16, increase the amount by \$3,541,000,000.

On page 22, line 17, increase the amount by \$3,796,000,000.

On page 22, line 24, increase the amount by \$5,843,000,000.

On page 22, line 25, increase the amount by \$4,312,000,000.

On page 26, line 6, increase the amount by \$400,000,000.

On page 26, line 7, increase the amount by \$400,000,000.

On page 26, line 14, increase the amount by \$500,000,000.

On page 26, line 15, increase the amount by \$500,000,000.

On page 26, line 22, increase the amount by \$500,000,000.

On page 26, line 23, increase the amount by \$500,000,000.

On page 27, line 5, increase the amount by \$600,000,000.

On page 27, line 6, increase the amount by \$600,000,000.

On page 27, line 13, increase the amount by \$700,000,000.

On page 27, line 14, increase the amount by \$700,000,000.

On page 38, line 14, decrease the amount by \$700,000,000.

On page 38, line 15, decrease the amount by \$2,700,000,000.

On page 40, line 17, decrease the amount by \$5,000,000,000.

On page 41, line 7, decrease the amount by \$5,012,000,000.

On page 41, line 8, decrease the amount by \$16,364,000,000.

On page 43, line 21, increase the amount by \$1,101,000,000.

On page 43, line 22, increase the amount by \$44,000,000.

On page 43, line 24, increase the amount by \$2,039,000,000.

On page 43, line 25, increase the amount by \$1,366,000,000.

On page 44, line 2, increase the amount by \$3,541,000,000.

On page 44, line 3, increase the amount by \$2,546,000,000.

On page 44, line 5, increase the amount by \$5,843,000,000.

On page 44, line 6, increase the amount by \$4,312,000,000.

Mr. WELLSTONE. Mr. President, this amendment assumes increases in funding for Head Start and early start, child nutrition programs, school construction, and this additional funding will be paid for by reducing the tax benefits to the top 2 percent of income earners in the United States as well as by reducing tax benefits that are commonly characterized as corporate welfare tax loopholes.

Mr. President, it has been said about this budget—I might ask my colleague from North Dakota, does he have an inquiry?

Mr. DORGAN. I wonder if the Senator will yield to me for a question.

Mr. WELLSTONE. I am pleased to yield, Mr. President.

Mr. DORGAN. I appreciate the fact we are on a very important amendment the Senator from Minnesota is offering. I am increasingly concerned this afternoon. It is now 5:30 in the afternoon. As the Senator from Minnesota knows, a number of us in this Chamber have been working on a disaster supplemental bill providing disaster relief in an appropriations bill for people who have been involved in disasters, and we are nearing a point in time when time will run out on the passage of the bill. And some say, well, maybe the disaster bill will not be passed before the Senate goes out for the Memorial Day recess. Some others say, well, maybe not only will we not pass the emergency supplemental appropriations bill that we have been working on for weeks, but we will not pass the emergency portion of it.

I ask the Senator from Minnesota, is it not the case that in Grand Forks and East Grand Forks we have 10,000, 15,000 people who are waking up not in their own beds because they are homeless and a disaster bill must be passed? We cannot adjourn this session of Congress and take a recess unless a disaster bill is passed that deals with these critically needed funds. We have victims of floods and fires and blizzards out there who are waiting for a disaster bill to be passed. I am not suggesting here anyone is to blame for anything. I am just saying in the waning hours, we need to find a way to bring a disaster bill to the floor of the Senate.

Is it not the case we have thousands of people homeless in your area, East Grand Forks, and in Grand Forks who are awaiting some word about whether a disaster bill is going to be passed?

Mr. WELLSTONE. Mr. President, I say to my colleague from North Dakota, I am pleased he raised this question. I certainly want to speak about this amendment. I think it goes to the heart of the question of what the budget is about. But I think it is important to take a few moments right now in the Chamber to speak about this. I say to the Senator from North Dakota I know how hard he has worked on this for people in North Dakota. I know how hard Senator CONRAD has worked. I know how hard Senator GRAMS, the other Senator from Minnesota, has worked and Senator JOHNSON and Senator DASCHLE.

I just think that would be unconscionable. I hope this does not happen, the House of Representatives going into recess without getting the work done. Because in this particular case—it is quite one thing to say we want to get the work done, for example, on the budget, though the truth of the matter is 10 days from now the budget could be done and it really would make no difference. In this particular piece of legislation, we are talking about emergency assistance for people. This needs to be done right away.

So I say to my colleague, we cannot adjourn. I mean there is no way we can

adjourn until this work is done. He is quite right in the question that he put to me.

Mr. DORGAN. If the Senator would yield for one additional question?

Mr. WELLSTONE. Certainly.

Mr. DORGAN. Mr. President, the disasters that have occurred in our country that now result in a requirement to pass a disaster bill have been the most significant disasters that occurred in North Dakota statehood: 3 years worth of snow in 3 months; a 500-year flood in the Red River; thousands and thousands of people homeless, still homeless.

I appreciate very much the cooperation that we have seen here in the U.S. Senate in trying to write a disaster bill. We got one out of committee and got into conference. I am a conferee. I know a lot of Members of the Senate—the chairman of the committee, the ranking member, and others—have been working hard to get this done.

I do not know what is happening on the other side, but I know this: If the result of the coming hours will be that there are those who want to adjourn the Congress and go on a Memorial Day recess and decide that it is all right later to pass some kind of disaster relief bill, I will say to them, it is not all right with this Senator and not all right with a number of others, because people awaiting disaster relief are going to understand that this Senate has an obligation to do it.

We must not and cannot take a Memorial Day recess until we have addressed the disaster needs of victims who have suffered now for weeks.

In Grand Forks alone, nearly 15,000 of whom are still homeless, we do not need those folks to be looking at the Congress and saying "Why? Why on Earth were we not able to get the help we were promised and help that was needed?" I want them at the end of this session to be able to say thanks to Members of Congress who worked hard to say to them, "You're not alone. Here's some help. Here's some help to reconstruct and recover." I want them to say thanks for that.

But I just say to my colleagues, I do not quite know where we are. I worry about some of the things I am hearing in the last hour or so. At the end of this process, we must have passed some kind of disaster relief bill. This Congress cannot—cannot—possibly adjourn for the Memorial Day recess and leave the victims of those disasters wanting and needing help that will not come.

So I appreciate the Senator from Minnesota yielding.

Mr. WELLSTONE. Mr. President, that is fine.

I want to go on with this amendment, but I see my other colleague from North Dakota on the floor. If he has an inquiry to put to me, I would be pleased to hear from him.

Mr. CONRAD. I thank my colleague from Minnesota.

I just say, I talked to the mayor now of Grand Forks, our good, mutual

friend, Mayor Owens. I am sure she is in contact with the mayor of East Grand Forks over in Minnesota, Mayor Stauss, your good friend. She has said to me that, if Congress adjourns without taking action, it will be a terrible blow, given the fact that this city that was entirely evacuated, nearly all 50,000 citizens had to leave their homes. Many of them still have not been able to return.

The supplemental has been going through Congress with good, bipartisan cooperation, certainly an excellent effort here in the Senate, one which has been on both sides of the aisle very accommodating, very willing to help out.

I see our good friend, the Senator from New Jersey, who is the ranking member on the Budget Committee, who personally came forward with a very generous contribution to help the people in Grand Forks and East Grand Forks, which we deeply appreciate. Now we are being told that there is a view by some in the other body that they should just leave town without taking further action. That would be a disaster all of its own.

I say to my colleague, and I ask him, wouldn't that be a disaster in and of itself to say to those local officials, "We can't tell you what resources you have available to rebuild because we've got to take a break"? I mean, we could understand if they cannot get the entire disaster bill done, although that ought to be the first priority. But if they cannot get that done, they should at least be able to get the emergency measures in that disaster bill done so those towns are not left in the lurch.

I ask my colleague from Minnesota, wouldn't it be a disaster, a second disaster—actually a third disaster—for the people of our communities if Congress decided just to leave town before taking action at least on the emergency measure?

Mr. WELLSTONE. Mr. President, I respond to both my colleagues—and please understand I think about what is happening to the people in Grand Forks. Everybody had to leave their homes. Those people were refugees. I know the pain of the people in East Grand Forks and other communities of Minnesota.

I say to both my colleagues that this is a nightmare. I just—this is a nightmare. I guess I never would have believed it, that we are on the floor right now—this is away from the amendment. We will get back to it, I say to the Senator from New Jersey. But my colleagues come to the floor and raise these questions.

This is a nightmare. I never would have dreamed that there would even be any thought that we would go into recess without finally providing this assistance to people. People need this. These people are trying to figure out how to get back to their homes. People are homeless.

We cannot—we cannot—leave without doing this. I have heard that over in the House there is some discussion they are going to just adjourn.

I just make a plea to Democrats, Republicans, and the independent in the House, everybody, every breed of political person, regardless of your point of view, please do not do this. I think from our point of view, it is just unacceptable.

I mean, I think all three of us are saying, we just cannot have a Congress going into recess without passing through at least this emergency assistance. What people do not agree on, I say to both my colleagues, they can set aside; but what we cannot set aside is this emergency.

Let me emphasize that word again, "emergency" assistance that people need. They need it now. It would be the worst possible thing for this Congress to go into recess without providing this.

Mr. DORGAN. I wonder if the Senator would yield for one additional question?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I say to the Senator from Minnesota, I appreciate your yielding to me.

The flood that occurred—let me take Grand Forks and East Grand Forks to discuss why we have the need for an emergency response here.

The Red River flood was a flood that became 150 miles by 40 miles nearly. You could not see a river; it became a huge lake in the Red River Valley. But the point of it all is this. When this flood came—let me just use Grand Forks, ND, and East Grand Forks, MN, represented by Senator GRAMS and Senator WELLSTONE who worked so hard on this. Nine thousand people—when those dams broke and that water came rushing down the streets, the people got out of their houses, in most cases with only the clothes on their backs. They rushed to the end of the streets, were pulled up by National Guard trucks and by other devices, and they lost their homes, lost their vehicles.

Then we saw them at a hangar, big aircraft hangar out at the Grand Forks Air Force base sleeping on cots—4,000 of them from every other small town for 100 miles around.

In Grand Forks, 50,000 people, 90 percent of the town was flooded. I was in a boat of the Coast Guard in the main street of Grand Forks, ND. You would hit a car. You could not see the car. All you could see was 2 inches of the top of the radio antenna.

In the downtown, a major fire destroyed 11 of the huge buildings in downtown Grand Forks in the historic district.

In the middle of all of this, with two cities evacuated, we had the head of FEMA come to our region, James Lee Witt, and say, "We're going to help you." We had the Vice President come to our region and say, "You're not alone." We had President Clinton in Air Force One fly into Grand Forks and East Grand Forks and put his arm around some of those victims living in

that aircraft hangar, and he said, "We're with you. The rest of the country wants to extend a helping hand and say you're not alone."

We have had enormous cooperation from everybody. In this Chamber, the chairman of the Appropriations Committee and the ranking member and the subcommittees have done a remarkable job of saying to us, "We want to help you." And they put in the disaster supplemental bill the resources that were needed. Congratulations to them. Every single one of them have come to us and said, "We want to help you." And they provided the resources in this bill here in the Senate that we then sent to conference.

What a remarkable effort by the Members of the Senate on a bipartisan basis. Then we went to conference. In fact, all of the disaster issues that are important to us to provide the necessary resources in conference are now agreed to. We do not have any outstanding issues. They are agreed to.

Why is it important that this get done? Because in the cities of Grand Forks and East Grand Forks—the Red River runs in the middle of those two cities—they have to establish a new floodway. When they establish a new floodway, it means there will be hundreds and hundreds of homes that will no longer be able to be located there. Most of them are now destroyed anyway. In order to describe the new floodway and have a buyout of those homes, those mayors need to have the resources to begin that process now.

Today, they do not have the resources, so those hundreds of families—well over 1,000, incidentally, are near and in that floodway—they now cannot be told by anyone, will their home be there or will it not be there? Will it be bought out or not? No one knows and no one can know until the resources are available to have that buyout. That is why this is urgent. If it waits 1 week or 2 weeks, they cannot make those decisions. Those folks can never move back into their homes. They cannot move back into their homes.

So anybody who says, "This is not urgent. It can wait. It can wait 1 week or 2 weeks," let me give them the names of the young boys and the young girls who will sleep on cots, sleep in shelters, sleep in strange homes during those 2 weeks, part of which Congress will have been in recess. And then have them send them a letter to say, you know, we just could not get this done.

Not getting it done is not acceptable. We have done our work. The disaster supplemental is largely agreed to in all of these areas. We must at a minimum take that out of the disaster supplemental, those resources that are necessary to help those people, and pass that on an emergency basis. The failure to do that—a decision, for example, by the other body to say we will not do that, we are going to take a recess, will be a devastating blow to people who do not deserve that, having been victimized by these disasters.

So the Senator from Minnesota has been generous in yielding for a question. I just make the point that this Congress cannot adjourn without addressing the emergency needs of this disaster.

Do I feel passionate about this? You're darn right I do. I am not going to let 15,000 people who are not yet back into their homes be told that Congress took a break for Memorial Day and the people who are homeless can wait a couple of weeks for a solution to this problem. I will not be a part of that kind of decision.

So if there are those who think that any adjournment resolution will pass by this Congress failing to pass an emergency bill dealing with this disaster, it is going to be a long, long few days.

I ask for the cooperation of everyone. We have had wonderful cooperation of Republicans and Democrats, and I might say in the Senate I cannot feel prouder of all the people I have worked with on the Appropriations Committee. I will just encourage and urge everyone involved in this process to decide and determine that we must get this done.

I appreciate very much the Senator yielding. I understand that you have an important amendment and I apologize for intervening on that, but I think this message must be understood. This is not an option. We must pass a disaster relief bill.

Mr. WELLSTONE. Mr. President, I thank both my colleagues, and I appreciate their graciousness. I think that what both my colleagues are trying to say is we have an emergency now, and, Mr. President, I just do not think there is any way that this Congress can go into recess without passing this disaster relief bill. I mean, it is just too important. I mean, it truly is an emergency measure, and both my colleagues were speaking to that. I have told them I am in complete agreement.

So let us hope that the House will be able to do the work. We have had great cooperation over here on the Senate side.

Mr. President, the discussion about the budget, much of the discussion is about the balance, that this is a responsible budget, this is the responsible thing to do.

Mr. President, let me just be really clear. I have some good friends who believe that. I respect their work. I have tremendous respect for their work. But from my point of view, as a Senator from Minnesota, when you do not invest to rebuild schools that are crumbling across this country—7 million children's schools with asbestos and lead—I do not think that is the responsible thing to do.

When there are not the funds to assure that every child who now goes without health care still does not receive that health care, to me, that is not responsible. And when there are not the funds and there is not the investment to make sure that, in fact, there is a school breakfast program for

children, for whom that really is their only nutritious meal in the morning so that they are not going to school hungry, when there is not the investment in nutrition programs to make sure children are not malnourished in America—there are some 13 million children that are now malnourished in America—that does not seem balanced or responsible to me.

Mr. DOMENICI. Will the Senator yield?

Mr. WELLSTONE. I am happy to yield to the Senator.

Mr. DOMENICI. I ask unanimous consent that Senator WELLSTONE be permitted to follow the amendment he has with a second amendment that he has pending and that there be 30 minutes available to the Senator from Minnesota on both amendments, and for the opposition on both amendments that we have 15 minutes.

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

Mr. WELLSTONE. I thank the Senator from New Mexico, and on my second amendment I know I will be joined by Senator REED from Rhode Island.

Mr. President, this amendment that is before the Senate right now essentially says this. We make sure that the tax cuts in this budget resolution do not go to the top 2 percent of the population. We look at some of the loopholes and deductions, and what Senators have called corporate welfare. There is several hundred billion dollars that fits into this category.

