

kinds of things that, in one way or another, we want to work with as well.

So we listened to the President. We listened to the voters. We listened to the American people. And now we are ready to work on some solutions toward really all of America.

There is a plan soon for the congressional leadership to visit with the President, to sit down and talk about a number of things. Balancing the budget is one. Improving education, certainly, to move more and more education toward local communities and parental involvement; to provide some permanent tax relief so that we can increase investments, so that we can increase jobs, and so that we can increase the ability of families to prepare for themselves. Much of that is affected by what we do. What we do about interest rates that have a direct impact on the budget has much to do with what we do with this debt, a debt of \$5.5 trillion, the interest upon which will become, if not this year, soon, the largest single line-item in the budget—\$275 billion in interest, none of which is used for education, none of which is used to fight drugs, and none of which is used for investment—interest on the debt that we accumulate.

Mr. President, I am excited that the President of the United States said to us last year that the “era of big Government is over.” He said that the Government is not the answer to everything, that we need to be responsible, that we need to be responsible to ourselves as individuals and citizens. Certainly, that is true. We need to be responsible as a Government, and we need to be responsible as people who have been sent here to deal with the budget—about physical matters.

So that is what we are dealing with, two things: One is balancing the budget and being responsible; and then having the ability, which we have not had for 28 or 29 years, of doing it, and how do we change things to cause that to happen? We believe that it is the balanced budget amendment to the Constitution, which provides, as it does in Wyoming, Mr. President—as you well know just coming from the legislature there—a requirement as a legislature and the Governor not to spend beyond its revenues. It works. Many other States have the same kind of thing.

So we have heard for some time from our voters and our constituents that they want smaller Government, a Government that is more efficient, and a budget that is balanced. We have heard from the President that he is ready for a smaller Government, that the era of big Government is over.

We will see his budget, I think, tomorrow, and that will be when the rubber really hits the road. It is not just talking about it, but doing it. We will be sharing that responsibility with the President to do that.

There will be all kinds of suggestions as to how a balanced budget ought to be changed. There will be some scare tactics saying it is going to ruin Social

Security. If you want to protect Social Security, you need to balance the budget. I am one who believes that we ought to have a Social Security net for the elderly. I want to continue it. I do not want to see it run out. The same is true with Medicare. The best way to do that is to balance the budget. If we do not do that, we will not have money to do any of those kinds of things.

So we will hear a lot about it. We need a budget that is honest. We need one that is out there not one that is backloaded, where it looks good for a couple of years and all of a sudden for somebody else it is piled up at a very high rate. We need one that is honest and forthright. We do not need gimmicks. We do not need to move things from one place to another. We do not need to trigger it so that it takes over in a certain way. We do not need budgets that have tax relief in it for a little while and then they go away. We need some real honest budgeting so that everyone is confident in understanding that that is where we are.

I hope each of us remembers the impact it has on everyone at home. Interest rates could be lower. Debt for kids to go to school could be less. Borrowing on our homes, borrowing on our cars, these are all related. This is not an abstract thing that belongs in somebody's accounting book. This is not for accountants and CPAs only. They affect each of us where we live. Families pay \$1,500 a year easily on mortgage payments. So these are the kinds of things that we are doing.

So I think all of my associates welcome the President's commitment to a balanced budget. We certainly look forward to his ideas and to how that budget will work as he releases it tomorrow. But most of all, I think we need to take the responsibility to make the changes that have to be made, and now is the time.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent to proceed in morning business for as much time as I consume.

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

THE CONSTITUTIONAL AMENDMENT TO BALANCE THE BUDGET

Mr. DORGAN. Mr. President, we have had ample discussion this morning about a wide range of public issues, discussion about the President's State of the Union Address, and a discussion about the agenda before the Congress. I wanted to comment on a bit of that, and then begin a discussion about the

constitutional amendment to balance the budget, which the Senate will shortly take up.

First the general issues. I do not think there is a difference between folks who serve in this body on Government or the size of Government. I mean, I don't think there is a case where one side says, “We want bigger Government.”

I don't want a bigger Government. I want a better country, and there are some circumstances under which the requirement for schools and roads and other things that we do together in Government are necessary. I want us to improve the things we do in Government. But there are things that are important for us to do together in Government.

Part of the agenda that we discuss, part of the reason for us being in a U.S. Senate, is to decide what to do together to make this a better country.

Provide for the common defense? Yes, we do that. We have a Defense Department. We created it, and we fund it. We ask men and women in uniform to go out and help preserve this country's liberty and put their lives on the line to do so. That is part of Government.

