

PRAYER

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

Dear God, it is with reverence and commitment that we address You as Sovereign of our lives and of our Nation. You are absolute Lord of all, the one to whom we are accountable and the only one we must please. Our forefathers and foremothers called You Sovereign, with awe and wonder as they established this land and trusted You for guidance and courage. Our founders really believed that they derived their power through You and governed with divinely delegated authority.

In our secularized society, Lord, recall the Senators to their commitment to Your sovereignty over all that is said and done. May this day be a reaffirmation that You are in control and that their central task is to seek and to do Your will. Thank You that this is the desire of the Senators. So speak, Lord; they are listening. Guide, strengthen, and encourage faithfulness to You. In Your holy, all-powerful name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. HAGEL. I thank the Chair.

SCHEDULE

Mr. HAGEL. Mr. President, on behalf of the leader, this morning the Senate will consider numerous legislative items that have been cleared for action. Following consideration of those bills, the Senate will resume debate on the final appropriations conference report. Cloture was filed on the conference report yesterday, and it is still hoped that those Senators objecting to an agreement to change the time of the cloture vote to occur at a reasonable hour during today's session will reconsider. However, if no agreement is made, the cloture vote will occur at 1:01 a.m., Saturday morning. Senators may also expect a vote on final passage to occur a few hours after the cloture vote. In addition, the Senate could consider the work incentives conference report prior to adjournment.

Mr. President, I thank you.

I suggest the absence of a quorum.

Mr. REID addressed the Chair.

Mr. HAGEL. Mr. President, I would ask the acting minority leader be recognized.

The PRESIDENT pro tempore. The Senator from Nevada.

BANKRUPTCY REFORM

Mr. REID. Mr. President, I hope in the final hours of the session in the final day we will not forget the progress that has been made on the bankruptcy bill. I spoke to the manager of the bill, the subcommittee chair, late yesterday evening, and he indicated that there was some thought by the Republican majority leadership they would accept the unanimous-consent agreement that I suggested yesterday morning. As I indicated at that time, we have gone from some 320 amendments down to 14, 7 of which have either been accepted or they will be resolved in some manner. We only have seven contested amendments.

I hope we do not lose the initiative that has taken place to this point in the next few hours, or the next few minutes, really, that we could enter into that unanimous-consent agreement so that at such time as we return to the bankruptcy bill, we have a finite number of amendments and can proceed to wrapping that up. I repeat that it is not the minority but, rather, the majority that is holding up this most important bill.

Mr. HAGEL. Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. HAGEL assumed the chair.)

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business.

The Senator from Illinois.

A CHALLENGING SESSION OF THE SENATE

Mr. DURBIN. Mr. President, the Senate, we hope today or perhaps tomorrow, will be bringing this session to a close. It has been a session which has involved some historic decisions by the Senate. Of course, it began with an impeachment trial of the President of the United States, which ended in a bipartisan decision of the Senate not to convict the President. Then, shortly thereafter, we faced a rather historic chal-

lenge in terms of our role in Kosovo. So we went from one extreme in the Constitution, involving an impeachment against the President, to the other extreme, where this Senate had to contemplate the possibility, the very real possibility, of war. That is how our session began, at such a high level with such great challenges.

There were so many other challenges that were presented to the Senate during the course of the year. I am sad to report that we addressed very few of them. Things that American families really care about we did not spend enough time on, we did not bring to a conclusion. So, as we return to our homes, States, and communities after this session is completed and we are confronted by those who are concerned about their daily lives and they ask us, What did you achieve during the course of this session? I am afraid there is very little to which to point.

This morning, I received some letters from my home State of Illinois from senior citizens concerned about the cost of prescription drugs, as well they should be, because not only are these costs skyrocketing, but we find gross disparities between the charges for prescription drugs in the United States and the cost of the very same drugs made by the same companies if they are sold in Canada or in Europe.

In fact, in the northern part of the United States, it is not uncommon for many senior citizens to get on a bus and go over the border to Canada to buy their prescription drugs at a deep discount from what they would pay in the United States. That is difficult for seniors to understand; it is difficult for Senators to understand as to why that same prescription drug should be so cheap if purchased overseas and so expensive for American citizens in a country where those pharmaceutical companies reside and do business.

The senior citizens have asked us, as well as their families who are concerned about the costs they bear, to do something. Yet this session comes to an end and nothing has been done—nothing has been done—either to address the spiraling cost of prescription drugs or to amend the Medicare program and to make prescription drugs part of the benefits.

Think about it: In the 1960s, under President Lyndon Johnson when Medicare was created, we did not include any provision for paying for prescription drugs. We considered it from a Federal point of view as if prescription drugs were something similar to cosmetic surgery, just an option that one might need or might not need, but certainly something that was not life-threatening.

Today, we know we were wrong. In many instances, because of the wide array of prescription drugs and the valuable things they can do for seniors, we find a lot of our senior citizens dependent on them to avoid hospitalizations and surgeries and to keep their lives at the highest possible quality level.

Last week, I went to East St. Louis, IL, the town where I was born, and St. Mary's Hospital and visited a clinic. I walked around and met groups of senior citizens and asked them how much they were paying for prescription drugs. The first couple took the prize: \$1,000 a month came in from their Social Security; \$750 a month went out for prescription drugs. Three-fourths of all the money they were bringing in from Social Security went right out the window to the pharmacy.

There was another lady with about \$900 a month in Social Security; \$400 a month paid in prescription drugs.

Another one, about \$900 a month in Social Security; \$300 a month in prescription drugs.

The last person we met, though, told another story. He was retired from a union job he worked at for many years, a tough job, a manual labor job, and he, too, had expensive prescription drugs, but he was fortunate. The union plan helped him to pay for them. Out of pocket, he puts down \$5 to \$15 a month and is happy to do it.

Think of the contrast between \$750 a month and \$15 a month. One can understand why people across America, seniors who want to continue to lead active and healthy lives, have turned to Congress and said: Please, learn from the President's lead in the State of the Union Address that we should have a prescription drug benefit.

This Senate—this Congress—will go home without even addressing that issue. That is sad. It is a reality facing American families. You will recall, as well as I, a few months ago we were all in shock over what happened at Columbine High School with the killing of those innocent students. This Senate made an effort to keep guns out of the hands of children and criminals with a very modest bill that said if you were going to buy a gun at a gun show, we want to know your background.

The bill passed. It was sent over to the House of Representatives. The gun lobby got its hands on it, and that was the end of it. End of discussion.

As we return home to face parents who say, what have you done to make America safer, to make communities, neighborhoods, and schools safer, the honest answer is nothing, nothing.

Take a look at campaign finance reform. Senator FEINGOLD of Wisconsin is on the floor. He has been a leader on this issue with Senator MCCAIN of Arizona. They had a bipartisan effort to clean up this mess of campaign funding in America. Yet when it came to a vote, we could muster 55 votes out of 100 favoring reform, which most people would say: You have a majority; why didn't you win?