Instead, we take the following steps, which seems so reasonable. First of all, since we cut child nutrition programs by roughly \$3 billion for 6 years, this amendment restores \$2.7 billion. Let me repeat that: Last year, we made cuts in child nutrition programs. This amendment says, can we not take some of this out of corporate welfare? Can we not take it out of loopholes for billionaires? Can we not make sure that the tax cuts go to middle-income families and small business people and not the top 1 percent and 2 percent? And instead, could we not provide just a little bit, over 5 years, \$2.7 billion, could we not invest that in nutritional programs for some of the poorest and most vulnerable children in America? They do matter. They do count.

Mr. President, currently, there are 6.5 million children who participate in the school breakfast program. However, in many States, this program reaches only 50 percent of those eligible. In the State of Minnesota, the school breakfast program, much like the national, reaches just under 50 percent of those students eligible.

Mr. President, what we are talking about is all across the country we have schools who are not able to participate. The welfare bill last year wiped out grants for schools to start up or expand school breakfast programs, and we have 13 million malnourished children in America. I do not know how my colleagues think some of these children will do well in school when they come

to school hungry. I have talked to kindergarten teachers in Minnesota, and every single Senator here, I think, has had similar experiences with their teachers who surely say it breaks their heart to know some of the students in their class come to school hungry.

Mr. President, there is another food nutrition program, the summer food service program. Many of my colleagues may not be aware of it, but I want you to be aware of it because these children, when they are not in school, are no longer able to receive school lunch or breakfast if that program is not available now during the summer. What we try to do is serve meals at summer schools or recreational centers or other nonprofit groups—a lunch, a breakfast or a snack—some way of making sure that these children have at least one nutritious meal a day.

Over 14 million children, unfortunately, are low income enough to be eligible, and only 2 million are served—only 2 million are served. In Minnesota, only 16 percent of low-income children who are served throughout the school year are served during the summer.

Mr. President, is it too much to ask to take just a little bit from loopholes, deductions for billionaires, large multinational corporations, and others that do not need it and invest a little bit in nutrition programs to make sure the children in our country have at least one nutritious meal?

Mr. President, the Head Start Program has been discussed so there is no need for me to go into it in great detail but just to say one more time, that the President, in his budget, in this budget proposal, intends to serve an additional 1 million children. That is fine until we find out that that there are 2 million children who are eligible who are not participating. This does not even deal with Early Start, that is to say, age 2, age 1. So what this says is if we are serious about doing well for all the children in this country, surely we will dramatically expand the number of children that can participate in Head Start. That is worth it. That is an investment, an investment all of us can be proud of.

Mr. President, the final part, of school construction, and I do not even need to go into it, again, this amendment says invest the \$5 billion that was in the original agreement—at least that was being negotiated; it was taken out. This is too painful a contrast. On the one hand, tax cuts not targeted, going to be skewed to the very top of the population; on the other hand, not a pittance when it comes to going after corporate welfare, but being unwilling to invest in crumbling schools all across the country.

Mr. President, let me use this amendment for a final conclusion about this budget. One more time, I have heard it said that this budget is balanced, represents balanced values. I do not see the balance. I do not see the balanced

values when on the one hand the tax cuts are skewed to the top and on the other hand we do not invest in crumbling schools across the Nation. I do not see the balance when we cannot invest in nutrition programs to make sure children are not hungry in America. I do not see the balanced values when we talk about a compelling problem of children going without adequate health care and we are not willing to fully fund health care for those children.

I think this is a budget without a soul. It is interesting what is not on the table. What is not on the table is the \$12 billion more than the Pentagon wanted. That is for defense. I would have thought we could have used that for some of our investment. What is not on the table are the tax preferences to special interests that are, quite candidly, a result of those who make the large contributions and have the power. What is not on the table is the deterioration of public institutions which are supposed to be so important to the quality of our lives. If we are going to rebuild a sense of community in America, Mr. President, that means attending to this deterioration. We have fewer good schools, fewer good libraries, and too many hospitals and clinics that are unable to provide the best care. This budget does not build a bridge to the next century. We do not invest in these critical areas of life.

Mr. President, what is not on the table, perhaps most of all, is a set of social arrangements that allows children to be the most poverty stricken group in America. There is no concept of justice or virtue that justifies our willingness to allow millions of children to suffer involuntary poverty. What principle can we possibly invoke to absolve ourselves of responsibility for the fate of children too young to comprehend their expulsion from the American promise, denied the pleasures of childhood, their natural capacity stifled, their mind and spirit under attack from birth? Their impoverishment is our disgrace and it is a betrayal of our Nation's heritage.

Mr. President, if this balanced budget agreement is to be the great accomplishment of 8 years of a Democratic Presidency, then history will judge us harshly. This agreement is a triumph of the past. This is not a bridge to the century to come.

Mr. President, we have lost our way. I say this to the Democratic Party, to some of my colleagues I think we have lost our way. Our party, from Jefferson to Jackson to Roosevelt to Kennedy was a party that stood for justice, a party that expanded opportunities for citizens. We have always been at our best when our party has been there for people.

Mr. President, this budget does not represent the best of the Democratic Party. This budget turns our Nation's gaze away from too much of what is important about America—equality of opportunity, justice, the very essence

of our Nation. Mr. President, for that reason, I will vote against this budget resolution.

Mr. President, I reserve the balance of my time.

AMENDMENT NO. 313, AS FURTHER MODIFIED

Mr. WELLSTONE. Mr. President, I ask unanimous consent to send a modification to the desk to amendment numbered 313. This was a typographical error.

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

The amendment (No. 313), as further modified, is as follows:

On page 3, line 3, increase the amount by \$1,650,000,000.

On page 3, line 4, increase the amount by \$2,190,000,000.

On page 3, line 5, increase the amount by \$3,116,000,000.

On page 3, line 6, increase the amount by \$4,396,000,000.

On page 3, line 7, increase the amount by \$5,012,000,000.

On page 3, line 11, increase the amount by \$1,650,000,000.

On page 3, line 12, increase the amount by \$2,190,000,000.

On page 3, line 13, increase the amount by \$3,116,000,000.

On page 3, line 14, increase the amount by \$4,396,000,000.

On page 3, line 15, increase the amount by \$5,012,000,000.

On page 4, line 4, increase the amount by \$5,400,000,000.

On page 4, line 5, increase the amount by \$1,601,000,000.

On page 4, line 6, increase the amount by \$2,539,000,000.

On page 4, line 7, increase the amount by \$4,141,000,000.

On page 4, line 8, increase the amount by \$6,543,000,000.

On page 4, line 12, increase the amount by \$1,650,000,000.

On page 4, line 13, increase the amount by \$2,190,000,000.

On page 4, line 14, increase the amount by \$3,116,000,000.

On page 4, line 15, increase the amount by \$4,396,000,000.

On page 4, line 16, increase the amount by \$5,012,000,000.

On page 21, line 25, increase the amount by \$1,101,000,000.

On page 22, line 1, increase the amount by \$1,690,000,000.

On page 22, line 8, increase the amount by \$2,039,000,000.

On page 22, line 9, increase the amount by \$2,616,000,000.

On page 22, line 16, increase the amount by \$3,541,000,000.

On page 22, line 17, increase the amount by \$3,796,000,000.

On page 22, line 24, increase the amount by \$5,843,000,000.

On page 22, line 25, increase the amount by \$4,312,000,000.

On page 26, line 6, increase the amount by \$400,000,000.

On page 26, line 7, increase the amount by \$400,000,000.

On page 26, line 14, increase the amount by \$500,000,000.

On page 26, line 15, increase the amount by \$500,000,000.

On page 26, line 22, increase the amount by \$500,000,000.

On page 26, line 23, increase the amount by \$500,000,000.

On page 27, line 5, increase the amount by \$600,000,000.

On page 27, line 6, increase the amount by \$600,000,000.

On page 27, line 13, increase the amount by \$700,000,000.

On page 27, line 14, increase the amount by \$700,000,000.

On page 38, line 14, increase the amount by \$700,000,000.

On page 38, line 15, increase the amount by \$2,700,000,000.

On page 40, line 17, increase the amount by \$5,000,000,000.

On page 41, line 7, increase the amount by \$5,012,000,000.

On page 41, line 8, increase the amount by \$16,364,000,000.

On page 43, line 21, increase the amount by \$1,101,000,000.

On page 43, line 22, increase the amount by \$440,000,000.

On page 43, line 24, increase the amount by \$2,039,000,000.

On page 43, line 25, increase the amount by \$1,366,000,000.

On page 44, line 2, increase the amount by \$3,541,000,000.

On page 44, line 3, increase the amount by \$2,546,000,000.

On page 44, line 5, increase the amount by \$5,843,000,000.

On page 44, line 6, increase the amount by \$4,312,000,000.

AMENDMENT NO. 314

Mr. WELLSTONE. Mr. President, I call up amendment numbered 314.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. REED, Mr. BINGAMAN, and Mr. MOYNIHAN, proposes an amendment numbered 314.

(The text of the amendment is printed in the RECORD of May 21, 1977.)

Mr. WELLSTONE. I ask unanimous consent Senator MOYNIHAN be added as a cosponsor, along with Senator REED of Rhode Island and Senator BINGAMAN.

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

I yield 10 minutes to my colleague from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I want to thank my colleague from Minnesota for yielding me this time and also for sponsoring this amendment along with Senator BINGAMAN and Senator MOYNIHAN.

Today we are offering an amendment to increase the maximum Pell grant to \$3,500. The Pell grant holds a very special meaning for me. In the last 6 years as a Member of the other body I have worked to open up further access to higher education. The foundation of that access to higher education is the Pell grant.

As you know it is probably the enduring legacy of my predecessor, Senator Claiborne Pell of Rhode Island. One of his most significant accomplishments was the creation of the basic educational opportunity grant program in 1972 during the reauthorization of the Higher Education Act. Later, this basic opportunity grant was named in his honor and has become the famous Pell grant. Its purpose then and now is to assist low-income Americans to gain

access to postsecondary education, access which is critical not only to their future but to the future of this Nation.

Going back to the very beginning of the Pell grants, the avowed purpose was to "in combination with reasonable family and student contributions and other Federal grant aid meet at least 75 percent of the student's costs of attendance." Sadly, we have not met that 75 percent, and we need, in fact, to raise the Pell grant so that we can begin to recoup some of the original purpose and allow students to meet the significant cost increases in higher education.

This program was premised on Senator Pell's belief, which is my belief, and indeed I believe the belief of so many people in this Chamber, that everyone who is qualified should have the opportunity to pursue higher education. The Pell grant has been the cornerstone of this effort for many, many years. Since its creation, over 60 million Pell grants have been awarded, providing over \$75 billion in aid to students across the Nation.

In the first year of the program, 1973-74 over 176,000 students received the Pell grants. By 1980-81, this total had grown to 2.7 million recipients. Today, over 3.6 million American students receive Pell grants. In my home State of Rhode Island, that includes 16,000 recipients.

This investment clearly assists our neediest students. In 1995-96, 54 percent of Pell grant recipients had income levels of less than \$10,000. Only 9 percent of recipients had incomes over \$30,000.

In 1992, during the reauthorization of the Higher Education Act, I worked closely with Senator Pell to increase the authorization level of the maximum Pell grant from \$3,100 to \$3,700 for the 1993-94 award cycle with increases thereafter of \$200 a year with the hopes that by 1997-98 that we would have a maximum Pell grant on the order of \$4,500 a year. But, as we are all aware, we have not come even close to that figure. Indeed, this year the appropriated maximum Pell grant was only \$2,700—too little to meet the needs of so many students across this country.

This lack of resources has had a dramatic impact on students struggling to go to college. Indeed, as college costs have increased over the past two decades at an annual rate of between 5 percent and 6 percent, consistently outpacing inflation, there has been a decline in the purchasing power of the Pell grant.

According to the College Board, for 4-year private institutions the average tuition has gone up by over \$14,000 between 1980 and 1996. In that same period the maximum Pell grant has only increased by about \$950, and the average Pell grant only by about \$733. As a result, back in 1980 the maximum Pell grant covered 33 percent of the tuition costs of a 4-year private institution. Now it only covers 14 percent. The average Pell grant covered 18 percent of costs of 4-year private colleges in 1980 and now it only covers 9 percent.

If you look at public institutions—those great institutions which we feel have a special obligation to educate all of our citizens, particularly those coming from disadvantaged backgrounds—the maximum Pell grant back in 1980 covered 72 percent of a 4-year public college. Today it only covers 22 percent.

As I said before, the grant has not hardly kept up with inflation. If we had simply paid the Pell grant at inflation we would today be looking at not a \$2,700 maximum grant but a \$4,300 maximum grant.

So, before us we have the obligation to raise the maximum Pell grant. I am pleased to note that the proposal in the budget does increase it by \$300. But that is not sufficient to keep up with the accelerating costs that I have described. The Wellstone-Reed amendment builds on this request within this budget—the President's request—by increasing the maximum Pell grant from \$2,700 to \$3,500. This would be a \$500 increase above the President's proposal.

It calls for a \$6 billion investment over five years by an offset of additional reductions in corporate tax loopholes and corporate welfare to fund this increase. By increasing the Pell grant to \$3,500 we would be able to extend this grant to several hundred thousand more students. The average Pell award among poorest students would increase by almost a third.

And, Mr. President, we recognize—all of us—the absolute necessity of higher education. A college education really pays off. It pays off for our country, and it pays off for individual graduates of college.

The National Bureau of Labor Statistics has estimated that 60 percent of all the new jobs between 1992 and the year 2005 will require an education beyond high school. Without these skills, college and postsecondary technical school graduates will not be able to man the economy of the 21st century. College education is also the key to higher wages. And one thing that we have been talking about repeatedly here is how do we raise the wages of Americans to give them a fair share in the progress of our economy? Education is the answer—higher education particularly. This translates dramatically.

It is estimated that college graduates earn 50 percent more than high school graduates. In 40 years of expected work a college graduate is estimated to earn over a half-million dollars more than a high school graduate. All of this points to the critical need to provide additional access to higher education.

Indeed, in terms of the national well being there have been studies, one of which is Trends in American Economic Growth, that point to the fact that 37 percent of our growth as a Nation from 1929 to 1982 was attributable to education, and particularly higher education.

So not to invest in Pell grants, not to invest in opportunities for Americans

to seek higher education, will I think undercut the goal we all have of growing and providing for an expanding and productive economy.

So the amendment before us today is a step in the right direction, to provide more access to higher education, to allow particularly students from low-income households to go to school, to learn skills, to work in this economy, and to build strong communities so that we prosper not only economically but as citizens in a community of other citizens.

If we shortchange the Pell grant and other educational programs, we will be reaping a very short and very transparent economy, one that in the clear light of day in the future will reveal itself to be not a savings but a massive lack of investment in the potential of our people and the success of our economy.

I hope that we will all join together, as the distinguished Senator from Minnesota has done, to put forth this amendment and support this amendment and to increase our contribution to the Pell grant. Doing so I think will prepare us well for the new economy we face, an economy which demands these skills. The world is changed. Technology is forging new boundaries. Capital investment respects no boundaries. The only determinant I believe that we will have to ensure that we maintain our superiority as an economy is that we have the best educated people with access to higher education being the key to that success.

This amendment will I hope take that strong step forward to accelerate the process of education for all of our citizens to ensure that we meet these technological challenges, to ensure that we have the best prepared work force, and that we also have people who respect and, indeed, appreciate the value of education because they benefited from it.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

Let me thank my colleague from Rhode Island, Senator REED. The Pell grant program has been a huge success. It has sort of been the foundation of opportunity in our country. I feel like my words are also dedicated to Senator Claiborne Pell.