Roads, schools, research in health care at the National Institutes of Health, the Coast Guard, and so much more—we do those things together. We should do them well. We should make sure they contribute to a better country and achieve the goals and objectives that we have for those functions.

Some come to the floor and they say: Our objective is less Government, balance the budget, two or three other things, and that's all. My objective is this: I want better schools for our kids in this country, and we can do that and we should do that. And I want better paychecks for workers in this country.

That has always been the legacy of what we fight for, a country in which workers might expect that they will have more opportunity, more job security, more advancement, their children will have more income and better opportunity and better educations.

I believe we ought to have good health care in our country, and that does not come by accident. At the turn of the century you were expected to live to be age 48; 100 years later you are expected to live to nearly 78. Is that magic? No. Massive research in health care in this country has developed breathtaking new medicine, breathtaking new procedures so that those with cataracts now get surgery and see, those whose heart muscles get plugged now get open heart surgery and live, those with bad hips get their hips replaced and are out of the wheelchair and walk. Good health care.

We don't see people getting on airplanes, leaving America to find good health care elsewhere. Our health care system is the envy of the world. By accident? No. Wonderful men and women working in health care, and a substantial amount of research, especially

Government sponsored research, have allowed these breathtaking breakthroughs to occur.

Safe streets? We want safe streets and safe neighbors. That deals with crime. That responds to police and security, the kinds of things that we also do in Government.

Restoration of values? Yes, that is of interest. Really, not so much Government, but we all ought to care about it and work together on it.

It starts in the home, the community, the neighborhood, the family. And a balanced budget? Absolutely. We ought not spend beyond our means.

So better schools, bigger paychecks for workers, good health care, safe streets, a sound defense, restoration of values, balancing the budget—all of these things are things that we think can make this a better country and we ought to work on together.

It is interesting to me that in the context of the balanced budget, we really also will have to talk about priorities. As we balance the budget—and we should—what are our priorities? What is important and what is not important? What do we invest in and what don't we invest in?

For instance, do we build the star wars program? Do we build a program that will cost well over \$100 billion, a program that many say is not needed? Do we build that and then say we do not have enough money to expand the Head Start Program for early intervention for kids?

These questions are examples of the choices we must make. We must choose priorities that we want to develop. That is precisely what the Congress must be about: making choices, some of them very hard.

I want to make one point as I begin talking about the constitutional amendment to balance the budget. I am not someone who believes that we have made a lot of wrong choices in this country. I have heard people stand on this floor and talk about shame on the last 50 years in this country, shame on us, this country somehow has gone down the wrong road. What an awful place, we hear.

I tell you, this country remains the beacon of hope for the rest of the world. I traveled in six countries in November, and one of the refrains I heard everywhere I went was they would like to come to America. They like America. America is opportunity. America is freedom. America is still a beacon of hope.

We can dwell on the negative, and we have plenty of challenges and there are negatives, but look at the positives as well. This country is a remarkable country, with a remarkable economy and a market system that provides great jobs and great opportunity for a lot of people.

I agree with those who say there is no social program in this country—none—that is as important as a good job that pays well. There is no social program as important as a good job

that pays well. And that's why our economy and the market system that we have had has performed so well and helped us create a country that grows and prospers.

As I said, we have lots of challenges, but part of why this has all happened is we have made a lot of right choices. We decided that we were going to have a substantial system of universal education for virtually anyone who wanted it. What happened?

What happened was we led the world in virtually every area of technology and achievement. Who stood people on the Moon? The United States of America. How did that happen? It happened because massive investments in education unleashed the potential, the technology, the understanding and the knowledge that allowed us first to fly and then to fly to the Moon. And that has been true in virtually every other area of our life. Yes, space, technology, walking on the Moon, but health care, and in virtually every other area as well.

We have made all kinds of decisions about what we do in all of these areas, and some of them have been great decisions. Let's have a Head Start Program. Let's invest in young kids. Let's build the best system of colleges in the world—in the world. No one else comes close to us. We have done all these things—including building up our national defense. There is no other military in any country that parallels ours or matches our strength.

So it is time for us to understand a bit about what we have built, that this is a remarkable achievement.

Where do we go from here? We can undercut all of those achievements and weaken this country substantially if we don't balance our budget. I agree with that. We ought to balance the Federal budget. I will say this, that I am one of those in 1993 who cast a very controversial vote, and the vote cut spending and increased some taxes. It carried by one single vote, and since that time, the unified budget deficit is down 60 percent.

I am pleased I did it. Was it an easy vote? No. The political vote would have been to say, "No, I don't want to do any heavy hitting." I did it because it was the right thing for this country. Controversial, yes, but right. We made some progress in reducing the Federal budget deficit, but it is not enough, and we must do more to balance the budget. The debate will be about changing the Constitution to balance the budget.