Under Senate rules, it takes more than a majority. It takes 60 votes. We were five votes short. All of the Democratic Senators supported campaign finance reform, and 10 stalwarts on the Republican side came forward. Yet when it was all said and done, nothing was done. We will end this session

never having addressed campaign finance reform, something so basic to the future of our democracy.

On a Patients' Bill of Rights, there is a term which a few years ago American families might not have been able to define. I think they understand it now. It was an effort on the floor of the Senate to say that families across America and individuals and businesses would get a fair shake from their health insurance companies; that life-and-death decisions would be made by doctors and nurses and medical professionals, not by clerks at insurance companies. It is that basic. Mr. President, you know as well as I, time and again, a good doctor making a diagnosis, who wants to go forward with a procedure, first has to get on the phone and ask for permission.

I can recall a time several years ago in a hospital in downstate Illinois where I accompanied a doctor on rounds for a day. I invite my colleagues to do that. It is an eye-opener to see what the life of a doctor is like, but also to understand how it has been changed because health insurance companies now rule the roost when it comes to making decisions about health care.

This poor doctor was trying to take care of his patients and do the right thing from a medical point of view, and he spent most of his time while I was with him on the phone with insurance companies. He would be at the nurses' station on a floor of St. John's Hospital in Springfield, IL, begging these insurance companies to allow him to keep a patient in the hospital over a weekend, a patient he was afraid might have some dangerous consequences if she went home before her surgery—her brain surgery—on Monday. Finally, the insurance company just flat out said: No, send her home.

He said: I cannot do that. In good conscience, she has to stay in the hospital, and I will accept the consequences.

That is what doctors face. Patients who go to these doctors expecting to get the straight answers about their medical condition and medical care find they are involved in a game involving health insurance companies and clerks with manuals and computers who decide their fate.

When we tried to debate that issue on the floor of the Senate, we lost. American families lost. The winners were the insurance companies. They came here, a powerful special interest, and they won the day. They had a majority of 100 Members of the Senate on their side, and American families lost.

Thank goodness that bill went to the other side of the Rotunda. The House of Representatives was a different story. Sixty-eight Republicans broke from the insurance lobby and voted with the Democrats for the Patients' Bill of Rights so that families across America would have a chance. But nothing came of it. That was the end of it. The debate in the House was the

last thing said; no conference committee, no bill, no relief, no protection for families across America.

I will return to Illinois, and my colleagues to their States, unable to point to anything specific we have done to help families deal with this vexing problem.

The minimum wage debate is another one. Senator KENNEDY, who sits to my right, has been a leader in trying to raise the minimum wage 50 cents a year for the next 2 years to a level of \$6.15. He has been trying to do this for years. He has been stopped for years. We are literally talking about millions of Americans, primarily women, who go to work in minimum-wage jobs and try to survive. Many of them are the sole bread winners of their families. We will leave this session of the Congress—the Senate and the House will go home—and those men and women will get up and go to work on Monday morning still facing \$5.15 an hour.

In a Congress which could come up with \$792 billion for tax breaks for the wealthiest people in America, we cannot find 50 cents for the hardest working men and women, who get up every single day and go to work, as people who watch our children in day-care centers, as those who care for our parents and grandparents in nursing homes, as those people who make our beds when we stay in hotels, service our tables when we go to restaurants. They get up and go to work every single day. This Senate did not go to work to help those people. We could find tax breaks for wealthy people, but when it came to helping those who are largely voiceless in this political process, we did nothing. We will return home and face the reality of that decision.

If there is any positive thing that came of this session, it emerged in the last few days. Finally, after an impasse over the budget that went on for month after weary month, the Republican leadership sat down at the table with the President. The President insisted on priorities, and you have to say, by any measure, he prevailed. And thank goodness he did.

Let me tell you some of the things that are achieved in the budget we will vote for. It has its shortcomings—and I will point out a few of them—but it has several highlights.

The President's 100,000 COPS Program across America has had a dramatic impact in reducing violent crime and making America a safer place to live. There was opposition from Republican leadership to continue this program. But, finally, the President prevailed, and we will move forward to send more police and community policemen into our neighborhoods and schools across America to make them safer. That is something achieved by the President, in negotiation with congressional leaders at the 11th hour and the 59th minute.

In the area of education, the President has an initiative at the Federal level which makes sense from a parent's point of view. If we can keep the

class sizes in the first and second grade smaller—rather than larger—teachers have a better chance to connect with a child, to find out if this is a gifted child who has a bright future, or a child who needs some special help with a learning disability, or perhaps a slow learner who needs a little more tutorial assistance to get through the first and second grade.

You know what happens when those kids do not get that attention? They start feeling frustrated and falling behind, and the next thing you know, it is even a struggle to stay in school, let alone enjoy the experience and learn from it. The President has said: Let's take our Federal funds, limited as they are, and focus on an American initiative to make class sizes smaller in the first and second grade.

I went to Wheaton, IL, and I saw a class like this. Believe me, it works. Don't take my word for it. Ask the administrators at the school, who applied for it, and the teachers who benefit from it. And the parents are happy that it is there.

The Republican side of the aisle resisted the President's initiative. But thank goodness, in the closing minutes of the negotiations, the President prevailed. Common sense prevailed. And we will continue this initiative to reduce class size.

The way we are paying for some of these things is very suspect; I will be honest with you. We had this long debate during the course of the year about the future of the Social Security trust fund. Some on the Republican side said: We will never touch it. Well, historically we have touched it many times. The money, the excess and surplus in that fund that is not needed to pay Social Security recipients has been borrowed by President Reagan, President Bush, and President Clinton, with the understanding it would be paid back with interest.

Now that we have gotten beyond the deficit era in America, when we talk about surplus, we hope we do not have to borrow from it in the future. So this year, to avoid directly borrowing from the fund, Republicans argued that they have done some things that are fiscally responsible.

Let me give one illustration. This budget agreement contains \$38 billion for education programs. That is 7 percent, \$2.4 billion, more than last year. However, this increase is due to the fact that the agreement includes \$6.2 billion more in advance appropriations than last year's bill.

What is an advance appropriation? You borrow from next year. You do not take your current revenue; you borrow from next year. So in order to provide more for education, we borrow from next year.

You might assume, then, we are going to have this huge surplus of money from which we continue to borrow. It is anybody's guess. We pass a bill, we appropriate the money, but we cannot account for its sources.

Let me tell you about Head Start.

This is a good story. Head Start is a program created by President Lyndon Johnson in the Great Society. There were people who were critics of the President's initiatives, but Head Start has survived because it is a great idea. We take kids from lower income and disadvantaged families, and bring them into a learning environment at a very early age, put them in something similar to a classroom, and give them a chance to start learning. And we involve their parents. That is the critical element in Head Start.

This budget is going to provide \$5.3 billion—the amount requested by the President—to serve an additional 44,000 kids across America, and to stay on track to serve 1 million children by the year 2002.