Let me just highlight a few things that Senator REED had to say. And, again, Senator BINGAMAN and Senator MOYNIHAN are also original cosponsors.

What we are really doing is saying that we are pleased to see the tax deductions. And we are pleased to see the tax credits. But we want to make sure that we also provide the support for students and families with incomes under \$20,000 a year who may very well fall between the cracks.

So what this amendment does is it says for \$6 billion more over 5 years we take it out of a variety of different loopholes and deductions that are

called corporate welfare. Instead, we would invest it in the Pell grant program. We would increase the award up to \$3,500.

My colleague is right. The President has brought it from \$2,700 to \$3,000, and that is a modest increase. But we are pleased to see that. But if we brought it up to \$3,500, then what you would see is that the Pell program would be available to several hundred thousand new students and the average Pell grant among low-income students would increase by about a third.

One of the things that I want to say to my colleagues is that I hope before you vote on this amendment that there will be a way that you can be in touch, if you are not already, with the higher education communities in your States, because I think you will hear over and over again from them that there is no more important program than the Pell grant program, if we want to target this assistance to make sure those students and those families most in need of assistance are able to have access to higher education.

There is a shameful statistic in our country. The best predictor of attending college is family income. And only 16 percent of college freshmen come from households with incomes under \$20,000 a year. Only half of them graduate by age 24.

So just think about that for a moment. Only 8 percent of those women and men coming from households with incomes under \$20,000 a year are able to graduate. And we are now moving toward an economy where the brainpower of women and men in industry is going to matter more and more. Many of these companies, by the way, are going to be small businesses—not necessarily large companies. And the whole key to whether or not our children and our grandchildren are going to be able to do well economically is to be able to have access to higher education.

I mean this really speaks not only to the whole issue of opportunity but also to national security. We do well as a Nation when we make sure that women and men have access to higher education so that they can do well for themselves and their families and they can do well for our country.

So, again, I just want to make it clear that this is the choice. We just simply take \$6 billion. And believe me, you know, you are looking at hundreds of billions of dollars when you look at this whole area of tax expenditures. We say find some of those loopholes and deductions and plug them. Mr. President, \$6 billion over 5 years is not too much to expand the Pell grant program up to \$3,500 which would make a huge difference.

Again, what we would be talking about is several thousand new students. The Pell grant award would increase. It would make a huge difference to low- and moderate-income families. It would make a huge difference to access to higher education.

And if we want to talk about priorities, I don't see any reason why this

amendment would not be an amendment that would carry on the floor of the U.S. Senate. There are a whole bunch of loopholes and deductions. Regular people are pretty angry about them. They don't think that those people who already make millions of dollars should get these breaks. And I think it is an absolute priority for people to make sure that higher education is affordable.

This would really make this budget a budget with a strong higher education component. This would really make this budget a budget that I think Senators could feel really proud of when it came to higher education. Senator REED and I are really trying to improve upon this.

So, Mr. President, I am hopeful that we will get very, very strong support.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 3 minutes and 45 seconds.

Mr. WELLSTONE. Mr. President, if my colleague wants to comment, I would like to preserve 2 minutes.

Mr. REED. If the Senator will yield.

Mr. WELLSTONE. I am pleased to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I want to associate myself with the remarks of the Senator from Minnesota. He has stated very well what is at stake—which is the future of the country through the future of individual students who have the opportunity to pursue higher education.

There is something else that I might add. This proposed increase in the Pell grant compliments some of the other provisions in this bill where the President has proposed higher education tax credits and tax deductions which will assist, I think, generally speaking middle- and upper-income Americans. This Pell proposal would be particularly effective in helping low-income working Americans, and also particularly effective in helping a new and growing category of students—not recent high school graduates but those people who through circumstance were forced in midlife to retrain themselves. And there are so many in this situation nowadays due to downsizing.

So for all of these reasons this is a very useful and critical step.

I thank again the Senator for yielding.

Mr. WELLSTONE. I thank again the Senator from Rhode Island. He comes from a State with a great tradition of commitment to higher education.

To my colleagues, there are two amendments. One of them is, if you will, very precious.

It is all about making sure that we at least provide some more funding for nutritional programs for many poor children who are malnourished in America; that we invest in Head Start; and that we invest in our schools, too many of which are crumbling across the country, and we take that out of tax cuts that are skewed to the very

top and we say target those to middle-income and small businesses, and we take it out of corporate welfare.

The second amendment Senator REED and I offered is a higher education amendment. This makes all the sense in the world. With this additional \$6 billion of outlays over 5 years, we would be talking about a dramatic increase in access to higher education for many, many families all across the country in our States.

Mr. President, those are the two amendments. I am going to finish on a positive note, but with 30 seconds left, I will just say one thing on a negative note. I gather that I will be meeting with my colleagues from North Dakota, Minnesota, and South Dakota. Apparently the House is not going to finish the disaster relief bill. I have to say on the floor of the Senate, I cannot believe that this is happening. I think it is just unconscionable. It is irresponsible. This is emergency assistance that people in our States have been waiting for.

We as Senators are going to have to figure out exactly what we do next, but I can assure you, and I think I speak for my colleagues, we will be as strong as we can be, and we will fight as hard as we can for people in our States. That is not meant to be showman-like. It is very sincere.

Finally, I thank my colleague from New Mexico, Senator DOMENICI, for his graciousness. We were able to get the two amendments in in the 30-minute limit, and I thank my colleague. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to my fellow Senators, I have the greatest respect for the two Senators who spoke. I do not know the new Senator from Rhode Island as well as I know Senator WELLSTONE, but I am growing in understanding and knowledge and put him in the category of a Senator I respect.

Mr. President, I actually believed, as I listened to those arguments, that we did not have a budget before us; that somehow or another, we had not done anything in this budget.

Let me tell the American people and Senators what we did in this budget. Did anybody happen to catch the President's press conference when he bragged about this budget resolution? Remember what he said about education? "We have done more to increase educational funding in this budget than at any time in the last 30 years." He had in mind a few things that the Senators are talking about in their amendments.

Let me just tell you a couple of them. A \$2.7 billion increase over the next 5 years in Head Start. Over the next 5 years, Head Start will receive exactly what the President of the United States requested. It is interesting,

when the President has to look at all of Government like we do in the budget resolution, he gives Head Start a huge increase, and we agree with him in this agreement, and we make it a priority item that is going to be hard not to fund. That program has enjoyed a 300-percent increase since 1990. Not very many programs around have done that.

I would have thought, if I were one listening here, that this President of the United States just denied these poor people Head Start, just sent them off saying, "I don't want anything to do with it." It is the President who asked for this much money, and we did not change it one penny.

Then, they were talking about Pell grants, and then I will return to another issue. Of course, it would be wonderful for America if Pell grants were \$5,000. What did the President say about Pell grants? He said, we have the best increase in Pell grants in the last decade. How much? Three-hundred dollars for each Pell grant.

We conservatives did not say that. We are glad to do it. The President of the United States asked for that. He got every penny he asked for. It is very simple to come to the floor of the Senate, no matter what you do in a budget, to have a new wish list and a new set of statistics about who needs something.

I have learned more from that side of the aisle about that than I ever dreamt in my life. I can get up after you put the President's budget together, if we had given him everything he wanted, I learned from that side of the aisle that I could get up here and say we have 26 million people who do not have enough food, even if the President had put in a whole new nutrition program.

As a matter of fact, let's move from Pell grants to nutrition. Child nutrition program, isn't it interesting? The Federal Government spent \$12.4 billion on those programs last year. Believe it or not, 70 percent of those programs, Mr. President, are what we call mandatory programs. That means, if you qualify, you get them. There cannot be much more needed; if you qualify, you get them. That means everybody who is poor qualifies for those programs, and we spend \$12.4 billion.

Mr. WELLSTONE. Will the Senator yield?

Mr. DOMENICI. You would have thought we did not even have a program from over there, and we did not even have an increase. Let me just finish.

Believe it or not, the other 30 percent of the money that goes to children's nutrition programs is spent for programs like WIC, Women, Infants, and Children, one of the finest programs in terms of effectiveness we have in the Federal Government in this inventory. It has wide bipartisan support. It enjoys an increase in this budget, and, as a matter of fact, the President is so confident that it will be funded every year and funded appropriately that he did not even ask us to make it a priority program, because by doing so, we

are taking more and more of the budget and locking it in, because he knows we are going to fund it.

Mr. President, I do not know exactly how I will ultimately handle these amendments, because no matter what you say, the argument is going to be that we are against nutrition programs, and it is a ready-made TV ad.

On Pell grants, no matter if we gave the President every penny he wanted and we increased it \$300 a year—it would be great if we had enough money to go to \$10,000 a year, I guess, I am not sure. It does not matter. Whoever votes with DOMENICI tonight is going to vote against Pell grants.

So I want to make sure the Senators understand that I have great respect for them, and I admire them greatly, but we may have a second-degree amendment to change the way this vote occurs, so we are voting on something different for a change than your add-ons. I am not sure yet, but I am looking at it. So with that, I yield the floor.

Mr. WELLSTONE. Will the Senator yield for a question or comment?

Mr. DOMENICI. I did not hear the Senator.

Mr. WELLSTONE. Will the Senator yield for a question or comment?

Mr. DOMENICI. Of course.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to the Senator from New Mexico, who is really—we say a good friend—he really is a good friend. I want him to know both of these amendments—and I am speaking for myself, not for Senator REED—do not have a darn thing to do with TV attack ads. I cannot stand them. I wish there was no such thing.

These amendments are offered out of a sense of sincerity, and, in all due respect to my colleague, you can talk about what we are doing in the area of, for example, nutrition for children, and it is, I guess, all a matter of how you see it. These amendments just say we can do better. The fact of the matter is that in the last Congress, we cut grants for school districts to establish the School Breakfast Program and only 50 percent of the children who are eligible receive it. The fact of the matter is—

Mr. DOMENICI. I yielded for a question.

Mr. WELLSTONE. The fact of the matter is, the same thing can be said for the Summer School Program. So, the question—I said actually a comment, but I will put it in the form of a question. My question for the Senator is, how can you even view this as some sort of potential TV attack ad when these amendments are so substantive and they speak to the huge—I am sorry, I say to the Senator—disparity between children who need this assistance and, quite frankly, a budget that does not get them anywhere near close to it? How can that be viewed just as an effort to have an attack ad?

Mr. DOMENICI. Let me answer the question. I would never suggest that

any Senator who offers an amendment, with all of the concern that you have in your heart and your mind when you offer these kinds of amendments, I would never consider that they would ever be used to disabuse somebody who voted against you improperly. But I am merely suggesting that happens from time to time, and that is all I was thinking. I do not think it will be much of a defense to say that the President of the United States was given everything he asked for in these areas. I do not think that will help much, if somebody wants to use it for a contrary purpose.

I yield the floor, and I understand the next amendment is Senator INHOFE's amendment, is that correct?

The PRESIDING OFFICER. The Senator has 6 minutes, 15 seconds remaining. Does he yield his time back? Does he wish to yield his time back?

Mr. DOMENICI. If Senator WELLSTONE will wait, can we yield back our time and get the yeas and nays on his two amendments?

Mr. WELLSTONE. Mr. President, that will be fine. I yield back the remainder of our time.

Mr. DOMENICI. Wait a minute, wait a minute. Could we not do that for a moment and let him proceed and let me clarify something?

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask to set aside temporarily the consideration of the Wellstone amendment.

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

#### AMENDMENT NO. 301

Mr. INHOFE. Mr. President, I ask we turn to consideration of amendment No. 301.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 301.

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

Mr. INHOFE. Mr. President, I do not plan to take a long time. I would like to make a couple comments about some of the things that have been said here.

I do not question the sincerity of any Member on this floor, but I think it should be obvious to you, Mr. President, and anyone else who may not be worn out right now, that there is a difference of philosophy often expressed on this floor. I think it goes back to the role of Government.

I not only remind my friend from Minnesota that every country that has tried to take care of all these ills from a government perspective has not made it. I wonder sometimes, all these people who come to school supposedly that are hungry, how many of those parents perhaps are not able to feed them because they are overtaxed, or how many of those parents might have fallen into this mentality that permeated the 1960's that Government has the respon-

sibility of taking care of all the human social ills?

I agree with one thing the distinguished Senator from Minnesota said when he said we have lost our way. I think we have. I think that is what this is all about, trying to find our way back.

I have to say, Mr. President, that I have not been supportive of this compromise, but for a totally different reason than the Senator from Minnesota. I look at this, and I have to correct the distinguished Senator from New Mexico about one thing that he said. He said we gave the President everything he wanted in his social programs. We actually gave him more. This is \$5 billion more than his request was last year. It is not a matter of not having enough in this bill. I feel the spending is too high. I do not agree with all the assumptions, but I am very confident that this is going to be adopted and going to be adopted tonight.

Also, I am not sure we are going to be able to accomplish all the tax decreases that we have promised some of the people. I had occasion this morning to talk to two large groups, both of whom are endorsing this, and they are endorsing this because they believe they are going to get an estate tax reduction; they believe they are going to get capital gains reductions. I do not believe there is going to be enough money to do that. But that is not the point of standing here now.

What I would like to see happen with this, ultimately, in the year 2002 is to accomplish the goal that many people believe in their hearts we will accomplish with this. I am not that confident. I am going to assume that will happen and we will reach a balanced budget by the year 2002.

I have offered amendment No. 301 because I think by just oversight, something was left out. Let's assume that everything we are trying to accomplish with the adoption of this budget agreement becomes a reality. Let's assume that the economic assumptions produced an additional \$225 billion. Let's assume that these spending programs are going to stay within the limits and that we are able to do the tax cuts. And let's assume that we find ourselves with a balanced budget.

Now, here is the problem that I have with this. One of the problems is, if we reach the year 2001 and we see, in fact, it is doing what we projected it would do, doing what we told the American people it would do, and that is balance the budget, eliminate the deficit, what happens in the next year? With that as a concern, I don't think there is anyone in this Chamber who is going to vote for this bill on the basis that they want to balance the budget who does not also want to keep the budget in balance in the years following that. So I have this very simple resolution that I wouldn't think there would be any opposition to. That is, if this passes, and that becomes a reality—I am going to read the sentence from the bill. This is, in essence, my entire amendment.

It shall not be in order in the Senate to consider any budget resolution or conference report on a budget resolution for fiscal year 2002 and any fiscal year thereafter that would cause a unified budget deficit for the budget year or any of the four fiscal years following the budget year.

So, what we are saying is, once we get it in balance and we have eliminated the deficit, I would like to go further and say, let's then start spending down and paying down the debt. Instead of that, with this, all we are saying is once we eliminate the deficit, let's keep it eliminated. In the absence of this, all of this, that is on this plan, this road map can become a reality in the year 2001. But if that happens, then they can turn around and say, "Good, that's over with, now let's start raising deficits again."

That is the essence of it. I am prepared to yield the remainder of my time, but I understand the Senator from New Jersey wants to use some of his time.

Mr. LAUTENBERG. Very briefly, I thank the Senator from Oklahoma for remembering that I might disagree that we have a 60-person vote required after the year 2002. I understand that the Senator wants to make sure that if we do achieve the objectives that we set out for ourselves, that we can continue to do so. I believe the same thing. However, I do disagree that we require a supermajority.

The fact of the matter is, to project that far in advance—again, I said it earlier in a discussion, that we are working with estimates. We are looking at a particular point in time, the condition of our economy, the condition of the revenue stream that we get from, really, an ebullient marketplace and high tax collection. That has given us revenues that make the balanced budget a reality, to permit the tax cuts that have been established. Again, we each take a little bit of time for editorial comment to say—with which I disagree. I do agree with the portion that is devoted to the middle class and devoted to education. But it cannot be only my way. I regret that, but that is life and the reality.