Let me say that I am someone who will support a constitutional amendment to balance the budget. Do I think it is a great choice? No, not necessarily, but do I think it probably is a reasonable choice, given the need for fiscal policy discipline in our country? Yes. But I insist that it be done the right way, not the wrong way.

I have been in the room where they wrote the Constitution of the United States, and for those who want to visit

it, George Washington's chair still sits in front of the room. Fifty-five of them wrote a Constitution over 200 years ago. Some here think it is a rough draft. Every second day they want to make a change in the Constitution. I, frankly, don't see a lot of folks who can represent Madisons, Masons, or Franklins these days. So if we are going to change the Constitution, we need to think it through.

We are going to have a proposition on the floor of the Senate that says, let us amend the U.S. Constitution to require a balanced budget. And it says that for describing when a budget is in balance, all spending and all revenue will be considered to determine whether the budget is in balance.

The dilemma with that is this: In 1983 this country recognized it was going to have a difficult time with Social Security in the long term because America was growing older and there were going to be more people retiring relative to people working to support them in Social Security. So we decided that we would do something different for a change. We would begin saving in the Social Security system. In other words, each year taking in more in Social Security revenue than we need to expend, and that money would then be saved so that when the baby boomers retire after the turn of the century, we could more easily afford to pay them the benefits they will have earned.

I was involved in that decision. I was on the House Ways and Means Committee, and I cast a vote in support of that legislation. But the decision was not to increase payroll taxes and accrue a body of savings so that someday later somebody can misuse it to claim they balanced the budget with Social Security trust funds. That is not what we said. We said, let's increase savings so that savings will be available after the turn of the century.

When you describe a balanced budget proposal that says let's take Social Security trust funds and throw them over here to use the surplus to show we balanced the budget, I want to show you what happens. What happens is the very year in which the budget is balanced, according to the majority that is supporting this constitutional amendment, the very year in which they claim the budget of the United States is in balance, Federal debt will rise in that year by nearly \$130 billion.

Question: If the Federal debt is increasing by \$130 billion in a year, is the budget in balance? If the budget is in balance, why would one have to increase the Federal debt?

Answer: Because the budget isn't in balance. They pretend it is in balance, they say it is in balance, but they use the Social Security dedicated trust funds to make it look like it is in balance, but it is not. The Federal debt will continue to increase.

The Center on Budget and Policy Priorities has put out a report that I hope my colleagues will read. In it they describe exactly this dilemma. The constitutional amendment that is going to

be debated, and I will address this matter again during that debate, is an amendment that offers no choice. It says we will take the Social Security trust funds and use them as an offset for other revenue and claim we balanced the budget, when we really have not.

We will give our Senate colleagues an opportunity to vote on another constitutional amendment to balance the budget. It is one that does it the right way. It says let us balance the budget. Let us require in the Constitution that we balance the budget. But let us do it exclusive of the Social Security trust funds because we promised that we would save those trust funds for the future when they are needed.

This publication by the Center on Budget and Policy Priorities describes chapter and verse of exactly what is happening in this area. I have heard people come to the floor and say, "Oh, what a bunch of prattle that is. What a bunch of nonsense, these folks worried about Social Security." Well, it is not prattle, and it is not nonsense.

We had a column by Mr. Krauthammer in the Washington Post last week. It is the third column he has written on this subject. In it he says essentially what he has said before. He says, there is no Social Security trust fund. There is no Social Security trust fund.

Let me suggest a tour to him in Parkersburg, WV, where, under armed guard, the bonds that are the securities of the Social Security trust fund exist. It would not be too long a drive for him to go on up there and take a look at those bonds.

He is wrong. There is a Social Security trust fund. The dilemma is that there will not be anything there of meaning unless we decide to make the right choice here.

Mr. Krauthammer also says that Social Security is a pay-as-you-go system. He must have missed 1983, because in 1983 it was decided that it will be more than a pay-as-you-go system. It was decided in 1983 that we would collect more money than is necessary in current years, specifically in order to accrue a surplus. Social Security is more than a pay-as-you-go system. So, when Mr. Krauthammer says it is pay-as-you-go, he clearly does not understand the law and clearly does not understand what the Congress did to save some money.

Let me read for him and for others something from the 1983 commission on Social Security because they described exactly the plan. This is a quote by commission member Robert Ball in testimony before the House Ways and Means Committee talking about separating the Social Security system from the operating budget.

Only by such a separation can it be made unmistakably clear that Social Security decisions are being made for reasons internal to [Social Security] and not for the purpose of making a unified budget look better. Since Social Security funds can be used only

for Social Security benefits and to pay for the cost of administration, I believe that separation is also better accounting practice.