Class size reduction, which I have mentioned to you, is one that is very important to all of us. Disadvantaged students—there is \$8.7 billion for title I compensatory education programs. That is an increase of \$274 million, but it is still short of what the President requested.

In special education there is good news. This budget will provide \$6 billion, \$912 million—or 18 percent—more than the fiscal year 1999 appropriations for special ed. In my home State of Illinois, school districts will receive \$227 million, a 62-percent increase since 1997.

Keep in mind these school districts, because of a court decision and Federal legislation, now bring disabled children and kids with real problems into a learning atmosphere to give them a chance. But it is very labor intensive and very expensive. I am glad to see that this budget will provide more money to those school districts to help pay for those costs.

Afterschool programs: We provide \$453 million, an increase of \$253 million, to serve an additional 375,000 students in afterschool programs. How important are afterschool programs? Ask your local police department. Ask the families who leave their kids at the school door early in the morning, and perhaps do not return home from work until 6 or 7 o'clock at night. They have to be concerned about those kids, as anyone would be. And the people in the local police department will tell you, after school lets out, we often run into problems. So afterschool programs give kids something constructive to do after school. I am glad the Federal Government is taking some leadership in providing this.

In student aid, the agreement increases maximum Pell grant awards to college students by \$175, from \$3,125 to \$3,300. Since President Clinton has taken office, we have seen the Pell grants increase by 43 percent.

This is an illustration of things that can be done when Congress works together. But we literally waited until the last minute to consider the education bill in the Senate. What is the highest priority for American families

was the lowest priority of the Appropriations Committee. When we wait that long, we invite controversy and delay. Fortunately, it ended well. The President prevailed. These educational programs will be well funded.

Let me tell you of a bipartisan success story: The National Institutes of Health. That is one of the best parts of the bill that we are going to vote on. It receives a 15-percent increase over last year's funding level. The National Institutes of Health conducts medical research. Those of us who are in the Senate, those serving in the House, are visited every single year by parents with children who suffer from autism, juvenile diabetes, by people representing those who have Alzheimer's disease, cancer, heart disease, AIDS. And all of them come with a single, unified message: Please, focus more resources, more money on research, more money on the National Institutes of Health. We increase it this year some 15 percent.

Fortunately, one of the budget gimmicks which would have delayed giving the money to the National Institutes of Health until the last 48 hours of the fiscal year was changed dramatically. Because of that change, we do not believe there will be any disadvantage to this important agency.

I will give you an example of the life of a Senator and how this agency affects it. A few weeks ago, a family in Peoria, IL, who had a little boy named Eric with a life-threatening genetic disease called Pompe's disease, called my office. Their son's only chance to live was through a clinical trial; in other words, an experimental project at Duke University, which was being sponsored by a private company.

Unfortunately, there were not any additional slots available for Eric in this clinical trial. The company could only manufacture enough of the drug for three patients. Eric would have been the fourth. Eric was denied admission to the trial for this rare disease. Sadly, Eric passed away. Pompe's disease is rare. Children like Eric frequently rely on the Government and its sponsored research for cures because a cure for a rare disease is unlikely to be very profitable for a lot of the pharmaceutical companies. I am glad to salute Senator SPECTER, Republican of Pennsylvania; Senator HARKIN, my Democratic colleague from Iowa; and my colleague from Illinois, Congressman JOHN PORTER, a Republican. They have made outstanding progress in increasing the money available for the National Institutes of Health in this bill.

There is money also available for community health centers. We have talked about a lot of things in this Congress, but we don't talk about the 42 million Americans—and that number is growing—who have no health insurance. Many of these Americans who are not poor enough to qualify for Medicaid and not fortunate enough to have a job with health insurance go to community health centers, trying to get

the basic health care which all of us expect for our families in this great Nation. These community health centers serve so many of these people, and they deserve our support. With a 30-year track record of providing quality service to America's most vulnerable, these community health centers need to have our support.

According to congressional testimony by the Health Resources Service Administration, which oversees health center programs, 45 percent of these health centers are at risk financially, 5 to 7 percent close to bankruptcy, and 5 to 10 percent in severe financial trouble. Between 60 and 70 health center delivery sites already have been forced to close their doors. Changes in the Medicaid program have cut the compensation for these centers. The Balanced Budget Act, which was good overall, made some cuts that really have resulted in deprivation of funds. An additional \$100 million to community health centers would provide health care to another 350,000 Americans. It can open up 259 new clinics. This is something we should do.

Let me point to one thing I am particularly proud of in this bill. It is an initiative on asthma. I was shocked to learn of the prevalence of asthma in America today. I was stunned when I learned it is the No. 1 diagnosis of children who were admitted to emergency rooms across America. Asthma is the No. 1 reason for school absenteeism in America. When I asked my staff to research what we are doing to deal with asthma, I found that we did precious little. I started asking my colleagues in the Senate about their concerns over asthma and was surprised to find so many of them who either had asthma themselves or had a member of their family with asthma.

They joined in trying to find a new approach, a new initiative that would deal with this problem. Leading that effort was my colleague from the State of Ohio, Senator MIKE DEWINE. He and I put in an amendment, which was funded in this bill, to provide \$10 million in funding to the Centers for Disease Control for childhood asthma programs.

What is asthma like? I have never suffered from it, thank God. But imagine this illustration: For the next 15 minutes, imagine breathing through a tiny straw the size of a coffee stir, never getting enough air. Now imagine suffering this three to six times a day. That is asthma.

There have been some innovative things that have been done. In Southern California, Dr. Jones, with the University of Southern California, has started a "breathmobile" moving around the areas and neighborhoods of highest incidence of asthma, identifying kids with the problem, making sure they receive the right treatment and that their parents and teachers know what to do. That is what we have to encourage. The \$10 million Senator DEWINE and I have put in this bill for

this type of outreach program for asthma can have dramatic positive results.

There is one other thing I will mention. That is a program in which I became interested in 1992. I went to Detroit, MI, and saw an effort that was underway to provide residential treatment to addicted pregnant women. I thought it was such a good program, I asked the directors: Where do you get your Federal funds? They said: We don't qualify for Federal funds. I went back to Washington and put a demonstration project in place so that we could take addicted mothers across America out of their drug-infested neighborhoods, put them in a safe environment, and try to make certain that the babies they would bear would be free from drug addiction.

It was a demonstration project, and it worked—1,500 children in 1994 in America were born drug free because of this program which we started in 1992. We were about to lose it this year. Imagine, we know a drug-addicted baby is extremely expensive, let alone, perhaps, a waste of great potential in human life. I was able to work with Senators SPECTER and HARKIN to put \$5 million in the bill to expand our current efforts.

I say, in closing, there is one area of this bill I find particularly troubling. In a world which now has 6 billion people, in a world where we see the need for family planning and population control to avoid serious poverty, to avoid environmental disaster, and to avoid wars, the leadership in the House of Representatives and the Senate has turned a blind eye to international family planning. I cannot understand how this Republican Party—not all of them but many of them—can be so insensitive to the need for international family planning. Every year it is a battle. We have to understand that when population growth is out of control in underdeveloped countries, it is a threat to the stability not only of that country, of that region, but of the world and the United States.