Mr. President, I hope we will be able to defeat this amendment. I think it does violate the agreement as we understand it. If we get to 2002—we have deliberately had the projections extend for 10 years, so we had some idea that we were not going to face a cataclysmic explosion with deficits or with tax cuts, frankly, in that period of time. I hope we will be able to defeat it. I do not see my colleague, the chairman of the Budget Committee here, but I assume he will agree with me and that he will discuss it at an appropriate moment, if we have time.

Has the Senator yielded back all the time?

Mr. INHOFE. No, I was waiting until the Senator yielded his time.

Mr. LAUTENBERG. I yield the floor.

Mr. INHOFE. I thank the Senator from New Jersey for the spirit in which he is addressing these things. I know

there is a difference of opinion. But I would only say, in closing, that we have a list here of 66 people, Democrats and Republicans—you were not one of them—that voted for the balanced budget amendment.

Mr. LAUTENBERG. Not.

Mr. INHOFE. I assume you don't want to change that vote today?

Mr. LAUTENBERG. The record is closed.

Mr. INHOFE. I would say it would be very difficult for me to understand how anyone could have voted for a balanced budget amendment to the Constitution and not support this. Because we are talking about, if you do not do this and you are saying, let's make the plan work, come up to 5 years from now, and then let's start in again on deficits. And we do not want to do that.

With that, if the Senator from New Jersey would like to yield back his time, I will do the same.

Mr. LAUTENBERG. I yield our time.

Mr. INHOFE. Mr. President, I yield the remainder of my time.

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.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum and ask the time be charged equally to both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 335

Mr. DODD. Mr. President, I have an amendment that is on the list. I am going to do this very briefly to accommodate our colleagues who are anticipating a series of upcoming votes. The distinguished chairman of the committee has given me a couple of minutes to explain my amendment. It is at the desk.

Mr. DOMENICI. Mr. President, you heard a couple minutes. A couple minutes is my interpretation of 3, that is what a couple is.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 335.

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

Mr. DODD. Mr. President, very briefly, let me explain, as I said when I offered an amendment earlier in the week, I intend to support this budget resolution. I think it is a good resolution. I commend the leadership for putting it together. There is some disagreement around the fringes.

Fundamentally, this is a good agreement. I am impressed with the balance that is included in here. One of the ways this balance is accomplished is by

limiting, of course, as we know, the size of tax cuts, both initially and in the latter years.

The agreement entered into by the President, the majority leader, my colleague from Mississippi, Senator LOTT, and Speaker GINGRICH specifies tax cuts should cost no more than \$85 billion in the first 5 years and no more than \$250 billion over the 10-year period.

I read from the letter signed by our distinguished majority leader and the Speaker. I quote from the letter, Mr. President:

It was agreed that the net tax cut shall be \$85 billion through 2002 and not more than \$250 billion through 2007.

As I said, this was signed by the majority leader and the Speaker. I was surprised, however, Mr. President, to learn that this budget resolution does not fully conform in a sense because there is no reflection of the \$250 billion over 10 years. It does include the \$85 billion over the first 5 years. There is no particular reason they should not be included. It was part of the agreement.

In my view, the resolution ought to reflect the agreement. We do not specify, obviously, what is to be done. That is up to the specific committees; in our case, the Finance Committee; in the House, the Ways and Means Committee. All it does is conform to the overall agreement of tax cuts should not exceed \$250 billion over 10 years. The absence of that reference in the resolution, I think, leaves open the question whether or not we are going to meet those guidelines.

So, Mr. President, I offer this modification with reconciliation instructions so that the tax cuts are not limited to \$85 billion but also be limited to \$250 billion in 10 years. This language would be binding, but not in the sense of how it is done. We are not out of the woods, obviously, at the end of 10 years. There are reports we could have a ballooning problem, as we did after the 1981 agreement. I think by including the \$250 billion here, it does conform very explicitly, as I said, with the letter.

I ask unanimous consent that the letter from the distinguished majority leader and the Speaker be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,  
Washington, DC, May 15, 1997.

Hon. WILLIAM J. CLINTON,  
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We would like to take this opportunity to confirm important aspects of the Balanced Budget Agreement. It was agreed that the net tax cut shall be \$85 billion through 2002 and not more than \$250 billion through 2007. We believe these levels provide enough room for important reforms, including broad-based permanent capital gains tax reductions, significant death tax relief, \$500 per child tax credit and expansion of IRAs.

In the course of drafting the legislation to implement the balanced budget plan, there

are some additional areas that we want to be sure the committees of jurisdiction consider. Specifically, we believe the package must include tax relief of roughly \$35 billion over five years for education, including a deduction and a tax credit. We believe this package should be consistent with the objectives put forward in the HOPE scholarship and tuition tax proposals contained in the Administration's FY 1998 budget to assist middle-class parents in paying and saving for their children's education.

Additionally, the House and Senate Leadership will seek to include various proposals in the Administration's FY 1998 budget (e.g., the welfare-to-work tax credit, capital gains tax relief for home sales, the Administration's EZ/EC proposals, brownfields legislation, FSC software, and tax incentives designed to spur economic growth in the District of Columbia), as well as various pending congressional tax proposals.

In this context, it should be noted the tax-writing committees will be required to balance the interests and desires of many parties in crafting tax legislation within the context of the net tax reduction goals which have been adopted, while at the same time protecting the interests of taxpayers generally.

We stand to work with you toward these ends. Thank you very much for your cooperation.

Sincerely,

NEWT GINGRICH,

*Speaker.*

TRENT LOTT,

*Senate Majority Leader.*

Mr. DODD. Mr. President, so my colleagues can appreciate this, this is not gamesmanship or trying to be cute about this in any way, but merely to have our reconciliation instructions conform to what the letter says we do. I think that would certainly put everyone at ease about the commitments we are all making to this resolution when it comes to deficit reduction.

The great tragedy would be if we got to the end of 5 years and have no requirement that we try to limit it to \$250 billion at the end of 10 years, and you have deficit reduction and balance for 1 year, and then it will explode out of proportion after that period of time. That is the reason for the amendment.

I appreciate, again, my colleague providing me these few minutes to explain the amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have no objection to the amendment, but before we finish and wrap this up, I will be making sure that the rest of the agreement, as it pertains to cuts, has the same kind of specificity to it, otherwise, I would not accept it. I am not sure we can hold it in conference, as long as the Senator understands that.

Mr. DODD. I am sure the Senator from New Mexico will try. I say to my colleague, I think the cuts are there. If not, I will join him in an amendment.

Mr. DOMENICI. I have no objection. I yield back the remainder of my time.

Mr. DODD. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 335) was agreed to.

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

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

The motion to lay on the table was agreed to.

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

Mr. BUMPERS. Will the Senator withhold for a moment? Can I have the attention of the floor manager?

The PRESIDING OFFICER. Does the Senator from New Mexico yield for a question?

Mr. DOMENICI. Yes.

Mr. BUMPERS. Mr. President, I question the distinguished Senator from New Mexico, why can't we just start voting right now?

Mr. DOMENICI. We have five amendments which we are going to vote on and some other unanimous-consent requests that the leadership and the managers have. We will put it all in one UC and then start with the amendment of the Senator from Arkansas. His is the lead-off one, and we should not take more than another 5 minutes and then we will be ready.

Mr. BUMPERS. How many following mine?

Mr. DOMENICI. Five in total, I believe. Yours and four others for a total of five. Then we will have some more language in the UC about the rest of the evening and the rest of the amendments.

Mr. BUMPERS. I wonder if the Senator, while we are in this colloquy, can tell us what to expect for the rest of the evening after these votes, and tomorrow.

Mr. DOMENICI. I can only tell you that the distinguished Democratic manager and I are going to be here this evening, and we are going to use all the time to take up amendments. Whether we will vote on them tonight or not, let's wait and see what the leadership proposes. The time will run out sometime before too late, at least it will not be so late that we cannot stand here on the floor and get it done. Amendments will be worked on all evening. There may not be any votes, but it depends on the unanimous-consent request.

Mr. BUMPERS. Mr. President, I wonder if the Senator can inform the Senator how much time is left on the bill?

Mr. DOMENICI. I will ask—a little less than 5 hours.

Mr. LAUTENBERG. About roughly 5 hours.

Mr. BUMPERS. Parliamentary inquiry, Mr. President. How much time is left on the bill?

The PRESIDING OFFICER. A little less than 5 hours is left.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

AMENDMENT NO. 328, AS MODIFIED

Mr. DOMENICI. Mr. President, I have an unprinted amendment on behalf of Senator JOHN MCCAIN. It is a modification to 328 which has heretofore been offered. It is a sense-of-the-Senate regarding Amtrak. I ask that it be considered.

The PRESIDING OFFICER. Without objection, the amendment is so modified, and the clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. MCCAIN, proposes amendment numbered 328, as modified.

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

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

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING ASSISTANCE TO AMTRAK.**

(a) FINDINGS.—The Senate finds that—

(1) Amtrak is in a financial crisis, with growing and substantial debt obligations approaching \$2 billion;

(2) Amtrak has not been authorized since 1994;

(3) the Senate Committee on Commerce, Science, and Transportation favorably reported legislation to reform Amtrak during the last two Congresses, but no legislation was enacted;

(4) the Finance Committee favorably reported legislation in the last Congress that created a dedicated trust fund for Amtrak, but no legislation was enacted;

(5) in 1997 Amtrak testified before the Congress that it cannot survive beyond 1998 without comprehensive legislative reforms and a dedicated source of capital funding; and

(6) Congress is obligated to invest Federal tax dollars responsibly and to reduce waste and inefficiency in Federal programs, including Amtrak.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions of this resolution assume that:

(1) Legislative reform is urgently needed to address Amtrak's financial and operational problems.

(2) It is fiscally irresponsible for Congress to allocate additional Federal dollars to Amtrak, and to distribute money from a new trust fund, without providing reforms requested by Amtrak to address its precarious financial situation.

(3) The distribution of money from any new fund to finance an intercity rail passenger fund should be implemented in conjunction with legislation to reauthorize and reform the National Rail Passenger Corporation.

Mr. MCCAIN. Mr. President, my amendment states that if legislation is enacted to establish an intercity passenger rail fund, as this budget resolution would make room for, the distribution of any new money should be in conjunction with legislation to reauthorize and reform the National Rail Passenger Corporation, better known as Amtrak. Money alone, cannot fix all

of Amtrak's financial and operational problems.

This amendment does not attempt to kill Amtrak or block its funding. It simply attempts to establish some level of fiscal accountability before the taxpayers are forced to pay \$400 to \$500 million more to fund Amtrak capital subsidies.

We have an obligation to the American public to invest our Federal dollars wisely. We should reduce waste and inefficiency and allow Amtrak to achieve greater fiscal accountability. Statutory reforms are necessary if Amtrak is to increase efficiencies, reduce costs, and lessen its dependence on Federal assistance.

Earlier this week, I met with Delaware's Governor, Tom Carper, who serves on the Amtrak board of directors. Governor Carper articulated clearly to me Amtrak's plan to turn its financial condition around. He talked about the need for capital investment and his support for establishing a trust fund for Amtrak. He also talked about the importance of legislative reforms.

I may not agree with Governor Carper's views on the role that the Federal Government should continue to play in supporting Amtrak. But, it was refreshing to hear from someone close to Amtrak's operations discuss the critical need for statutory reforms—including labor and liability reforms—and not just the need for more money.

Mr. President, Amtrak has not been authorized since 1994. The Commerce Committee has reported out reform legislation during the last two Congresses. But, instead of meeting our authorizing obligations, Congress has found it easier to just keep throwing good money at an inefficient operation. This fiscally irresponsible practice must stop.

Last week, Senator HUTCHISON, the chairman of the Surface Transportation and Merchant Marine Subcommittee, introduced S. 738, the Amtrak Reform and Accountability Act. That bill proposes to reauthorize Amtrak for 5 years and provide comprehensive reforms to allow Amtrak to operate more like a business. In short, it provides all the things Amtrak's president, Tom Downs, says are needed in order for Amtrak to meet its glide path to zero Federal operating subsidies by 2002.

The Commerce Committee is prepared to move Senator HUTCHISON's bill during our very next executive session. We will be ready for floor action as soon as the leadership can agree on a schedule. Members can offer amendments and cast their votes. But we are committed to debate reform legislation on the Senate floor.

I cannot understand how any Member could seriously argue that reform legislation should not be tied to any future "pot of gold" for Amtrak. Let me remind my colleagues that it is Amtrak that has said that money will not solve all its problems.

For the past several years, Amtrak's president, Tom Downs, has testified be-

fore Congress explaining the three things needed to turn Amtrak around: Internal Restructuring; comprehensive legislative reforms; and a dedicated source of capital funding.

And, just yesterday morning, during a DOT oversight hearing of the Commerce Committee, the GAO and the Office of Inspector General testified on the serious challenges Amtrak faces to achieving operating self-sufficiency.

Mr. President, since 1983 I have listened to Amtrak officials talk about their plans to turn Amtrak into a viable operation. I imagine they've talked about it for 26 years. Amtrak says they can operate more efficiently and reduce the need for Federal assistance if Congress gives them the tools they have requested. Therefore, it would be extremely irresponsible to give Amtrak a substantial increase in Federal assistance and not remove some of the statutory burdens that are the root cause of many of their financial woes today.

If Amtrak is given new money without reforms, I can hear them in the year 2002. They'll try to convince me how Congress still should continue subsidizing Amtrak because Congress never gave them what they said they needed. Well, enough is enough. If Amtrak is going to receive Federal assistance, let's make sure they also have the ability to increase efficiencies, reduce costs, and operate more like a business.

Amtrak is in a financial crisis. Without comprehensive legislative reforms, it is business as usual. And today, that business faces a debt load fast approaching \$2 billion.

Mr. President, I do not support a never-ending drain on the Federal taxpayers in funding a passenger rail system that serves only 500 locations across the country. But, if the collective wisdom of Congress believes we should continue to invest billions of dollars in a passenger system that serves less than 1 percent of the traveling public, I am going to do all I can to ensure such investment is as fiscally sound as possible. Turning on a new Amtrak funding spigot absent comprehensive operational reforms would be wasteful and careless.

I urge my colleagues to support my amendment.

Mr. ROTH. Mr. President, I support Senator MCCAIN's Sense of the Senate. I agree with my colleague from Arizona that Amtrak needs reforms. Amtrak must be able to operate more like a business. Senator HUTCHISON has recently introduced a major reform package which I support. Amtrak needs these reforms and they must be enacted this year. It is also very clear that Amtrak needs an adequate and reliable source of capital funding. Amtrak is currently borrowing to meet payroll and if additional capital funding is not provided, GAO and Amtrak have testified that the company will not survive past mid-1998. The key to Amtrak's future is both a legislative

reform package and a secure source of capital funding.

Given the immediate financial crisis Amtrak is facing, Congress cannot wait a moment longer. To be viable Amtrak will need both a secure source of capital funding and a reauthorization and reform bill this year. It is my goal to see both bills enacted this year. I do not doubt Senator MCCAIN's ability to get the reform bill passed in the Senate and enacted this year. And, as I have stated on the floor many times, it is one of my priorities to give Amtrak a secure source of capital funding this year. Both bills are essential and I believe both should be implemented in conjunction with each other. We cannot lose our national passenger rail system. If something is not done to give Amtrak the capital funds and the reforms it needs, Amtrak will not survive. This is not an idle threat. GAO has testified before my committee that this is the case. Amtrak President Tom Downs has testified that the company would not survive past 1998. Amtrak's financial report proves it. The question before us is whether or not we want this country to have a national passenger rail system. If we want a national system, we must give Amtrak a secure capital funding source to allow it to operate more like a business.