The point is, the increase in taxes and the other things that were necessary to accrue this surplus in Social Security will all be obliterated by a decision to enshrine in the Constitution a practice of misusing the Social Security trust funds.

Mr. Krauthammer does not like this problem. He says, well, this debate is without substance. I can only say that his argument is without substance. He is flat, dead wrong on this issue, demonstrably wrong. And he ought to know it. The minimum amount of research would tell him that.

The same is true of colleagues here who have taken three lines of defense offered at different times by different people.

One will pop up like one of these little carnival games and will say, "Well, first of all, there is no Social Security trust fund," and make a long, windy argument about it, and then sit down.

Then someone else will pop up at another moment and say, "All right, there is a Social Security trust fund, but we are not misusing the money," and then vanish.

Then a day later someone else will pop up and say, "All right, there is a Social Security trust fund, and we are misusing the money, and we pledge to stop doing it by the year 2008."

Those are the three stages of denial I have heard on the floor of the Senate, all from supporters of a constitutional amendment that would enshrine in the Constitution the practice of taking Social Security trust funds, using them as an offset against other revenue, and claiming you have balanced the budget at the same time that the Federal debt will increase by \$130 billion the year they claim the budget is in balance.

There is a way to solve this. A way to solve it is to vote for a constitutional amendment to balance the budget that does not use or misuse the Social Security trust funds. I will offer it, along with my colleagues, Senator REID, Senator HOLLINGS, Senator FORD, Senator FEINSTEIN, and others, and we will give people an opportunity to say, "Yes, I support a constitutional amendment to balance the budget, but when we do it, let us make sure we really balance the budget."

Let us make sure we keep the promise of accruing the surpluses in the Social Security trust fund and make sure that no one is able to misuse the Social Security trust fund in the future.

Mr. President, there will be much more to discuss on this subject. I wanted to make note of the piece that Mr. Krauthammer did because it is the third time that he has essentially written the same piece, misunderstanding the issue in this country.

Everybody has a right to be wrong. I do not quarrel with that.

I just say that someone got up this morning and went to work. That person will work hard all day, and then

collect a paycheck and discover that part of that paycheck is taken away first. The part taken away is called Social Security taxes, and it is promised by the Government to the worker that the amount of money we took from your paycheck is going to be put in a fund, and it is a fund dedicated for one purpose, Social Security. That worker does not deserve to have someone in Congress now say, "Oh, but we changed our mind. That's the premise under which we took it from you, but we're using it for another purpose." That is precisely what is happening today. I think we ought to stop it. There is a way to stop it when we have these votes in the coming days or weeks.

We can amend the Constitution the right way, or we can, as is usually the wont around here, mess around some more, talk and talk some more, and claim and claim some more that we have really done something worthy and meritorious and have balanced the budget, and then have some constituent stand up in a town meeting some night, somewhere, and ask you, "Mr. Senator, if you balanced the budget, why did my son or daughter just inherit a Federal debt that went up \$130 billion this year?" I want to be in the room with a microphone to record the response because there is not a response that is adequate.

What our constituents should expect from us is that we balance the budget the right way and that we amend the Constitution the right way. I hope at the end of this debate this Senate and this Congress will have determined to do that.

It is not just a few Democrats who believe this is a serious problem. Several dozen Republicans over in the House of Representatives, some of whom I have talked to, make exactly the same case in the House of Representatives. So it is not a one-sided issue. We have Republicans and Democrats who believe that there is a right way and a wrong way to do things. Some of us are going to insist that when we do something as significant as amending the U.S. Constitution that finally we do it the right way.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered. The Chair recognizes the Senator from Nevada.

(The remarks of Mr. REID pertaining to the introduction of S. 265 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EDUCATION

Mr. BINGAMAN. Mr. President, I want to spend a few minutes commenting on some of the points the President made last night in his State of the Union Address. I was particularly impressed and encouraged about his decision to make education the centerpiece of that speech and his decision to make education the first priority of his administration this next 4 years.

One aspect of what he talked about in education, I think, is extremely important, and that is standard setting. We have had debates in Congress for many years now about the issue of standards. In fact, I introduced legislation in 1990 to establish national standards in education, and, of course, we are continuing to pursue that through the National Education Goals Panel, which I serve on along with Senator JEFFORDS.

I am persuaded that part of what the American people would like to see in their educational system is higher standards and more accountability. They want to be sure that teachers are performing to a high standard, students are performing to a high standard, and the parents of children in our public schools want to know where their children stand relative to other students around the country, around their State, and in general.