We have to follow the lead of President Clinton and many in Congress who have said U.S. involvement in international family planning is absolutely essential. We hear arguments and see amendments offered because there are some who want to make this an abortion issue. The sad reality is that if a woman in a faraway land does not have the wherewithal to plan the size of her family and has an unintended pregnancy, it increases the likelihood of abortion. So family planning, when properly used, will reduce the likelihood of these unintended pregnancies. That is as night follows day, for those who care to even take a look at this policy issue.

I am sorry to report that although we are going to finally pay a major part of our U.N. dues, which has been an embarrassment to many of us for so many years while the Republican Congresses have refused to pay those dues, it was at the price of threatening inter-

national family planning programs. The Republican leadership in the House of Representatives insisted, if we are going to pay our U.N. dues, it has to be at the expense of international family planning programs. I think that is extremely shortsighted. I hope the next Congress will have a little more vision when it comes to family planning, when it comes to enacting a treaty, for example, a nuclear test ban treaty. The Senator from Nebraska, who is now presiding over the Senate, is working with Senator LIEBERMAN from Connecticut in an effort to revive that effort as well.

I hope the next session of Congress will be more productive in that area and many others.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. WELLSTONE. Mr. President, will the Senator from Nevada yield?

Mr. REID. Of course.

Mr. WELLSTONE. I ask unanimous consent I be allowed to follow the Senator from Nevada.

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

Mr. REID. Mr. President, before my friend from Illinois leaves the floor, I want to direct a few questions to him. I appreciate very much the outline of this congressional session made by my friend from Illinois. The Senator from Illinois and I came to the Senate from the House of Representatives. I feel a great affinity for my friend, not only for the great work he does but because we came as part of the same class. I made a number of notations as he gave his speech.

Isn't it about time we updated, revised, modernized Medicare? I say that because it was almost 40 years ago, certainly 35, 36 years ago, that Medicare passed. Almost 40 years ago, 4 decades ago, we didn't have prescription drugs; we didn't have drug therapies that extended lives or made life more comfortable for most people.

I say to my friend from Illinois, isn't it about time Medicare became modern? Isn't it about time senior citizens have a program where they can get an affordable prescription drug program to keep them alive, to keep them healthy?

Mr. DURBIN. I agree with the Senator from Nevada. Isn't it ironic that if you bought a hospitalization policy now, as an employee of a company, you would expect some sort of prescription drug benefit as part of it, that goes along with most policies?

Medicare does not include that. Seniors find themselves at a distinct disadvantage. Many of the seniors I talked to the other day in East St. Louis, IL, had heart problems. Back 35 years ago, we didn't have the wide array of potential prescription drugs to deal with blood pressure problems, for example. Now we do. The fact that these prescription drugs are available means longer and better lives for seniors.

Mr. REID. Also, while we are talking about prescription drugs, I offered an amendment in the Senate, which passed, that said for Federal employees—I tried to broaden it to cover all insurance policies but was unable to do that—health insurance programs, the people who are allowed to get prescription drugs should be allowed to get prescriptions for contraceptives. The reason is that there are 3.6 million unintended pregnancies in the United States and almost 50 percent of those wind up in abortion.

So if people really care about cutting back the number of abortions, we should have prescription drugs available in the form of contraceptives for people. But what the Senator didn't mention is hidden in this huge bill is language to lessen the effectiveness of this program. For reasons unknown to anyone, other than a way to attempt to help the insurance companies, they have said there is going to be a conscience clause for pharmacists. I say to my friend, I understand there should be a conscience clause for physicians who might prescribe these drugs, but does the Senator see any reason why you should weaken this most important piece of legislation in law and have a so-called conscience clause for pharmacists?

Mr. DURBIN. I do not. I agree with the Senator from Nevada that it is extremely shortsighted. Perhaps we are striking a moralistic pose when we say we are not going to allow prescriptions for contraception. In other words, we will acknowledge all of the other needs a woman may have, but not provide for birth control pills. That seems to me to be out of step with what American families expect us to do. Let them make the decision with their doctor. Instead, we are imposing on them what may be viewed by many as a moralistic point of view that should not be in our province. This is the first I have heard of this conscience clause, where a pharmacist, for example, might refuse to fill a prescription for birth control pills. Under this amendment that is being put in the bill, he or she is not required to do so.

Mr. REID. It is in this bill on which we are going to vote.

Mr. DURBIN. I think it really stretches credibility to think that a pharmacist, in this situation, would be allowed to make that decision and perhaps disadvantage a woman who may not have easy access to another pharmacy.

Mr. REID. The Senator has said it all there. Not everybody lives in metropolitan Chicago, where they can go to two or three different pharmacies within a matter of a few blocks. In some places, there is only one pharmacy.

I also say to my friend it seems unusual—while we are talking about health care—and the Senator did an excellent job in talking about the Patients' Bill of Rights. We passed a patients' non-bill of rights. We passed a bill here that is a bill in name only. If

you read the Patients' Bill of Rights, the Senator knows it is not a Patients' Bill of Rights.

It is unusual in this country—and the Senator and I are both lawyers, and I know sometimes the legal profession doesn't have the greatest name, unless you need a lawyer. But in our great society, this country that we admire—and we salute the flag every day—it is interesting that the only two groups of people you can't sue in America are foreign diplomats and HMOs.

Doesn't the Senator think that should be changed?

Mr. DURBIN. I agree completely with the Senator from Nevada. If we did nothing else but change that to say these health insurance companies could be held liable in a court of law before a jury of Americans for their decisions on health care, it would have a dramatic overnight impact on their decisions also. They would think twice about denying a doctor's recommendation for a surgical procedure or a hospitalization. They would think twice about delaying these decisions.

I have noticed, and I am sure the Senator from Nevada has noticed as well, many times, poor families I represent in Illinois will get into a struggle with an insurance company to try to get help, for example, for a child with a serious illness or disease, and the struggle goes on for months; ultimately, the family prevails; but during that period of time, the poor child is suffering and the family is suffering. I think that giving those families across America the right to sue health insurance companies and saying to the health insurance companies that, like every other business in America, you will be held accountable for any wrongdoing, is just simple justice. To do otherwise is to suggest that we are going to create some special, privileged class of companies and that, literally, the health insurance companies are above the law. That is not America.

Mr. REID. My friend also knows that with part of the public relations mechanisms these giant HMOs have, they are going around saying, well, what these people in Washington want to do—the Congressmen—is allow suits against your employer. Now, the Senator knows that is fallacious. Any litigation that would be directed against the wrongful acts of the entity that disallows the treatment has nothing to do with the employer. Does the Senator understand that?