Let me take a few minutes to explain why I fought to include the Amtrak reserve fund in the budget resolution. And may I also say at this time that Senators DOMENICI and LAUTENBURG have been extremely helpful in securing this compromise language for me.

Senator DOMENICI and I have worked together to develop a compromise on how to finance a secure source of funding for Amtrak. Out of these discussions we developed an Amtrak reserve fund which would allow for the spending caps for Amtrak to be raised by the amount of revenue raised to finance this fund. It is the first step, and a very critical step, for ensuring that Amtrak receives the capital funding it needs to survive.

Mr. President, all major modes of transportation have a dedicated source of capital funding, except for intercity passenger rail. Amtrak needs a similar capital funding source to bring its equipment, facilities, and tracks into a state of good repair. Much of Amtrak's equipment and infrastructure has exceeded its projected useful life. The costs of maintaining this aging fleet and the need to modernize and overhaul facilities through capital improvements to the system are serious financial challenges for Amtrak. This provision is the first step in helping to reverse these problems and give Amtrak the resources necessary to meet its capital investment needs.

I believe that it is time for Congress to reverse our current policy that favors building more highways at the expense of alternative means of transportation, such as intercity passenger rail. Despite rail's proven safety, efficiency, and reliability in Europe, Japan, and

elsewhere, intercity passenger rail remains severely underfunded in the United States. In fact, over half of the Department of Transportation's spending authority is devoted to highways and another quarter to aviation; rail still ranks last with roughly 3 percent of total spending authority.

If this Congress wants a national passenger rail system, we will have to properly fund the system. Amtrak has not been able to make sufficient capital investments in the past through annual, but inadequate appropriation. I am pleased that the Senate now recognizes that a new funding mechanism is needed for Amtrak. Under this budget agreement, Amtrak would finally receive similar treatment as other modes of transportation.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Arizona for his efforts. I appreciate his leadership as full committee chairman because he makes it possible for members to move important legislation in a timely fashion, and I am pleased to hear his commitment to move S. 738, Amtrak reauthorization and reform legislation, as soon as possible.

In particular, he is exercising great leadership on the issue of Amtrak. I know he personally has doubts about our current passenger rail policy but, as chairman, has not acted to impede the will of the Commerce Committee or Congress to continue the national passenger rail system. He does, however, insist these the policies and their implementation be responsible. I commend him for that, appreciate the leadership it represents, and will work closely with him to that end.

I support this amendment because I believe Amtrak must have both reform and capital funding. I commend Senator ROTH for his commitment to authorize a capital fund for Amtrak and will work with him to see that it occurs. He is a cosponsor of my Amtrak reauthorization bill and am certain he will make a similar commitment to help achieve its passage.

I believe we agree that the passage of both of these bills is necessary to sustain Amtrak. Increased Amtrak funding alone is not enough; nor are reforms without adequate funding. However, providing the funding without the reforms not only shortchanges Amtrak, it shortchanges the taxpayer.

I fully share the sense of this Senate that appropriations from the new intercity rail fund should go to a reformed and reauthorized Amtrak. I urge all of my colleagues to work with me to pass Amtrak reform legislation as soon as possible in fulfillment of this resolution.

Mr. DOMENICI. Mr. President, I have no objection to this and hope we will adopt it here by voice vote.

But I yield to Senator FRANK LAUTENBERG.

Mr. LAUTENBERG. Very simply, Mr. President, I too approve of the amendment. I have a deep interest in Amtrak and national passenger rail service.

And this refines a process. I am pleased to endorse it.

Mr. DOMENICI. I yield back all my time.

I yield back any time Senator MCCAIN may have.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment, as modified.

The amendment (No. 328), as modified, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I have discussed this unanimous consent agreement we are about to enter with the Democratic leader. Therefore, I ask unanimous consent that at 7:15 today the Senate proceed to a series of votes on or in relation to the following amendments in the order specified, and, further, prior to each vote there be 2 minutes for debate equally divided in the usual form: Senator BUMPERS, No. 330; Senator BUMPERS, No. 331; Senator BOND, No. 324, which I understand will be a voice vote; Senator GRAMM, No. 320; Senator ASHCROFT, No. 322; Senator ASHCROFT, No. 323; Senator INHOFE, No. 301.

Mr. President, I make that unanimous consent request.

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

Mr. LOTT. Mr. President, I ask unanimous consent that all votes after the first vote be limited to 10 minutes in length, and, further, all time consumed by the votes count against the overall time limitation, and, further, any remaining debate time under the statute be consumed this evening, and, finally, beginning at 9:30 a.m., tomorrow morning the Senate proceed to vote on any pending amendments, and following disposition of all amendments, the Senate proceed to the immediate consideration of calendar 56, House Concurrent Resolution 84, the House companion, and all after the enacting clause be stricken, and the text of Senate Concurrent Resolution 27 be inserted, and the Senate proceed to vote on adoption of the budget resolution, with no intervening action or debate.

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

Mr. LOTT. I further ask unanimous consent that following adoption of House Concurrent Resolution 84, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

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

Mr. LOTT. Mr. President, I want to express my appreciation for the cooperation from the chairman and ranking member and the Democratic leader for getting this agreement. This will, I think, be a fair way and expeditious way to complete our action. And we

will then get all amendments voted on and final passage beginning at 9:30 tomorrow morning.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to thank the distinguished majority leader for his assistance tonight.

I think this is a very fair way to handle matters. And we will be discussing further amendments that will come up this evening while these votes take place.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I wonder if—I am sorry. The leader made that request, and I was not paying close enough attention.

I would like to reverse my two amendments and bring up 331 first and then 330 second. I ask unanimous consent that we do that.

Mr. DOMENICI. We have no objection. Maybe we could proceed. I say to Senator BUMPERS, to use up time that you have to—

Mr. BUMPERS. I am prepared to use my time.

Mr. DOMENICI. If the Senator used his minute and I use my minute, we will be ready to vote promptly at 7:15.

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

Mr. DOMENICI. I thank the Presiding Officer.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

#### AMENDMENT NO. 331

Mr. BUMPERS. My first amendment simply says that the Finance Committee must come up with offsets of \$115 billion to offset that amount which is the cut in Medicare. I think it would be unseemly and extreme if we have to go home and tell our people that we cut Medicare by \$115 billion to make the system more solvent and at the same time tell them the only way we could cut taxes under this budget agreement was to cut Medicare by \$115 billion.

So, Mr. President, I earnestly ask my colleagues to seriously consider voting to simply say to the Finance Committee, do not force us to go home and tell our constituents that we cut Medicaid by \$115 billion and we used every dime of it—every dime of it—to offset all these tax cuts, many of which go to the wealthiest people in America.

It is indefensible. It is inexcusable. I urge my colleagues to support this amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. The problem is that what the Senator just described is not the amendment. All the amendment does is take out all the tax cuts the American people are to receive. It has nothing to do with Medicare.

It is a forthright simple amendment. It says, take out all the tax cuts. It totally violates the agreement and, I repeat, has nothing to do with Medicare, nothing.

Everything that we saved in Medicare went to make Medicare solvent. There are plenty of other savings to cover these tax cuts if you had to cover them. But we have to make no apologies. We produced a balanced budget, and in that we got \$85 billion net new tax cuts available to the American people.

Plain and simple, this amendment says, no tax cuts. That means anyone that votes for it is against tax cuts. Simple, plain, nothing else.

I yield any time I have remaining.

Mr. BUMPERS. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 47 seconds.

Mr. BUMPERS. Mr. President, I ask the distinguished chairman of the Budget Committee, and my colleagues, what kind of a tax cut will you have if you do not use Medicare's \$115 billion cut? The answer to that is, none, virtually none.

Make no mistake about it, the Medicare cut is being used to fund these tax cuts. And without it there will be no tax cuts. It is just that simple.

Mr. DOMENICI. Do I have any time left?

The PRESIDING OFFICER. Ten seconds.

Mr. DOMENICI. That is just not true. If that did not take 10 seconds, that is enough.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOMENICI. I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. They yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—73

Abraham	Coverdell	Grassley
Allard	Craig	Gregg
Ashcroft	D'Amato	Hagel
Baucus	Daschle	Hatch
Bennett	DeWine	Helms
Biden	Domenici	Hutchinson
Bingaman	Durbin	Hutchison
Bond	Enzi	Inhofe
Breaux	Faircloth	Jeffords
Brownback	Feingold	Kempthorne
Bryan	Feinstein	Kerry
Burns	Ford	Kerry
Campbell	Frist	Kohl
Chafee	Gorton	Kyl
Cochran	Gramm	Landrieu
Collins	Grams	Lautenberg

Leahy	Robb	Snowe
Lieberman	Roberts	Specter
Lott	Rockefeller	Stevens
Lugar	Roth	Thomas
Mack	Santorum	Thompson
McCain	Sessions	Thurmond
McConnell	Shelby	Warner
Murkowski	Smith (NH)	
Nickles	Smith (OR)	

NAYS—26

Akaka	Graham	Moynihan
Boxer	Harkin	Murray
Bumpers	Hollings	Reed
Byrd	Inouye	Reid
Cleland	Johnson	Sarbanes
Conrad	Kennedy	Torricelli
Dodd	Levin	Wellstone
Dorgan	Mikulski	Wyden
Glenn	Moseley-Braun	

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 331) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 330

The PRESIDING OFFICER. There will be 2 minutes of debate on the next Bumpers amendment, 1 minute to each side.

The Senator from Arkansas.

Mr. BUMPERS. Mr. President, this is an amendment which keeps the deficit from soaring next year. This year's deficit is going to be \$67 billion. This budget takes the deficit next year to \$97 billion. In the year 2000 it is \$97 billion. It starts coming down the last 2 years only because of the economic assumptions.

You are assuming in this budget that the economy is going to stay as hot the next 5 years as it has been the last 5 years. And if that proves to be a false assumption you are going to see the deficit start soaring.

I say strike while the iron is hot.

In 1981 we bought into this same proposition, and in 8 years had a \$3 trillion debt to show for it.

Here we are back at the same old stand—cutting taxes and balancing the budget. That is the good old five-chocolate-sundae-a-day diet. It didn't work in 1981. It isn't going to work now.

So I am saying balance the budget in the year 2001, not 2002. Postpone the tax cuts until 2002 and honor the American people who say they want a balanced budget a lot worse than they want a tax cut.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will not take very long.

Fellow Senators, what this amendment effectively does is takes away all the tax cuts except \$20 billion—plain and simple. There can be all kinds of rationale. But at least \$20 billion of the \$835 billion in tax cuts, and the rest of the tax cuts are gone.

It seems to me that we have made a commitment that we are going to do both—balance the budget and cut taxes

for some Americans, including families with children. This eliminates all of that, and I believe it ought to be turned down overwhelmingly.

Indeed, it doesn't cut any spending. It just cuts out the tax cuts.

I yield my time.

I move to table the amendment, and 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 is on agreeing to the motion of the Senator from New Mexico to lay on the table the amendment of the Senator from Arkansas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

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

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—81

Abraham	Faircloth	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Gorton	McConnell
Biden	Gramm	Mikulski
Bingaman	Grams	Murkowski
Bond	Grassley	Nickles
Boxer	Gregg	Reed
Breaux	Hagel	Roberts
Brownback	Harkin	Rockefeller
Burns	Hatch	Roth
Campbell	Helms	Santorum
Chafee	Hutchinson	Sessions
Cleland	Hutchison	Shelby
Cochran	Inhofe	Smith (NH)
Collins	Inouye	Smith (OR)
Coverdell	Jeffords	Snowe
Craig	Johnson	Specter
D'Amato	Kempthorne	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Lieberman	Wyden

NAYS—18

Akaka	Glenn	Moseley-Braun
Bryan	Graham	Moynihan
Bumpers	Hollings	Murray
Byrd	Kennedy	Reid
Conrad	Kerry	Robb
Feingold	Levin	Sarbanes

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 330) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Senator BOND?

AMENDMENT NO. 324, AS MODIFIED

The PRESIDING OFFICER. The Senate will please come to order. We will now have debate on the Bond amendment No. 324, as modified; 2 minutes, 1 minute per side.

Mr. BOND. Mr. President, I believe this amendment can be accepted. Basically it points out the fact that in the State of Missouri and other States, the disproportionate share of the hospital Medicaid payments is used to provide health care to the most vulnerable population, a quarter of a million pregnant women and children and, as we look at it, when the Finance Committee addresses this DSH program, they need to keep in mind that no harm must befall these very vulnerable people. We ask they consider use of the funds in the legislation, other legislation that is being adopted. We urge the adoption of the amendment.

Mr. DOMENICI. Mr. President, I yield back my time. I am willing to accept the amendment without a rollcall vote.

Mr. LAUTENBERG. No objection on this side.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 324), as modified, was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank my colleague for changing it into a sense of the Senate. It is acceptable because of that.

## AMENDMENT NO. 320

The PRESIDING OFFICER. The question now occurs on amendment No. 320.

Mr. DOMENICI. Mr. President, parliamentary inquiry?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the amendment following the Gramm amendment?

The PRESIDING OFFICER. The Ashcroft amendment No. 322.

Mr. DOMENICI. Senator ASHCROFT, would you mind going next and giving your 1 minute? I ask consent we pass the Gramm amendment and proceed to the Ashcroft amendment that is listed.

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

## AMENDMENT NO. 322

The PRESIDING OFFICER. We will have a 2-minute debate.

The Senator from Missouri.

Mr. ASHCROFT. Mr. President, much has been said about different amendments, alleging that they were deal breakers. This is a deal keeper. This is a set of enforcement provisions which would limit the amount of debt that we could have each year to the amount that is specified in the budget agreement. This is basically the balanced budget amendment in statutory form, conformed to the balanced budget agreement. Those individuals who voted in favor of a balanced budget amendment to the Constitution were willing to put this kind of discipline into our culture for life. I think we ought to be willing to put it into this agreement for the next 5 years.

This is not a deal breaker. This is a deal keeper, and the American people deserve to have the discipline of knowing that the debt will not exceed the limits specified.

The debt will not exceed the numbers of debt which are provided for in the agreement. This is just a way to provide discipline and enforcement of the agreement, as written.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, this amendment would require a supermajority, three-fifths of the Members in each House, to provide for specific excess of outlays of receipts or to provide for such increase in the level of public debt.

What we are doing here is we will be reviewing the balanced budget amendment and voting for it here again. It does not fit in the scope of things.

I have raised a point of order on this relative to germaneness. We should defeat this. I think this is a very dangerous precedent, for us to get involved with this kind of legislation in this budget resolution.

I hope we will defeat it.

Mr. DOMENICI. Has the Senator's time expired?

The PRESIDING OFFICER. The Senator has 15 seconds.

Mr. ASHCROFT. Mr. President, I urge Members of the Senate who voted for a balanced budget amendment to the Constitution to do this imposition of a balanced budget amendment to the budget agreement. It provides discipline and will ensure that we keep the agreement; that we don't break it. The American people deserve no less.

Mr. LAUTENBERG. Mr. President, do I have any time?

The PRESIDING OFFICER. Around 20 seconds.

Mr. LAUTENBERG. Mr. President, 20 seconds? We will use the 20 seconds, Mr. President.

Mr. DOMENICI. Could we have order, please?

The PRESIDING OFFICER. The Senate will please come to order. The Senate will please come to order.

Mr. LAUTENBERG. We will use the seconds preciously and quickly and just say that this doesn't even allow for any adjustments during a recession, depression or that kind of thing. It says, "other than national security." That is a military reference. I think national security includes a stable society, one that adjusts to the times. I hope we will again vote it down.