The President in particular talked about how he was going to work through the Department of Education to adapt two widely used high-quality tests—the fourth grade NAEP reading test, the National Assessment of Educational Progress, which is already being used in more than 40 States, and the now-familiar eighth grade math test, the TIMSS test, which recently confirmed how poorly many of our students are doing relative to the achievement level of other nations.

The President proposed adapting those two tests into a new test that will be available free of charge to every student, every school district, and every State in the Nation that wishes to participate in it. This is going to be done in the next 2 years.

I think this will be a major step forward, because what it will do is to allow us to give very hard, objective information about which of our schools are succeeding and which of our schools are failing. We have the anomalous situation that, because of our inability to track performance, we have in many school districts and major cities in the country some schools that are doing superbly and other schools that are doing miserably. Parents, unfortunately, sometimes do not even know which of those two schools their children are in.

For this reason, we need to give parents clear indications of which schools are doing the best job in educating students. Currently, we have a hodgepodge of different tests, a hodgepodge of different standards around the country. Parents who are interested in finding out how their children are doing often are misled by inaccurate information. So I very much commend the President for this initiative to adapt these two well-recognized tests into something which each student can take, each parent can understand, each school can understand. I think that will be a major step forward.

Let me also talk about another aspect of the standards issue, which the President, I hope, will also move ahead on very aggressively, and that is the teaching of advanced placement courses. Many of us are familiar with advanced placement courses because of our own children going through high school. These are courses that are taught in the 11th and 12th grades, generally to students who are planning to go on to college and who want to get advanced credit so they can avoid taking the same course once they get there.

We have not done what we should at the national level to encourage States and school districts to expand instruction in advanced placement courses. I believe this year, for the first time, we will see a change in that. I hope to see the President, in the budget we receive tomorrow, requesting some funds to assist low-income students in the cost of taking those advanced placement courses and tests. That, I believe, would be another major step forward.

I had the chance to speak to the New Mexico Legislature on Monday of this week, and I talked to them about the challenge that my State faces in expanding access to advanced placement classes. These courses should be available to all students. They are highly demanding, but any willing student can succeed in them.

Many people know about the advanced placement program because of a movie that came out several years ago called "Stand and Deliver." This was a movie that Edward James Olmos starred in. It was the story of Jaime Escalante, a high school calculus teacher. I believe in Garfield High School in east Los Angeles. He had become very famous in that school and in that school district because of his success in teaching students, many of them students without a good academic grounding. He would teach those students this advanced placement course in calculus.

The reason he became famous and the reason that movie was made was not because he was teaching any old calculus course. He was teaching a course that was an advance placement course so that anybody in the country who paid attention would know that was a high-quality course. If his students in east Los Angeles passed that course, they were every bit as good as any student in Manhattan, or Ohio, or in New Mexico, or anywhere else. So

they got the recognition that they deserved. He got the recognition that he deserved. They were very proud of their achievement.

I have believed for a very long time that one reason our school system falls short is that we expect too little of our students. We have low expectations for what our students can learn, what our children can learn. The truth is, if you expect very little, you will receive very little. We need to expect higher performance by our students, higher performance levels by our teachers, and through this advanced placement set of courses we do exactly that.

New Mexico lags behind the national average fairly significantly in the per capita rate of 11th and 12th graders who take advance placement courses. In my State I think the percentage is something like 24 percent. Nationally it is 40 percent. We need to do better than that. We can do better than that. We are setting about working with the business community and our State legislature to bring together the resources to expand the training of advanced placement teachers and to expand course work in advanced placement courses.

I think one other point needs to be made. It should be obvious to everybody. You are not going to bring about a major reform of education, a major improvement and upgrading of education, without a very major program to reeducate and develop the human capacity to do that. We need to have training courses for our teachers in the summer. These advanced placement courses are very good. But, unfortunately, too few teachers are able to take advantage of them, or do take advantage of them.

So we need to think seriously in this Congress about what we can do to support the retraining that is needed to get people to these higher standards that the President is talking about. This is an essential part of the agenda that we need to confront over the next couple of years.

I commend again the President for his leadership in putting this on the front burner for the country. I hope we, in Congress, are up to the task of following his lead. I think he has identified a very important priority for our country. It is the one that I hear the most about.

I get around New Mexico a lot, and people want to know why we can't do a better job of educating kids in this country. I hope that we can.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. BINGAMAN. Yes. I am glad to yield.

Mr. DORGAN. I was interested in the Senator's statement. He, I think, identifies one of the priorities of many of us in this Congress. If we do not make an investment in education of America's youth then the country does not have much of a future. I am enormously proud of what we have done in