Mr. DURBIN. That is right. The Senator probably saw the survey that there are people against giving families the right to hold health insurance companies accountable in court, and they say, well, if you work for an employer who provides health insurance, those families may turn around and sue the employer, as opposed to the health insurance company. So we looked at that and did a survey; we investigated. We found out that only in a very rare situation has that occurred. Here is an example.

In one circumstance, the employer collected the health insurance premiums from the employee and then didn't pay the health insurance company. So when the family tried to get coverage for medical care, the next thing that occurred was they found out the premiums had not been paid by the employer. That was the only example we could find. But if the employer picks a health insurance company and they make a decision, we could not find a single case where the employer was held liable because of the health insurance company's bad medical decision.

So that, I think, is a red herring, one that really does a disservice to American families who deserve this right.

Mr. REID. The Senator also gave an example of one of his constituents in Illinois whose child has Pompe's disease, who, as we speak, is not receiving treatment for that.

Mr. DURBIN. The child has passed away.

Mr. REID. He wanted to participate in what is called a clinical trial. Is the Senator aware that HMOs almost universally deny the ability of their enrollees to participate in clinical trials?

Mr. DURBIN. Yes. Frankly, during the course of the debate here, the Senator can remember that when they referred to reputable medical leaders in the United States, such as Sloan Kettering—which is a great institution when it comes to cancer treatment and research and is respected around the world—they said, after their survey, that clinical trials really open the door for new treatments and therapies that, frankly, save us money. They found better and more efficient ways to keep people healthy. Meanwhile, the health insurance companies won't pay for them, and we are literally stopped in our tracks from moving forward with this kind of medical research and clinical trials.

In this case, with this little boy, Eric, who passed away from this disease, he was closed out of a clinical trial. Would he have survived with it? I am not sure, but because of the health insurance company, he never got a chance.

Mr. REID. On the floor today, right next to the Senator, is the Senator from Minnesota, who has been a leader in Congress fighting for the rights of those people who are disadvantaged because of mental disease. Well, there was a big fanfare a week or two ago about some big health entity in the Midwest that had decided they were going to let doctors make the decision, rather than checking them out. They looked on their accounting and found they could spend a lot of money trying to direct care. They said what they are going to do now is let doctors make the decision. What they didn't tell us is that this would not apply to people who had mental disease, who had emotional problems. Is the Senator aware of that?

Mr. DURBIN. I am aware of it. I salute the Senator from Minnesota, my

friend, Senator PAUL WELLSTONE, and our colleague, Senator DOMENICI from New Mexico, for their leadership on this issue. It is a classic illustration of another problem facing American families which this Congress has refused to address. The problem is very straightforward.

An internist from Springfield, IL, came to see me and said, "Senator, I am literally afraid to put in a patient's record that I am giving them medication for depression because the insurance company will then label them as 'victims of chronic depression,' a mental illness, and discriminate against them when it comes to future health insurance coverage."

That is outrageous. Mental illness is an illness, it is not a moral shortcoming. These people can and deserve to receive the very best care. Unless and until the Senator from Minnesota and others of like mind prevail in the Senate and in the House of Representatives, we will continue to discriminate against the victims of mental illness. That is something this Congress can do something about. We will leave here today or tomorrow, again, with that unfinished item on the agenda.

Mr. REID. I also say to my friend that we were here last year wrapping up the congressional session. Is the Senator aware that since that time we have had 1½ million new people in America added to the uninsured rolls?

Mr. DURBIN. The list grows. The Senator from Nevada knows as well as I do that unless and until we face the reality that every American citizen and every American family deserves the peace of mind of health insurance coverage, you will continue to see employers deciding not to offer health insurance protection, and working, lower income people in America will be without the protection of either Medicaid or health insurance at work. These people get sick as other people do. When they present themselves to hospitals, they receive charity treatment which is paid for by everyone, instead of receiving quality health care from the start. Preventive care can avoid serious illness.

Again, it is an issue that this Congress has refused to address.

Mr. REID. I wanted to say this—the Senator has said it, but I want to underline it and make it more graphic. The Senator who is on the floor is the leader for the Democrats. I am the whip for the Democrats. We spend a lot of time here on the floor. Have we missed something? Has the Senator heard any debate dealing with the uninsured in this country?

Mr. DURBIN. No. We haven't missed it, as the Senator from Nevada knows very well. This is the third rail for a lot of politicians around here because you have to start to talk about things that cost a lot of money. Doing nothing costs a lot more money. People get ill, they have to go to the doctor, and to the hospital. When they need to have serious treatment, or hospitalization, that is very expensive, too.

It strikes me that those of us who sought this office to serve in the Senate or the House of Representatives did not do it just to collect a paycheck and accumulate years toward a pension but to do something to help families across this country. This is the No. 1 concern of families across the country.

If you have a child reaching the age of 23, and all of a sudden it dawns on you: Where is my daughter going to get her health insurance? I can't bring her under my policy. You start thinking. I am sure the Senator from Nevada has. I have. As a parent, every day I call my daughter in Chicago, who is an art student, and an artist, and say, "Jennifer, are you insured this month?" "Yes, dad." But I have to ask the question because health insurance is not automatic.

This Congress has done little, if anything, to help families across America who struggle with this every single day—not to mention those with pre-existing conditions. If you have a pre-existing condition and it is a serious one, and you have to change insurers, good luck. Most people find themselves being discriminated against.

I agree with the Senator from Nevada. We have been here day in and day out, and I have heard literally nothing suggested by the Republican leadership to deal with this.

Mr. REID. At the beginning of our August break, I traveled back to Nevada with my wife. As we flew home, my wife became very sick. We got off the airplane and went immediately to the Sunrise Hospital emergency room. As we walked in that room—she was wheeled into the room—there were lots of people. It was very crowded. We were probably among the 10 percent of the fortunate ones in that room; we had insurance to cover my wife's illness. She was there for 18 days. Ninety percent of the people there had no health insurance of any kind. They were there because they had no place else to go.

Those uninsured people get care. The most expensive kind of care you can get anywhere is in an emergency room. Who pays for that? You and I pay for it. Everybody in America pays for it in the form of higher taxes for indigent care—higher insurance premiums, higher insurance policies, and higher hospital and doctor bills. We all pay for it anyway.

But we don't have the direction from the majority here to have a debate on what we are going to do with the rapidly rising number of people with no health insurance.

Next year, we are going to probably have 2 million more. It is going up every year. We have 45 million people—actually 44 million people now—who have no health insurance. Next year, it will be close to 46 million people. Will the Senator agree with me that it is somewhat embarrassing for this great, rich country, the only superpower in the world, that 44 million people will have no health insurance?

Mr. DURBIN. It is an embarrassment, and it is sad. We have spent more time

this morning on the floor of the Senate talking about providing health insurance to the uninsured than we have spent in the entire session this year debating any proposals to deal with the problem.