I yield back my time.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to waive the Budget Act in relation to amendment No. 322, offered by the Senator from Missouri.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll. Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

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

The yeas and nays resulted—yeas 41, nays, 58, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—41

Abraham	Gregg	Nickles
Allard	Hagel	Santorum
Ashcroft	Harkin	Sessions
Bond	Hatch	Shelby
Brownback	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Stevens
Enzi	Kempthorne	Thomas
Faircloth	Kyl	Thompson
Frist	Mack	Thurmond
Gramm	McCain	Warner
Grams	McConnell	Wyden
Grassley	Murkowski	

NAYS—58

Akaka	Domenici	Levin
Baucus	Dorgan	Lieberman
Bennett	Durbin	Lott
Biden	Feingold	Lugar
Bingaman	Feinstein	Mikulski
Boxer	Ford	Moseley-Braun
Breaux	Glenn	Moynihan
Bryan	Gorton	Murray
Bumpers	Graham	Reed
Byrd	Hollings	Reid
Campbell	Inouye	Robb
Chafee	Jeffords	Roberts
Cleland	Johnson	Rockefeller
Cochran	Kennedy	Roth
Collins	Kerrey	Sarbanes
Conrad	Kerry	Specter
D'Amato	Kohl	Torricelli
Daschle	Landrieu	Wellstone
DeWine	Lautenberg	
Dodd	Leahy	

NOT VOTING—1

Coats +

The PRESIDING OFFICER. On this vote the yeas are 41, the nays are 58. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The point of order previously raised against the amendment is sustained in that it violates section 305(b)(2) of the Congressional Budget Act and the amendment falls.

## AMENDMENT NO. 320, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 320, as modified.

There are 2 minutes equally divided.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, we established the highway trust fund in 1956, and under that trust fund, when people paid taxes on gasoline, it was a user fee to build roads and to build mass transit. In 1993, in the tax bill, for the first time ever, we had a permanent tax increase on gasoline that went to general revenues.

What this sense-of-the-Senate resolution says is that it is the sense of the Senate that on the budget reconciliation, on any appropriation, or any tax bill that we should put this 4.3-cent-a-gallon tax on gasoline back into the highway trust fund so that it can be spent for the purpose the tax is collected.

I hope my colleagues will vote for this amendment. We are going to have an opportunity to vote on the real thing later this year, but this vote will put people on record.

I thank the Chair.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. DOMENICI. I am not in opposition.

Mr. CHAFEE. I am in opposition.

Mr. DOMENICI. I yield to Senator CHAFEE.

Mr. CHAFEE. Mr. President, what this does is it takes \$40 billion over the 5 years that is now going into the General Treasury and puts it into the highway trust fund with, obviously, the assumption that it is going to be spent. In effect, what we are doing here is adding \$40 billion to the deficit of the United States.

I just don't think, when we are in this effort of trying to balance the budget, that this is the right step to take. Do we all want to have more highways? Of course, we do. Indeed, it falls under the very committee of which I am the chairman. I don't think at this time, when we are making these efforts to balance the budget, that we want to take \$40 billion over 5 years going into the General Treasury and spend it in this manner. So I hope the amendment will be defeated.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

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

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—83

Abraham	Enzi	Lott
Akaka	Faircloth	Lugar
Allard	Feingold	Mack
Ashcroft	Feinstein	McCain
Baucus	Frist	McConnell
Bennett	Gorton	Mikulski
Biden	Gramm	Murkowski
Bingaman	Grams	Murray
Bond	Grassley	Nickles
Boxer	Gregg	Reid
Breaux	Hagel	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Santorum
Bumpers	Hollings	Sarbanes
Burns	Hutchinson	Sessions
Byrd	Hutchison	Shelby
Campbell	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kempthorne	Stevens
Coverdell	Kerrey	Thomas
Craig	Kohl	Thompson
D'Amato	Kyl	Thurmond
Daschle	Landrieu	Torricelli
DeWine	Lautenberg	Warner
Domenici	Leahy	Wyden
Dorgan	Lieberman	

NAYS—16

Chafee	Harkin	Reed
Dodd	Kennedy	Robb
Durbin	Kerry	Roth
Ford	Levin	Wellstone
Glenn	Moseley-Braun	
Graham	Moynihan	

NOT VOTING—1

Coats

The amendment (No. 320), as modified, was agreed to.

Mr. BAUCUS. Mr. President, I want to take this opportunity to explain my vote on the Gramm sense-of-the-Senate amendment.

This sense-of-the-Senate amendment calls for the return of 4.3 cents of the Federal gas tax currently used for deficit reduction to the highway trust fund.

I have long argued for the return of these revenues to transportation programs—approximately \$7 billion annually. In fact, I recently introduced legislation to transfer the 4.3 cents to transportation programs—3.8 cents to the highway account of the highway trust fund and 0.5 cents to be used to maintain this Nation's national passenger rail system or Amtrak.

While this sense-of-the-Senate amendment unfortunately does not address Amtrak, I feel it is important for the Senate to express its support for redirecting the 4.3 cents to transportation purposes. That is why I have voted for this amendment.

As this sense-of-the-Senate amendment is nonbinding, it is important to ensure that the transfer of the 4.3 cents for transportation actually takes place. As a member of the Finance Committee, I want to make it very clear to my colleagues that I intend to pursue my legislation to make the transfer—again, 3.8 cents for the highway account and 0.5 cents for Amtrak.

Transportation investments are the key to this Nation's economic future. Our ability to compete in today's global economy is tied to an efficient and safe intermodal transportation system—highways, transit, Amtrak, and other modes.

The Gramm amendment is the first step to reaching that outcome. By putting the Senate on record in support of transferring the 4.3 cents for transportation purposes, we will be able to work during the reconciliation process and the reauthorization of ISTEA to see that additional investments are made in our transportation system.

I look forward to working with the chairman of the Finance Committee, Senator MOYNIHAN, and others to transfer these revenues as we develop reconciliation legislation.

AMENDMENT NO. 323, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, we will proceed to consider amendment No. 323 by the Senator from Missouri, Senator ASHCROFT.

There are 2 minutes of debate equally divided.

Who yields time?

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that I be able to withdraw this amendment. This

amendment was in large measure subsumed in the prior amendment which I offered to the Senate. I ask unanimous consent that this amendment be withdrawn.

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

The amendment (No. 323) was withdrawn.

AMENDMENT NO. 301

The PRESIDING OFFICER. The question now occurs on amendment No. 301 by the Senator from Oklahoma, Senator INHOFE.

Mr. INHOFE. Mr. President, this is the last amendment of the evening. I would like to have your attention for a short period of time.

I have not been a strong supporter of this budget deal, the basis of the assumptions and other things. But in the event it does come up with a balanced budget in the year 2002, I see one frailty with this, and that is, you can come into balance in the year 2002, only to find out that in 2003 you come along and go back into deficits again.

So I am going to read one sentence very carefully. I would like to have you listen to it.

[I]t shall not be in order in the Senate to consider any budget resolution . . . for fiscal year 2002 and any fiscal year thereafter . . . that would cause a unified budget deficit for the budget year or any of the 4 fiscal years following the budget year.

I would like to reserve the last 10 seconds of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, this amendment talks to the years 2000-plus. We heard it from the Senator from Oklahoma. We are not balancing the budget for 10 years. We are balancing it for the first 5 years to 2002. We project off into the years subsequent to that.

We believe that we will have the mechanism in place to control it. If not, we ought to take it up at that time. And this budget amendment creates a supermajority. So we are back to 60 votes in case you want to make a change at that time.

I do not think we ought to be strapping ourselves now for something that is going to happen after 2002. I hope that we will defeat this amendment. I think that it is important that we do.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I believe I have 15 seconds remaining.

Let me just say that if it is the intent of anyone to vote for this in hopes it would achieve a balanced budget by the year 2002, and then coming back and starting into deficits again, of course you want to oppose it.

This is your last opportunity to say that we want to reach that balanced budget by 2002, and then keep it in balance thereafter.

The PRESIDING OFFICER. Does the other side wish to yield back their time?

Mr. LAUTENBERG. I move to table the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—52

Akaka	Domenici	Levin
Baucus	Dorgan	Lieberman
Bennett	Durbin	Lugar
Biden	Feinstein	Mikulski
Bingaman	Ford	Moseley-Braun
Bond	Gorton	Moynihan
Boxer	Graham	Murray
Breaux	Harkin	Reed
Bryan	Hatch	Reid
Bumpers	Hollings	Roberts
Byrd	Inouye	Rockefeller
Campbell	Johnson	Sarbanes
Chafee	Kennedy	Smith (OR)
Cleland	Kerrey	Specter
Collins	Kerry	Stevens
Conrad	Landrieu	Wellstone
Daschle	Lautenberg	
Dodd	Leahy	

NAYS—47

Abraham	Grams	Murkowski
Allard	Grassley	Nickles
Ashcroft	Gregg	Robb
Brownback	Hagel	Roth
Burns	Helms	Santorum
Cochran	Hutchinson	Sessions
Coverdell	Hutchison	Shelby
Craig	Inhofe	Smith (NH)
D'Amato	Jeffords	Snowe
DeWine	Kempthorne	Thomas
Enzi	Kohl	Thompson
Faircloth	Kyl	Thurmond
Feingold	Lott	Torricelli
Frist	Mack	Warner
Glenn	McCain	Wyden
Gramm	McConnell	

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 301) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay it on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

AMENDMENT NO. 316

Mr. ABRAHAM. Mr. President, I call up my amendment numbered 316.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. KYL, Mr. BROWNBACK, Mr. ASHCROFT, Mr. SESSIONS, and Mr. COVERDELL, proposes an amendment numbered 316.

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

Mr. ABRAHAM. Mr. President, it is not my intent tonight to keep the Senate here for a lengthy period of time on this amendment. I will speak to my amendment for just a couple of minutes. If others wish to debate it, I will stay here, but I am otherwise prepared to yield back my time on this amendment after giving it a couple of minutes's description.

Basically, Mr. President, this amendment tries to address a concern that a number of my constituents, and I suspect constituents from other States, have expressed in recent weeks with respect to the development of this budget. As the President and Members are aware near the end of discussions and deliberations that went into the development of this budget agreement, the Congressional Budget Office informed the negotiators at the last minute that they had underestimated the income shares, the revenue estimate, for the upcoming 5-year period by some \$225 billion.

Obviously, a lot of questions have been raised. I am not here tonight to quarrel with or to raise questions about the basis on which those adjustments took place, but the fact is, Mr. President, based on these adjustments, we are moving forward with a budget that estimates certain amounts of revenue.

Clearly, it is possible that sometime during the period that this budget covers over the next 5 years we might find further adjustments occurring. My concern, Mr. President, is what happens if further adjustments based on the actual receipts to the Federal Government exceed what the estimates are that we are using as the basis for this budget resolution. To that end, my constituents are basically telling me that if the actual revenues the Government produces exceed that which we are using here in this budget resolution, that those dollars ought to be returned to taxpayers in the form of tax cuts or ought to be used to reduce the deficit, for deficit reduction and debt reduction purposes.

Based on that, Mr. President, I am offering tonight—because of the nature of the resolution, I am not offering this as an amendment in the fullest sense—as a sense-of-the-Senate amendment that if, in fact, the revenues which we receive during the pendency of this resolution exceed the revenue estimates that have been used to formulate the resolution, those dollars be, in effect, put in a lockbox and made available exclusively for reductions in the deficit or for further tax cuts.

I think this makes sense because if, in fact, the American taxpayers are sending more money to Washington than we expect them to it only makes sense to me that the additional dollars ought to be returned to the taxpayers or used to reduce the deficit as opposed to being used for increased and additional Federal spending beyond that which we are including in this budget resolution.

Mr. President, I think that is the one way by which we can maintain some integrity with respect to the taxpayers by assuring them that as a consequence of the progrowth ideas we have for this budget resolution—which we hope will result in such things as a capital gains tax—as a consequence we see the revenue come to the Federal Government beyond that which we expect, that the only way we maintain some integrity here is guarantee the taxpayers that those additional dollars are either going to help us reduce the debt of this country, or we give it back to the taxpayers in the form of additional tax cuts.

Virtually everybody in this Chamber could think of additional ways by which we might address some of the problems with the Internal Revenue Code, whether it is additional tax cuts for education for working families or to a eliminate the marriage penalty or a variety of other things.

We all know that there isn't embodied within this resolution adequate resources to address all of those objectives that we have as a group.

My feeling is that, if the taxpayers send us more money than we are counting on, more money than we have asked them to, we might then use those additional dollars to fund additional taxes or, alternatively, for the purposes of deficit reduction.

So, for those reasons, I offer this amendment.

I also would like to say in closing here tonight that I want to offer my praise particularly to Senator DOMENICI, whom we work with on the Budget Committee, for his unstinting efforts here. I have always been impressed and amazed at his resilience as we go through amendment after amendment. He leads us so well in that.

So, I thank Senator DOMENICI, both for in the committee and in the prior activities before we get to the committee, and then here on the floor this week.

I offer my amendment. As I said, I am prepared, unless there is a desire to debate the amendment, to yield the remainder of the time tonight. I guess we will vote tomorrow on this.

At this point, I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, there is a 601(b) point of order against this budget because it raises spending above the spending caps set in the 1993 budget.

My remaining business with the budget is I want to raise this point of order. We are going to have 1 minute a side tomorrow, I guess, to do closing. I would like to ask unanimous consent that tomorrow I be recognized for the purpose of making the point of order. I can make it within the minute, and then we will have the vote.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, I wonder if the Senator

would agree to double that time, 2 minutes to a side.

Mr. GRAMM. Yes.

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

Who yields time?

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Mr. President, in light of the fact that I don't think there is further debate planned on this amendment on either side, I at this point yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. DOMENICI. If we yield our time, that means there is 1 minute on a side tomorrow under the interpretation of the Parliamentarian.

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

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 353, AS MODIFIED

Mr. BYRD. Mr. President, I have an amendment at the desk, I believe amendment No. 353, and I ask unanimous consent that I may modify the amendment.

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

Mr. BYRD. Mr. President, I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 353), as modified, is as follows:

On page 56, strike line 5 through page 58, line 12 and insert the following:

**SEC. 209. HIGHWAY RESERVE FUND FOR FISCAL YEARS 1998-2002.**

(a) IN GENERAL.—If legislation generates revenue increases or direct spending reductions to finance highways and to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution.

(b) ADJUSTMENTS FOR BUDGET AUTHORITY.—Upon the reporting of legislation (the offering of an amendment thereto or conference report thereon) that reduces direct non-highway spending or increases revenues for a fiscal year or years, the Chairman of the Committee on the Budget shall submit revised budget authority allocations and aggregates by an amount that equals the amount such legislation reduces direct spending or increases revenues.

(c) ESTABLISHING A RESERVE.—

(1) REVISIONS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or direct non-highway spending reductions.

(2) REVENUE INCREASES OR DIRECT SPENDING REDUCTIONS.—Upon the submission of such revisions, the Chairman of the Committee on the Budget shall also submit the amount of revenue increases or direct non-highway spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (d).

(d) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—Upon the reporting of an appropriations measure, or when a conference committee submits a conference report thereon, that appropriates funds for highways, the Chairman of the Committee on the Budget shall submit increased outlay allocations, aggregates, and discretionary limits for the amount of outlays flowing from the additional obligatory authority provided in such bill.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(e) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (c) shall not be made—

(A) with respect to direct non-highway spending reductions, unless the committee that generates the direct spending reductions is within its allocations under section 302(a) and (602)a of the Budget Act in this resolution (not including the direct spending reductions envisioned in subsection (c)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (c)).

(2) OUTLAYS.—The outlay adjustments made pursuant to subsection (d) shall not exceed the amounts specified in subsection (c)(2) for a fiscal year.

Mr. BYRD. Mr. President, I rise to offer an amendment to provide a meaningful and effective mechanism that will allow the Senate to boost substantially our national investment in highways. Much has been said over the last few days, both in the Senate and in the other body, regarding the critical need for our nation to reverse the trend of national disinvestment in our Nation's highways.

My amendment would substitute the reserve fund provisions in the committee-reported resolution with a new fund that will provide the Senate with the opportunity to consider reported bills or individual amendments that reduce spending in nonhighway areas or increase revenues to allow for increased highway funding. Mr. President, I believe that when the Senate is faced with the very difficult process of reauthorizing ISTEA, there will be renewed interest in finding additional funding for highways. But we must have the mechanism available to us to revisit the issue. This amendment will provide us with that opportunity.

I want to thank the chairman and ranking member of the Budget Committee, Senators DOMENICI and LAUTENBERG, for their cooperation in the development of this amendment.

I hope they will accept my amendment, as modified.

Mr. DOMENICI. Mr. President, Senator BYRD has understood from our side through my staff and myself that we are willing to accept the amendment. It may need further refinements, and he understands that. But we have no objection to it under those circumstances.

Mr. LAUTENBERG. We are pleased to support the amendment, Mr. Presi-

dent. Mr. DOMENICI. I yield back any time in opposition.

Mr. BYRD. Mr. President, I yield back any time I may have.

The PRESIDING OFFICER. The question is agreeing on the amendment of the Senator from West Virginia.

The amendment (No. 353), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I wish to thank Senator DOMENICI and Senator LAUTENBERG for their consideration and courtesy and for their acceptance of the amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 291, 350, 351, AND 356  
WITHDRAWN

Mr. DOMENICI. Mr. President, I ask unanimous consent that amendment No. 291 by Senator MURRAY, amendments Nos. 350 and 351 by Senator HARKIN, and amendment No. 356 by Senator ROBB be withdrawn.

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

The amendments (Nos. 291, 350, 351, and 356) were withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LAUTENBERG. Mr. President, I have a series of amendments here that have been agreed to on both sides.

AMENDMENT NO. 354

(Purpose: To express the sense of the Senate regarding the extension of the Violent Crime Reduction Trust Fund through fiscal year 2002)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for Mr. BIDEN, for himself, Mr. BYRD, and Mr. GRAMM, proposes an amendment numbered 354.

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

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

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

Mr. BIDEN. Mr. President, I want to commend President Clinton and congressional leaders on both sides for bringing before the Senate a balanced budget.

I also believe that this budget goes a long way toward protecting the key priorities I believe must be protected.

But, of all those priorities, I believe that none is more important than continuing our fight against violent crime and violence against women.

To a great extent, this budget resolution meets this test—but, in at least one area of this crime front, I believe the budget resolution must be clarified.

The amendment I am offering, along with Senators BYRD and GRAMM does exactly that—by clarifying that it is the sense of the Senate that the violent crime control trust fund will continue through the end of this budget resolution, fiscal year 2002.

I am particularly pleased that Senator BYRD—who, more than anyone, deserves credit for the crime law trust fund. Senator BYRD worked to develop an idea that was simple as it was profound—as he called on us to use the savings from the reductions in the Federal work force of 272,000 employees to fund one of the Nation's most urgent priorities: fighting the scourge of violent crime.

Senator GRAMM was also one of the very first to call on the Senate to put our money where our mouth was. Too often, this Senate has voted to send significant aid to State and local law enforcement—but, when it came time to write the check, we did not find nearly the dollars we promised.

Working together in 1993, Senator BYRD, myself, Senator GRAMM, and other Senators passed the violent crime control trust fund in the Senate. And, in 1994, it became law in the Biden crime law.

Since then, the dollars from the crime law trust fund have:

Helped add more than 60,000 community police officers to our streets;

Helped shelter more than 80,000 battered women and their children;

Focussed law enforcement, prosecutors, and victims service providers on providing immediate help to women victimized by someone who pretends to love them;

Forced tens of thousands of drug offenders into drug testing and treatment programs, instead of continuing to allow them to remain free on probation with no supervision and no accountability;

Constructed thousands of prison cells for violent criminals; and

Brought unprecedented resources to defending our southwest border—putting us on the path to literally double the number of Federal border agents over just a 5-year period.

The results of this effort are already taking hold:

According to the FBI's national crime statistics, violent crime is down and down significantly—leaving our Nation with its lowest murder rate since 1971;

The lowest violent crime total since 1990; and

The lowest murder rate for wives, ex-wives and girlfriends at the hands of their intimates to an 18-year low.

In short, we have proven able to do what few thought possible—by being smart, keeping our focus, and putting our money where our mouths are—we have actually cut violent crime.

Today, our challenge is to keep our focus and to stay vigilant against violent crime. Today, the Biden-Byrd-Gramm amendment before the Senate offers one modest step toward meeting that challenge:

By confirming that it is the sense of the Senate that the commitment to fighting crime and violence against women will continue for the full duration of this budget resolution.

By confirming that it is the sense of the Senate that the Violent Crime Control Trust Fund will continue—in its current form which provides additional Federal assistance without adding 1 cent to the deficit—for the full duration of this budget resolution.

The Biden-Byrd-Gramm amendment offers a few very simple choices: Stand up for cops—or don't; Stand up for the fight against violence against women—or don't; Stand up for increased border enforcement—or don't.

Every Member of this Senate is against violent crime—we say that in speech after speech. Now, I urge all my colleagues to back up with words with the only thing that we can actually do for the cop walking the beat, the battered woman, the victim of crime—provide the dollars that help give them the tools to fight violent criminals, stand up to their abuser, and restore at least some small piece of the dignity taken from them at the hands of a violent criminal.

Let us be very clear of the stakes here—frankly, if we do not continue the trust fund, we will not be able to continue such proven, valuable efforts as the Violence Against Women law. Nothing we can do today can guarantee that we, in fact, will continue the Violence Against Women Act when the law expires in the year 2000.

But, mark my words, if the trust fund ends, the efforts to provide shelter, help victims, and get tough on the abusers and batterers will wither on the vine. Passing the amendment I offer today will send a clear, unambiguous message that the trust fund should continue and with it, the historic effort undertaken by the Violence Against Women Act that says by word, deed and dollar that the Federal Government stands with women and against the misguided notion that domestic violence is a man's right and not really a crime.

I urge my colleagues to support the Biden-Byrd-Gramm amendment.

Mr. LAUTENBERG. I urge adoption of the amendment.

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

The amendment (No. 354) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 352, AS MODIFIED

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for Mr. KOHL, for himself and Mr. KERRY, proposes an amendment numbered 352, as modified.

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

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

If there is no objection, the amendment is so modified.

The amendment (No. 352), as modified, is as follows:

At the end of title III, add the following:

**SEC. . SENSE OF THE SENATE EARLY CHILDHOOD EDUCATION.**

(a) FINDINGS.—The Senate finds the following:

(1) Scientific research on the development of the brain has confirmed that the early childhood years, particularly from birth to the age of 3, are critical to children's development.

(2) Studies repeatedly have shown that good quality child care helps children develop well, enter school ready to succeed, improve their skills, cognitive abilities and socioemotional development, improve classroom learning behavior, and stay safe while their parents work. Further, quality early childhood programs can positively affect children's long-term success in school achievement, higher earnings as adults, decrease reliance on public assistance and decrease involvement with the criminal justice system.

(3) The first of the National Education Goals, endorsed by the Nation's governors, passed by Congress and signed into law by President Bush, stated that by the year 2000, every child should enter school ready to learn and that access to a high quality early childhood education program was integral to meeting this goal.

(4) According to data compiled by the RAND Corporation, while 90 percent of human brain growth occurs by the age of 3, public spending on children in that age range equals only 8 percent of spending on all children. A vast majority of public spending on children occurs after the brain has gone through its most dramatic changes, often to correct problems that should have been addressed during early childhood development.

(5) According to the Department of Education, of \$29,400,000,000 in current estimated education expenditures, only \$1,500,000,000, or 5 percent, is spent on children from birth to age 5. The vast majority is spent on children over age 5.

(6) A new commitment to quality child care and early childhood education is a necessary response to the fact that children from birth to the age of 3 are spending more time in care away from their homes. Almost 60 percent of women in the workforce have children under the age of 3 requiring care.

(7) Many States and communities are currently experimenting with innovative programs directed at early childhood care and

education in a variety of care settings, including the home. States and local communities are best able to deliver efficient, cost-effective services, but while such programs are long on demand, they are short on resources. Additional Federal resources should not create new bureaucracy, but build on successful locally driven efforts.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget totals and levels in this resolution assume that funds ought to be directed toward increasing the supply of quality child care, early childhood education, and teacher and parent training for children from birth through age 3.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 352), as modified, was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 302, 303, 304, 305, AND 306, EN BLOC, AS MODIFIED

Mr. DOMENICI. Mr. President, I send to the desk five Hollings amendments and ask that they be considered en bloc.

They are acceptable to this side.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. HOLLINGS, proposes amendments numbered 302, 303, 304, 305 and 306, en bloc, as modified.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments, as modified, are as follows:

AMENDMENT NO. 302

At the appropriate place, insert the following:

**SEC. . HIGHWAY TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.**

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the Highway Trust Fund from the totals of the Budget of the United States government.

AMENDMENT NO. 303

At the appropriate place, insert the following:

**SEC. . AIRPORT AND AIRWAY TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.**

It is the sense of the Senate that the assumptions underlying the budget resolution that the Congress should consider legislation to exclude the receipts and disbursements of the Airport and Airway Trust Fund from the totals of the Budget of the United States government.

AMENDMENT NO. 304

At the appropriate place, insert the following:

**SEC. . MILITARY RETIREMENT TRUST FUNDS NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.**

It is the sense of the Senate that the assumptions underlying this budget resolution

assume that the Congress should consider legislation to exclude the receipts and disbursements of the retirement and disability trust funds for members of the Armed Forces of the United States from the totals of the Budget of the United States government.

AMENDMENT NO. 305

At the appropriate place, insert the following:

**SEC. . CIVIL SERVICE RETIREMENT TRUST FUNDS NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.**

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the retirement and disability trust funds for civilian employees of the United States from the totals of the Budget of the United States government.

AMENDMENT NO. 306

At the appropriate place, insert the following:

**SEC. . UNEMPLOYMENT COMPENSATION TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.**

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the Federal Unemployment Compensation Trust Fund—

(I) should not be included in the totals of—

(A) the Budget of the United States government.

Mr. DOMENICI. I just make note of the fact they have been modified from those that were pending, and so when I send them to the desk, I assume I am requesting the modification, which I am entitled to.

The PRESIDING OFFICER. Without objection, the amendments are so modified.

Mr. DOMENICI. We disposed of Hollings, did we not?

The PRESIDING OFFICER. No, we have not.

Without objection, the Hollings amendments, as modified, are agreed to en bloc.

The amendments (Nos. 302, 303, 304, 305, and 306), as modified, were agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 325

Mr. DOMENICI. Mr. President, I have an amendment of Senator KIT BOND on the highway trust fund. It has been cleared on both sides. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BOND, proposes an amendment No. 325.

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

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

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

Mr. BOND. Mr. President, I must start by saying that this is not an ISTE amendment, this is not a formula amendment, this is not a 4.3 cents amendment, this is not an Amtrak amendment, this is not an off-budget amendment.

This is a sense-of-the-Senate amendment concerning reestablishing the linkage between the revenues deposited in the highway trust fund and transportation spending.

Mr. President, if I can take just a moment I want to read this short sense-of-the-Senate.

The Senate finds that—

One, there is no direct linkage between the fuel taxes deposited in the Highway Trust Fund and the transportation spending from the Highway Trust Fund.

Two, the Federal budget process has served this linkage by dividing revenues and spending into separate budget categories with fuel taxes deposited in the Highway Trust Fund as revenues; and most spending from the Highway Trust Fund in the discretionary category.

Three, each budget category referred to has its own rules and procedures.

Four, under budget rules in effect prior to the date of adoption of this resolution, an increase in fuel taxes permits increased spending to be included in the budget, but not for increased Highway Trust Fund spending.

It is the sense of the Senate that in this session of Congress, Congress should, within a unified budget, change the Federal budget process to establish a linkage between the fuel taxes deposited in the Highway Trust Fund, including any fuel tax increases that may be enacted into law after the date of adoption of this resolution, and the spending from the Highway Trust Fund. Changes to the budgetary process of the Highway Trust Fund should not result in total program levels for highways or mass transit that is inconsistent with those allowed for under the resolution.

This sense-of-the-Senate is self explanatory, but let me provide some background.

Mr. President, back in 1956 the Federal highway trust fund was established as a way to finance the Federal-Aid Highway Program. This was a dedicated trust fund supported by direct user fees/taxes. It was called a trust fund because, once the money went in, we were suppose to be able to trust that money would come back out for use on our roads, highways, and bridges.

However, the 1990 Budget Act eliminated the linkage between the revenues raised by the user taxes and the spending from the transportation trust fund. We know that we promised ourselves and our constituents that the highway user taxes deposited into the highway trust fund would be used for highways, but we now have an illogical process that does not always result in the desired outcome. With the process currently in place balances are accumulating in the trust fund and not being spent on the vitally important transportation needs we have.

To correct the problem, we must reform our budget process.

Mr. President, status quo is not sustainable.

Senator CHAFEE and I have introduced S. 404, the Highway Trust Fund Integrity Act. I know that not everyone agrees with the revenue constrained fund approach taken in that bill. However, I think everyone can agree with this sense-of-the Senate that we must work something out. We must establish the linkage to ensure that the taxes deposited into the highway trust fund are spend on transportation.

I share the concerns that many of my colleagues have—on both sides of the aisle—that we need to find ways to spend more on transportation. This budget resolution moves us closer to that goal. I want to thank the chairman of the Budget Committee and the ranking member for including in the budget resolution the assumption of spending all of the estimated highway trust fund tax receipts that comes in each year for highways.

All of us share the same belief that transportation funding is critical to our individual States and the entire country. Transportation links our communities, towns, and cities with markets. It links our constituents with their schools, hospitals, churches, and jobs. An effective transportation system will help move this country into the 21st century.

Mr. President, it is my hope that as this Congress moves forward on one of the most important and probably most difficult pieces of legislation—ISTEA—we also continue our efforts to ensure that "trust" is in the highway trust fund. I look forward to working with my colleagues to ensure that we do.

Mr. DOMENICI. I yield back any time on the amendment.

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

The amendment (No. 325) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 321, AS MODIFIED

Mr. DOMENICI. Mr. President, I have a modification of Senator FAIRCLOTH's previously submitted amendment No. 321. It has been cleared by both our side and their side. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. FAIRCLOTH, proposes an amendment numbered 321, as modified.

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

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

The amendment, as modified, is as follows:

At the end of title III, add the following:

It is the sense of the Senate that the provisions of this resolution assume that any revenue reconciliation bill should include tax incentives for the cost of post-secondary education, including expenses of workforce education and training at vocational schools and community colleges.

Mr. DOMENICI. I yield back any time on the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the amendment is agreed to.

The amendment (No. 321), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 348, AS MODIFIED

Mr. DOMENICI. I send to the desk on behalf of Senator KYL amendment No. 348, as modified. It has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. KYL, proposes an amendment 348, as modified:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON ADDITIONAL TAX CUTS.

It is the sense of the Senate that nothing in this resolution shall be construed as prohibiting Congress in future years from providing additional tax relief if the cost of such tax relief is offset by reductions in discretionary or mandatory spending, or increases in revenue from alternative sources.

Mr. DOMENICI. I yield back any time.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 348), as modified, was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 344—ADDITIONAL COSPONSORS

Mr. LAUTENBERG. Mr. President, I have a unanimous-consent request that Senators DASCHLE, HARKIN, and BUMPERS be added as original cosponsors to the Boxer-Durbin amendment No. 355.