I would say to my friends on the Republican side of the aisle that if you have an idea, or a concept, or a piece of legislation, come forward with it. Let us put our best proposal on the table. That is what the Senate is supposed to be about. It is supposed to be a contest of ideas, and the hope that when it is all said and done, the American people will prosper because we will come out with something that improves the quality of their lives. This year we have not.

Mr. REID. I want the Senator, also, to react to this. If we passed all of the programs the Republicans have talked about, the majority has talked about, on rare occasions—medical savings accounts, tax breaks for employers, and insurance—does the Senator realize that would cover less than 5 million of the 45 million people?

Mr. DURBIN. The Senator from Nevada is right. We overlook the numbers. The numbers are important. It is good to do something symbolic, but it doesn't solve the problem. We know the problem grows, as the Senator from Nevada has indicated, by 1 or 2 million a year—more people without health insurance coverage, more people who are vulnerable, and a Congress which has a tin ear when it comes to this issue.

We look at the Time magazine polls where it talks about the concern of the American people about health care. It doesn't get through to the leadership in Congress, and we will leave this year having done nothing to make it better.

Mr. REID. The Senator made an outstanding statement relating to guns, juvenile justice, kids getting killed, and people getting killed. So that those people within the sound of our voice understand what we are talking about, we are talking about people who purchase a gun shouldn't be crazies or a criminal. Isn't that what we are saying?

Mr. DURBIN. It is very basic. That is it.

Mr. REID. We are saying that we believe the legislation we passed, with the Democrats voting for it and a few Republicans, basically said that under this law if you are mentally deranged, a criminal, or a felon, you shouldn't be able to buy a gun. It should apply to pawnshops, and it should apply to gun shows. Is that what the legislation we passed said, and we can't even get to conference on it?

Mr. DURBIN. That is what it came down to. Those who would argue that gun control legislation and Capitol Hill want to take your gun away, that is not the case at all. What it is all about here is to say if you want to purchase a gun in America, whether it is from a licensed dealer, a pawnshop, or a gun show, we want to know a little about you. Are you a stable person? Do you

have a criminal record? If the answer is yes to either of those, if you are unstable, or you have a criminal record, then we will deny you the right to own a gun. Who can argue with that? A person who may in a weak moment do something to hurt an innocent person shouldn't be given advantage or given an opportunity by the purchase of a firearm.

We passed that when Vice President Gore came to the floor and cast a deciding vote just a few weeks after Columbine. And that issue died over in the U.S. House of Representatives when the gun lobby came through and said that is an outrageous suggestion—that you would keep guns out of the hands of kids and criminals.

I think American families see this a lot differently. I am hoping that when Members of the Senate who voted with the gun lobby go home, they will hear the other side of the story.

Mr. REID. The Senator also mentioned something we have not done—campaign finance reform. I would like the Senator to reflect a minute on how many people live in the State of Illinois, approximately.

Mr. DURBIN. About 12 million.

Mr. REID. In the State of Nevada, we have at least 2 million. But yet in a Senate race a little over a year ago in the State of Nevada, Harry REID and his opponent spent \$20 million; that is, between the State party moneys, our own money, \$20 million. That doesn't count independent expenditures by people who come from someplace and are spending money. You don't know who they are, and where they are from—another probably \$3 million. So in a small State of Nevada, about \$23 million.

Does that sound a little excessive to the Senator from Illinois?

Mr. DURBIN. It is more than a little excessive. It is outrageous. In Illinois, of course, we are faced with similar demands. If you want to buy television time, you have to raise money. If you can't write a personal check for it, you have to go out and beg for it.

Members of the Senate and House of Representatives who spend their time on the telephone begging for money from individuals and special interest groups are not using their time to represent people in Congress. They are, frankly, unfortunately bringing an element into this political process that is not positive. And the voters know this.

Interestingly enough, since 1960, we have seen a dramatic increase in spending on Presidential election campaigns, for example. And we have seen a dramatic decline in voter turnout and the number of people who participate. Voters have decided to vote with their feet and stay home. They are sick of the negative advertising. They are sick of the special interest groups. They are sick of the fundraising involved in this. And they are sick of the process. In a democracy, you can't stand that very long because if democracy is going to work, people have to be involved in it. And that means cleaning up our acts.

When Senators FEINGOLD and MCCAIN came forward with campaign finance reform, 55 Senators—45 Democrats, 10 Republicans—said we agree, at least with respect to eliminating soft money. We should go forward with reform.

The Senator from Nevada, though, points to another problem: Even eliminating soft money will not eliminate the expense of campaigns, until we find a way to put legitimate candidates on the television without the extreme costs they run into now.

(Mr. BROWNBACK assumed the chair.)

Mr. REID. Let me say to my friend from Illinois to show how the system has frayed, I was interviewed in Washington by a Reno TV station for a half hour interview. During the interview, they said: How do you feel about the present Senate race? The person I had the good fortune of being able to beat is running again for the Senate; Senator BRYAN is not running for reelection. I said nice things about my opponent. I said I have known him; he is a nice man; I have known his family, and they always supported me. I said nice things about my opponent and I said nice things about the person who is going to be the Democratic nominee.

The Republican Senatorial Campaign Committee issues a press release they poured out to Nevada saying, "Reid endorses Ensign," because I said something nice about my former opponent. They stooped to the level of saying, Reid endorses John Ensign.

I like John Ensign; he is a nice man. The system has gotten so callous. After this came out, a radio talk show host called me and said, I am a Republican but I want you to know I think what the Republican Senatorial Campaign Committee did is despicable. I think it is, too. We now are suspect because we say something nice about somebody who is running for office. Shouldn't it all be nice? We should be in a contest where we can determine who will be the best for the State of Nevada, the State of Illinois, the State of Minnesota—not the worst.

Mr. DURBIN. I agree with the Senator from Nevada. He came to Congress, as I did, in 1983. There has been a dramatic and palpable change in the atmosphere on Capitol Hill in that period of time. I know he can remember in the early days when there was real civility between the political parties and real dialogue and parties at night. We went to dinner together even if we fought like cats and dogs on an issue on the floor.

That has changed. The well has been poisoned by the obsession with negative politics. I think that is one of the reasons the American people are checking out. They said if that is the best that can be done, you professionals in the business, we would just as soon stay home and watch professional wrestling. Occasionally professional wrestlers are involved in politics. The point they make is they don't

approve of what is happening as we sink to lower and lower depths in the Democratic or Republican campaigns.

I agree with the Senator from Nevada. If one can't say something honest and complimentary about someone across the aisle without another person looking for a political advantage, that is a sorry commentary on the state of political affairs in America.

Mr. REID. I very much appreciate the Senator's statement on education. The Senator talked about how important it is to have additional teachers in America to reduce class sizes.

My daughter is a second grade teacher. She said she can tell within the first few days with these little kids who the smart ones are and those who are not so smart. The problem is classes are so big, what can be done about those in between, the average kid? Most people are average. What happens to the average kids? Many times they are lost in our present system.