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

FUNDING FOR NATURAL RESOURCE PROGRAMS

Mrs. BOXER. Mr. President, I would like to ask the distinguished ranking member of the Senate Appropriations Subcommittee on Energy and Water Development, Senator REID, and the distinguished ranking member of the Budget Committee, Senator LAUTENBERG, if they would respond to questions I have concerning funding for natural resource programs in the budget resolution for fiscal year 1998.

Mr. REID. I would be happy to respond to a question from the senator from California.

Mr. LAUTENBERG. I look forward to her question.

Mrs. BOXER. Let me first ask my friend and State neighbor, Senator

REID, to recall the provision in last year's omnibus appropriations bill, that authorized the California Bay-Delta Environmental Enhancement and Water Security Act. The Act authorizes Federal participation in the CALFED Bay-Delta Program, which is charged with developing a balanced, comprehensive and lasting plan to restore and enhance the ecological health and improve water management in the Bay-Delta system. This program is a top priority of the State of California and has support from business, environmental and water users throughout the State. I would like to ask Senator REID, as the ranking member of the appropriations subcommittee with jurisdiction over this act, if he agrees with me that it is important to fund this program?

Mr. REID. I want to thank the Senator from California for bringing this issue to my attention. Indeed, I believe the Bay-Delta program serves as a national model on how we can bring environmental, agribusiness, and other water users to the same table with the goal of preserving our natural resources for many uses. I see the program has having a particular benefit for our Western States. If California restores its environment and improves its water supply reliability, then we relieve the pressure on the Colorado River and lessen any tensions among the seven Colorado River States. When California restores migratory bird habitat and provides water for wildlife refuges, the health of the Pacific flyway will be improved, benefitting States from Arizona to Alaska.

While the investments will be made in California, the benefits will be realized throughout the west. I look forward to working with the senator from California on the Bay-Delta project on the Appropriations Committee.

Mrs. BOXER. Thank you, Senator. Let me now ask our very distinguished ranking member of the Senate Budget committee, Senator LAUTENBERG, about the Bay-Delta program. Senator LAUTENBERG, as one of the negotiators involved in this current budget agreement and as a member of the Budget Committee leadership, is it your view that the amounts provided under the Natural Resources function in this Budget Resolution are sufficient to accommodate the President's request of \$143 million in fiscal year 1998 to implement the California Bay-Delta Environmental and Water Security Act?

Mr. LAUTENBERG. Let me first also express my support for this critical program to protect California's Bay-Delta system. I do believe that the amount that the Budget Committee has provided under the natural resources function is sufficient to accommodate the funding of the California Bay-Delta Environmental Water Security Act.

Mrs. BOXER. I want to thank both of the Senators for their time to discuss the Bay-Delta project and, for their

support as fellow members of the Appropriations Committee, for the President's request for funding the program in fiscal year 1998.

#### FUNDING FOR VETERANS' PROGRAMS

Mr. SPECTER. Mr. President, I wish to comment on the impact this budget agreement will have on America's veterans, and to express my concerns that funding assumed under the agreement will not be sufficient to provide for adequate health care for America's veterans.

If it is approved, the budget resolution will require the Committee on Veterans' Affairs [VA] to report legislation which will reduce entitlement spending, over a 5-year period, by \$2.7 billion compared to the budget baseline. That sounds like, and is, a substantial sum. However, I believe the committee will be able to meet this goal by extending the expiration dates of savings provisions already enacted as part of prior deficit reduction measures, and by agreeing to round down to the nearest dollar future cost-of-living adjustments.

No one is happy that controlling the deficit requires restrained growth in mandatory-account spending for veterans' benefits. But I am confident that the committee will be able to meet its mandatory spending instructions in such a way as to ensure that no provision in the final reconciliation bill will result in a veteran who receives a benefit this year not also receiving the same benefit next year. Indeed, even after the committee has complied with its reconciliation instructions, spending for veterans' benefits from mandatory accounts will increase each year the budget agreement is in effect.

I am also pleased that the proposed budget resolution permits the committee to report legislation which will allow VA to retain money it collects from private health insurance carriers when VA treats the nonservice-connected illnesses of veterans who have health insurance. Under current law, VA is required to bill insurance companies when it treats the nonservice-connected illnesses of insured veterans. However, VA is required to transfer the money it collects to the Treasury. Allowing VA to retain the money it collects will provide a real incentive for more efficient and effective collections.

However, the administration proposed its health insurance proceeds retention provision with a hook. The President, in requesting the authority to allow VA to retain health insurance proceeds, also proposed that VA receive, initially, a cut in appropriated funds for VA medical care and that appropriations be frozen at that reduced level over the succeeding 4 years. Historically, VA has needed an increase of almost a half a billion dollars a year just to pay for VA employees' cost-of-living salary adjustments and for the increased costs of medical supplies and equipment.

In its April 24, 1997, "Views and Estimates" letter to the Budget Commit-

tee, the Veterans' Affairs Committee expressed its serious concerns about the wisdom of relying on an untested source of revenue—insurance collections—for a program as critical as veterans' health care. I continue to have that concern.

The budget resolution now before this body is even worse than the President's initial proposal. It does not merely carry forward the President's proposal to cut appropriations for VA medical care, and then maintain that reduced level of appropriations for 5 years. Under this proposal, VA discretionary spending in 1998 will be \$400 million less than it was in fiscal year 1997, and \$3.1 billion less than current levels over the 5-year term of the agreement, even after allowing for retained health insurance collections.

The cost of providing health care for veterans consumes over 417 billion of \$18 billion plus in VA discretionary spending. Almost all of the rest of VA discretionary spending is expended on construction, medical research, and for the salaries of VA employees who process veterans' disability claims. There are no unimportant discretionary accounts with VA's budget. According to VA, each 4100 million pays for about 1,400 VA care givers, and for care for about 22,000 veterans.

In February, 1997, Dr. Kenneth Kizer, VA's Under Secretary for Health, announced an initiative to increase the number of veterans VA treats by 20 percent and to reduce VA's cost per patient by 30 percent. In time, reforms in the delivery of VA care may enable VA to absorb real reductions in health care funding. But those reforms have not yet taken root. Further, it takes money to make money. According to VA, reforms needed to achieve Dr. Kizer's ambitious goals will cost money to implement. If Congress reduces VA medical funding before VA's reforms are implemented, we should not be surprised if VA's goals of increasing the number of veterans treated, and reducing the average cost of treating each patient, are postponed or even abandoned. I believe that would be a false economy, and a tragedy for our veterans.

I recognize that discretionary spending assumptions are just that assumptions. The actual decisions will be made as the Congress debates and enacts appropriations bills to fund discretionary programs. The Appropriations Committee always faces heavy pressure to ensure adequate funding for VA medical care. This budget resolution will only increase that pressure.

Mr. President, 26 million American veterans will watch to see how—and if—the Congress will rise to the challenge presented by the discretionary spending assumptions affecting the VA in this budget resolution. I will fight to assure that adequate funding for veterans' health care is provided. In my estimation, appropriations for discretionary spending on veterans' programs, which are assumed under this

budget agreement, are not sufficient. I intend to work hard, as chairman of the Veterans' Affairs Committee and as a member of the Appropriations Committee, to correct this inequity.

Ms. SNOWE. Mr. President, I am extremely pleased to have supported the amendment offered by my colleague from Florida, Senator MACK, which expresses the sense of the Senate that Federal funding for biomedical research should be doubled over the next 5 years. This amendment is based on a resolution which I cosponsored, Senate Joint Resolution 15—one of the first bills the Republican leadership introduced in the 105th Congress. That resolution, and the amendment we adopted last night, sends a message to the American people, as well as to scientists and policy makers, that Congress is committed to enhanced funding for this crucial research.

Americans consistently identify increased funding for medical research as something they believe should be a national priority. They want researchers to unravel the mysteries of cancer, Alzheimer's disease, Parkinson's, cystic fibrosis, heart disease, HIV, multiple sclerosis, and countless other diseases which plague Americans today. And they do not want their national leaders or scientists to rest until there is a cure.

We must bring the full force of our country's tremendous resources to bear on these diseases in the same way we rallied to be the first to set foot on the Moon. We are a nation that has split atoms, sent probes to the far reaches of the solar system, and eradicated polio from the face of the Earth. We ought to be able to conquer these diseases.

Over the years, we have increased our Federal commitment to medical research. For example, 25 years ago, Congress allocated just \$400 million to the National Cancer Institute. Today, total funding for cancer research at the National Institutes of Health for this fiscal year is \$2.7 billion. This represents an increase of close to 700 percent. And this infusion of Federal funding is working. For the very first time since cancer mortality statistics were first collected in 1930, mortality rates from cancer are actually decreasing.

Researchers are beginning to isolate the genes responsible for various diseases at a seemingly breathtaking speed, and gene therapy may someday offer exciting new treatments—or even a cure—for these diseases. Scientists are beginning to understand the very workings of cancer cells, and immunotherapy may offer cancer sufferers new hope. But how this knowledge may someday be translated into benefits for everyday Americans is yet unknown. We need to increase Federal funding so that we can capitalize on these important breakthroughs.

Throughout my tenure in both the House and Senate, I have worked hard to increase funding for medical research. In fact, on the first legislative day of this session, I introduced a bill

which would raise the reauthorization level for breast cancer funding to a record \$590 million. The Mack resolution demonstrates the very same commitment to ensuring that Americans no longer suffer from diseases that cut their lives short and cause undue suffering. Our enhanced investment in medical research will save countless lives and health care dollars, and alleviate suffering in millions of Americans.

#### ACCURATE MEASURE OF THE COST OF LIVING

Mr. KERREY. Mr. President, this budget may solve our short-term budget problems, but my concern remains that it does not do enough about the long-term budget problems we face. If we want to keep the budget in check over the long-haul, we need to adopt policies that will slow entitlement spending in a rational, equitable way.

At present, we use the Consumer Price Index [CPI] to determine cost-of-living adjustments in our Federal tax and entitlement programs. There is wide, although not universal, agreement among leading economists, that the CPI overstates the cost-of-living and should be adjusted. Indeed the December 4, 1996 final report to the Senate Finance Committee from the Advisory Commission to Study the Consumer Price Index concluded that:

The Commission's best estimate of the size of the upward bias looking forward is 1.1 percentage points per year. The range of plausible values is .8 to 1.6 points per year.

Mr. President, we ought not to make the problems we face in funding our entitlement programs even worse by paying benefits based on an overstated cost of living. Spending on entitlement programs is already crowding out spending for the traditional discretionary functions of Government like clean air and water, a strong national defense, parks and recreation, education, our transportation system, research and development, and other infrastructure spending.

If steps are not taken to reverse this trend, nearly all Federal revenues will be consumed by entitlement spending and interest on the debt shortly after the year 2000. By 2030, revenues may not even cover entitlement spending, much less interest on the debt or a single dollar of discretionary spending. This is an unsustainable trend.

Adjusting the cost-of-living adjustments triggered by the CPI, by 1 percentage point, would produce nearly a trillion dollars in savings over 12 years and \$46 billion in 2002 alone. To illustrate what just half of this amount—\$23 billion—in domestic discretionary spending could fund, I have a list of programs and what they will cost in inflation-adjusted numbers in 2002. This entire list of programs could be funded by half of a 1 percentage point reduction in CPI, with money to spare.

I ask unanimous consent that the list be printed in the RECORD.

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

	<i>Cost in fiscal year 2002</i>
Cleaning up environmentally damaged sites .....	\$6.356
Head Start .....	14.455
Agriculture Research .....	12.005
National Park Service .....	11.770
Safe Drinking Water .....	11.425
Superfund .....	11.421
Fish and Wildlife Service .....	11.417
Clean Water Programs .....	2.736
NSF Education and Human Resources .....	2.682
Education Technology .....	2.370
Solar and Renewable Energy .....	2.281
Violence Against Women .....	2.214
Juvenile Justice Program .....	2.185
National Endowment for the Humanities .....	2.123
National Endowment for the Arts .....	2.111

Total in billions of dollars .. 21.551

<sup>1</sup>In billions of dollars.

<sup>2</sup>In millions of dollars.

Mr. KERREY. Expressed another way, \$23 billion could fund nearly all of the Highway Trust Fund—\$25.2 billion in 2002—or all of NIH—\$14.294 billion in 2002—and all of EPA—\$7.398 billion in 2002.

Mr. President, if we are making a mistake, we ought to correct it. Surely if it was almost universally believed that we were understating the cost-of-living, we would have already taken care of that problem. Although the time for making this change this year appears to have passed, I hope that the distinguished chairman and ranking member of the Finance Committee will continue their fine work to see that we correct this error sooner, rather than later.

#### LAND AND WATER CONSERVATION FUND

Mr. MURKOWSKI. Mr. President, I rise today to speak about the additional \$700 million appropriation for the Land and Water Conservation Fund [LWCF] included in the balanced budget agreement. While I commend the President and congressional leadership for recognizing the importance of the LWCF, I have concerns that this additional appropriation will not be spent on the priorities for which the LWCF was established.

I urge congressional appropriators not to use this additional LWCF money on a handful of large projects, including the acquisition of Headwaters Forest in California and the New World Mine in Montana. Those projects were identified as priority land acquisitions by politicians, not by Federal land managers. Rather, I urge the appropriators to spend this additional LWCF money as the Land and Water Conservation Act directs on the hundreds of priority land acquisitions and local recreation projects identified by Federal land management agencies and the States.

As originally envisioned, the administration planned to acquire the Headwaters and the New World Mine through land exchanges. Now, under the terms of the budget agreement, these lands would not be acquired by land exchange but by purchase.

Mr. President, this change sets a horrible precedent. It is bad public policy, and the Congress should not be a partner in this land grab, as now proposed. I also fear that these land grabs, which do not involve public participation and which are inconsistent with land management plans, may become the norm as opposed to the exception.

Recently, the President announced the creation of the 1.7 million acre Grand Staircase-Escalante National Monument in Utah. He made the same sort of promises from Arizona that he made in Yellowstone when he spoke about the controversy surrounding the New World Mine. The Utah National Monument lands contain 176,000 acres of school trust lands that contain approximately 1.54 billion dollars' worth of coal deposits which, if extracted, would fund the Utah school systems. The President indicated that other Federal lands in Utah would be made available, and the schoolchildren in Utah would not be hurt by the creation of the National Monument. There are apparently no plans to complete land exchanges in Montana or California, and the taxpayers are going to take another hit for Presidential promises. One only has to wonder what we are going to do to make the schoolchildren of Utah whole. If we begin by fully funding the acquisitions at Headwaters and the Mine, how do we ignore Utah when the President decides to just buy them out. This is not how Congress intended for the Land and Water Conservation Act to be used.

Over 30 years ago, in a remarkable bipartisan effort, Congress and the President created the LWCF. The LWCF provides funds for the purchase of Federal land by the land management agencies—the Federal-side LWCF program—and creates a unique partnership among Federal, State, and local governments for the acquisition of public outdoor recreation areas and facilities—the State-side LWCF program. The LWCF is funded primarily from offshore oil and gas leasing revenues which now exceed \$3 billion annually, and has been authorized through the year 2015 at an annual ceiling of \$900 million.

However, LWCF moneys must be annually appropriated. And, despite the increase in offshore oil and gas revenues, the LWCF has not fared well in this decade. Expenditures from the LWCF have fluctuated widely over its life but have generally ranged from \$200 to \$300 million per year. In the 1990's, total appropriations to both the Federal and State sides of LWCF steadily declined from a high of \$341 million during the Bush administration to \$149 million in fiscal year 1997.

Most significantly, all of the fiscal year 1997 appropriation was for the exclusive purpose of Federal land acquisition. In 1995, Congress and the President agreed to shut down the State-