No matter how teachers struggle, work long hours, and prepare their lessons, they don't have time to do it all because the classes are too big. What we have been able to do as a result of the President hanging in there is get more teachers to reduce class size. That is a positive step.

One thing the Senator didn't mention, and I know we have spoken about it, is the problem we are having in America with high school dropouts. Every day we have about 3,000 children drop out of high school, half a million a year. We have no specific programs to address that. The Senator from New Mexico and I have introduced legislation two successive years. Last year, it passed; it was killed in the House when the Gingrich Congress killed it. It would have set up within the Department of Education a dropout czar who would have been able to work on programs that have been successful in other parts of the country and, in effect, give challenge grants to local school districts—they would still control the programs, of course—giving them guidance and direction in keeping kids in school.

This year on a strictly partisan vote the majority killed the Bingaman-Reid amendment.

Would the Senator acknowledge the fact we have to do something about high school dropouts, we need to do something to keep kids in school?

Mr. DURBIN. The Senator from Nevada knows that is the source of many problems. At juvenile justice facilities across America, whether in the courts or in the correctional system, we will generally find the kids who are there dropped out of high school. Having dropped out, with time on their hands and no skills to get a job, many of them veered toward drugs and crime and a life that is not productive.

We end up paying for that over and over and over and over again. The old saying about an ounce of prevention is true. The Senator from Nevada has been a leader on this, telling the Nation we have to look at high school

dropouts not just as a sad reality but as a challenge to all to do better.

I look at some of the things I have learned recently about the American workforce. When I visited Dell Computer in Austin, TX, last week and talked to their officers and leaders in their company, they said they hired some 6,000 people in the previous 3 months to work for Dell Computer in Austin and Nashville, TN. I find their complaint or request similar to those I have heard in Illinois. We can't find enough skilled workers. That says to me that our educational system has to be better, it can't let any child fall behind and be forgotten. We have to address dropouts. We have to address skilled training. We have to address the kind of educational reform that goes way beyond the question about who wears a uniform to school and who doesn't. But we haven't done it in this Congress.

I am glad the Senator from Nevada has been a leader on this issue of drop-out.

Mr. REID. If for no other statistics, we should look at the penitentiaries and jails in America. Eighty-three percent of the people sentenced for crimes in America today are high school drop-outs, 83 percent. That says it all as far as I am concerned as to why we need to do something about dropouts.

Mr. WELLSTONE. Will the Senator yield?

Mr. REID. I am happy to yield to the Senator.

Mr. WELLSTONE. Mr. President, Judge Rick Solum from Minnesota told me—and I have to have this confirmed; it is dramatically jarring—there is actually a higher correlation between high school dropout and incarceration than between cigarette smoking and lung cancer. It is quite predictable.

The Senator from Nevada was talking about his daughter's experience as a second grade teacher. In many ways we harp on the complexity of it all to the point it becomes the ultimate cop-out, but a lot of these kids by kindergarten are way behind. There is a learning gap and they fall further behind and then they drop out of school and wind up all too often in prison.

It does seem to me this is a full agenda that we barely touched.

Sorry to interrupt. I am enjoying listening to the discussion.

Mr. REID. I appreciate hearing from the professor.

I want to talk with my friend from Illinois about Social Security. The Senator mentioned Social Security. One of the things that puts a smile on my face is when I hear the majority talking about having saved Social Security. If that doesn't put a smile on your face, nothing would because the Senator will recall a few years ago here in the Congress we were debating something called the constitutional amendment to balance the budget. As the Senator will recall, I offered the first amendment to say, fine, we want a constitutional amendment to balance the

budget; let's exclude the Social Security trust fund from the balancing.

The Senator is aware they defeated that because they wanted to have their calculations applying the vast surplus that we have had the last several years with our Social Security fund, they wanted to apply that to balance the budget.

Is the Senator aware of that?

Mr. DURBIN. I remember that debate. Frankly, I think that was really the critical debate, when it came to the future of that amendment and when the Republican majority rejected our attempts to protect the Social Security trust fund in the balanced budget amendment debate. That was the end of the debate. As I recall, that amendment lost by one or two votes at the most. I voted against it. I think the Senator from Nevada did as well. If it was not going to protect Social Security, then we should not go forward with it.

As I reflect on it, it is a little over 2½ years ago that the battle cry on Capitol Hill was: The deficits, the balanced budget amendment, let the courts step in and have Congress stop spending; that was our only hope. Now we are in the era of surpluses. We have changed so dramatically without that constitutional amendment.

The Senator from Nevada recalls accurately the Social Security trust fund was a viable issue at that point.

Mr. REID. The Senator was also part of this Congress when, in 1993, without a single Republican vote, we passed the budget to address the deficit. It passed. We had to have the Vice President come down and break the tie. The Senator recalls at that time clearly, we had deficits of about \$300 billion a year. Since then, we now have surpluses. We have done very well with low inflation, low unemployment—40-year employment highs in that regard. We have created about 20 million new jobs. We have about 350,000 fewer Federal employees than we had then. We have a Federal Government about the same size as when President Kennedy was President.

We could go on with other things that happened as a result of the hard vote we cast, without a single vote from the Republicans. Does the Senator remember that?

Mr. DURBIN. I was in the House of Representatives and cast a vote in favor of the President's program. I can tell you, literally, there were Democratic Members of the House of Representatives who lost in the next election, in 1994, because of that vote they cast. It was a really courageous effort on their part. It was exploited by those who said they were going to somehow destroy the economy and raise taxes across America. Yet look at what has happened. From 1993 to the current day, we have seen the Dow Jones index go from 3,500 to over 11,000, and all the things the Senator from Nevada has alluded to.

So that decision by President Clinton, supported exclusively by Demo-

crats on Capitol Hill, had a very positive impact on America and its future. We have gone through one of the longest and strongest economic growth periods in our history. I think it relates back directly to that 1993 vote.

I can recall a number of my colleagues—Congresswoman Mezvinsky, a new Congresswoman from Pennsylvania who only served one term because she had the courage to cast that vote. If she had not, America might have gone on a different course than we have seen recently.

Mr. REID. I apologize to my friend from Minnesota. I want to end by asking one final group of questions to the Senator from Illinois.

We are here in kind of a celebratory fashion. We are going to complete this bill tonight, unless certain Members of the Senate keep our staff in all night long. Otherwise, we will finish it very quickly.

Does the Senator understand getting to this point has been really difficult and we, the minority, have had to hang very tough?

Remember, in an effort to get where we are, there have been a number of ways the majority has attempted to get to this point. You remember the Wall Street Journal article where they talked about the two sets of books the Republicans were keeping? They would, for certain things, go with the Office of Management and Budget and for certain things go with the Congressional Budget Office. Does the Senator remember that?

Mr. DURBIN. Yes.

Mr. REID. You can't keep two sets of books. The Senator recalls that didn't work. Does the Senator remember that?

Mr. DURBIN. Yes, I do.

Mr. REID. Does the Senator also remember they came up with this ingenious idea that they would add a month to the calendar? Does the Senator remember that?

Mr. DURBIN. That is right, 13 months.

Mr. REID. I remember the Senator from Illinois saying that is a great idea because we can just keep adding months to the year and we will never have a Y2K problem.

Mr. DURBIN. That is right.

Mr. REID. That was something also where we said: That is not fair, we are not going to do it. That didn't work.

Does the Senator also recall when they decided, with the earned-income tax credit, the program that President Reagan said was the best welfare program in the history of the country, where you would give the working poor tax incentives to keep working—does the Senator recall they wanted to withhold parts of those moneys to the poor in an effort to balance the budget?

Mr. DURBIN. I remember there was a certain Governor from Texas who admonished the Republican Members in the House and Senate, the House in particular, for their insensitivity. He said you should not balance the budget

on the backs of working people, and that was about the time they abandoned that particular gimmick.

Mr. REID. Then there was the across-the-board cut. Does the Senator understand when they were doing that, and it was decided to do all these things, they did it without the offsets that would take an across-the-board cut of 7 or 8 percent, but now they are declaring a victory because they got an across-the-board cut—except the President can decide what is going to be cut—of .37 percent? Does the Senator from Illinois understand that crying victory over having a .3-percent across-the-board cut where the President can decide what would be cut is not something they should be crowing about victoriously?

Mr. DURBIN. It is a face-saving gesture on their part. Once we got into the budget negotiations and the Republican leadership was faced with actually saying, no, we won't add additional teachers, we will not have additional cops on the beat to address the crime problem across America, they could not do it. They ended up saying we actually won because we got this so-called across-the-board cut of .37 percent.

I might say to the Senator from Nevada, as he well knows, this is entirely within the discretion of the President, so it is not across the board. He can decide which areas of Federal spending to reduce to reach this target.

Mr. REID. I have enjoyed very much visiting with my friend from Illinois. As the session is drawing to a close, I want to express appreciation, on behalf of all the Democratic Senators, for the Senator being our floor leader. He has done an outstanding job. He has been here. He has been able to express himself very well, as we all know he can. I want to personally tell him how much I appreciate it. And on behalf of the Democratic Senators, for all of them, I tell the Senator how much we appreciate every word he has spoken, everything he has done, and I will make sure the majority keeps their ear to what the Senator from Illinois is saying. He has done extremely well in expressing what I believe are the views of the majority of the American people.

Mr. DURBIN. I thank the Senator. It could not have been done without Senator DASCHLE and Senator REID and the leadership of my colleagues who have joined me. I also say it could not have been done without having such good, strong issues the American people support, that we can come talk about on the floor each day, pointing out that in this session of Congress they have not been addressed.

I thank the Senator for his kind words.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

THE LACK OF SENATE ACCOMPLISHMENTS

Mr. WELLSTONE. Mr. President, I say to my colleagues, there are other colleagues on the floor. I have waited for some time. I think it has been an important discussion, but I am going to try, since there are other Senators on the floor, to abbreviate my remarks. I actually could speak for 3 or 4 or 5 hours right now. I will not. We will see when we are going to finish up today.

I would like to build on a little bit of the discussion I just heard, and then I would like to go to the issue at hand, which is the extension of the Northeast Dairy Compact, the way this was done, the impact on my State of Minnesota, and why we have been fighting this out.

First of all, I also thank Senator DURBIN for his very strong voice on the floor of the Senate. I say to Senator REID from Nevada, sometimes we come out here and compliment each other to the point it becomes so flowery, people are not sure whether it is sincere or not. I believe it is sincere. Senator REID is a good example of somebody in politics who, if he suffers from anything, it is modesty. He rarely takes credit. He really has done some tremendous work in the mental health field. He has probably done more than anybody in the Senate to get us to focus on the problem of depression. He never takes the credit. He should have included himself in this discussion.

I am talking about Senator REID.

Mr. President, I am not sure how exactly to view this overall omnibus conference report we now have before us. I am a little worried about sounding so negative that it will seem I only come to the floor to be negative. I do not. I think some of what my colleagues have talked about—given the framework we were working within and given where we started, I think there are some things people can feel good about.

I am pleased to give the administration and Democrats some credit for at least being able to get some resources for some areas of priorities, such as more teachers and schools and moving toward smaller class size. It was a fix. I know for the State of Minnesota, and I am sure for many States, the Balanced Budget Act of 1997 and the cuts in Medicare reimbursement had, no pun intended, catastrophic consequences, especially for our rural hospitals, some of the nursing homes, home-based health care, and teaching hospitals. At least we were able to make a difference for a couple of years, though, again, it is temporary.

I feel pretty good about some investment of resources that are going to be helpful to people in Minnesota. If I had to pick out one priority, it would be \$14 million for the Fon du Lac School, a pretty important commitment of resources. I count as one of the best days as a Senator the day I visited Fon du Lac School. It is a pretty horrendous facility, and for years I have been trying to get some money to build a new

school for kids in the Indian community.

It is interesting, just this past week I was there, and at the end of the discussion I said to the students: I have to leave in 30 seconds, and I am sorry we are finishing. Can any of you talk about one thing you care more about than anything else?

This one student who is age 15 said: The thing I think the most about is I would like for the children—I viewed him as a child at age 15—I would like the children to live a better life than we have been able to live, and I would like to live a life that will help kids do better.

I said to this student: That was the most beautiful, powerful thing I heard said in any school I have visited, and I have been in a school every 2 weeks for the last 9, 9½ years I have been in the Senate.

I tend to come down more on the side of the editorial debate of the Washington Post. I do not think this Congress has much to be proud of at all. Part of what has happened is we have been engaged in a lot of mutual self-deception. I came out to the floor quite a while ago on an amendment dealing with veterans' health care. I said it was a deliberate effort to bust the budget caps.

The ways in which we have been talking about "not raiding the Social Security surplus" has been ridiculous. President Clinton started to do it. Tom DeLay has done it. We have put ourselves in a straitjacket. We know that is not what it is about, but it is great political sloganeering.

For Republicans who do not believe, when it comes to the most critical issues of people's lives, there is nothing the Government can or should do, then I think you are consistent and I respect your point of view, for those Republicans who take that position, and this is not a problem. But for Democrats and other Republicans who believe there are certain decisive areas of life in America, such as investment in children and education and opportunities for children, decent health care coverage, environmental protection, making sure we have some support for the most vulnerable citizens in the Congress, whether it be congregate dining or Meals on Wheels or affordable child care or, for God's sake, making sure children are not hungry in America, I do not think we have much to be proud of because we have done precious little.

As a matter of fact, I say to my colleagues on our side of the aisle, if you were to take the "non-Social Security surplus," 75 percent of it because of cuts in the budget caps of 2 years ago in a lot of these areas we say we care the most about, in real dollar terms we are still not spending as much as we spent several years ago.

I do not think we have all that much to be proud of and we have to do a lot better. I said at the beginning I would talk about some positive things. I do not want to come out here appearing to