

taken the position they don't want to have to take any difficult votes. As a result of that, we don't take any votes. We don't have debates.

It is interesting to note that we haven't done anything on a Patients' Bill of Rights. We have done nothing on prescription drugs. On education, for the past 2 years in this Congress, we only have spent parts of 6 days dealing with education. The American people say it is the most important issue facing the American people. Members of Congress say it is the most important issue. It seems to me that we could spend more than 6 partial days talking about education.

We need help with school construction. In Las Vegas, we have the sixth largest school district in America. We have to build one new school every month to keep up with growth.

In the small State of Nevada, last year we spent \$112 million just on interest on the money we borrowed to build schools. We need help with school construction and modernization. Schools all over America need help. The average age of schools in America is over 40 years. We also need to reduce class size. Unfortunately, we haven't had a meaningful debate that has allowed us to discuss how important and successful class size reduction is for our schools.

A year and a half ago, following the Columbine massacre, we passed what we felt was minimal gun safety legislation. Nothing has happened since then to move that forward. We have not had a conference. The result is that we still have pawnshop loopholes where just anyone can go in and buy guns. They can be felons. The same happens not only in pawnshops but at gun shows. We need that legislation cleared for further action. We have been unable to do that.

I say to my friend from Pennsylvania that, again, I appreciate his frustration. I appreciate his hard work.

But the fact is that constitutionally the President has a role, and he is fulfilling that role. I repeat that I am glad he is fulfilling that role.

We have so many things that we need to do in this Congress that we have simply been unable to do.

As a result of our friend, Paul Coverdell, having unexpectedly passed away, the composition of the Senate changed. As such, we felt there should be another vote on the Patients' Bill of Rights. We were denied that.

There are so many things that have been taking place here that has prevented the Senate from operating as the Senate.

My friend from Pennsylvania is frustrated as a result of his dealings with the subcommittee.

I am frustrated as a Member of the Senate that we are not able to talk about issues that I think are important. We have been prevented from being able to talk about those issues.

In America today there are 3,000 children dropping out of school every day.

Shouldn't we be allowed to talk about that? The answer has been no. We haven't been able to have a meaningful debate about the serious problem of children dropping out of school.

The fact is the President is concerned about this \$250 billion tax bill. The minority has been shut out of all negotiations. The ranking member of the Finance Committee has not been involved in anything, let alone any other members of the Finance Committee.

We have conferences that are uniquely held with only one party.

There is a lot of frustration to go around.

I want to reassert and reemphasize that the President is doing the right thing. I believe he is doing the right thing, which is supported totally by the minority. He is doing the right thing by having us work every day.

What good does it do? We should have been having 24-hour continuing resolutions 2 weeks ago. If so, we would have already completed our work 2 weeks ago. So, we are doing 24-hour continuing resolutions right now. If, in fact, we had a 4-day continuing resolution, people would fly out of here and back to their parades and campaigning and leave the work that needs to be done here in Congress undone.

I am supportive of what the President is doing. It is good for Congress. It is good for the American people.

Does the Senator from Pennsylvania have any questions of the Senator from Nevada?

Mr. SPECTER. No. I can have some time of my own.

Mr. President, may I inquire of the majority leader if I may have 5 minutes at this time?

The PRESIDING OFFICER. The majority leader.

EXTENSION OF MORNING BUSINESS

Mr. LOTT. Mr. President, I think the way to adjust this is we had hoped we could go ahead and get a vote notwithstanding the receipt of the papers from the House. But that is not going to be possible. I think the way to be fair to everybody is to ask unanimous consent that the period for morning business be extended until 10:30 under the same provisions as earlier agreed to. The Senator would then be able to get time in his own right.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Mr. President, reserving the right to object, will Senators be allowed a few minutes to speak on an unrelated matter?

Mr. LOTT. Mr. President, we would alternate back and forth, and other Senators certainly would be able to speak.

The time limit under the earlier agreement was the time would be equally divided between now and 10:30.

Ms. LANDRIEU. Would that allow enough time? I am not sure how many want to speak.

Mr. LOTT. The only one I know of who seems to be anxious to speak on that side is the Senator from Louisiana.

I ask unanimous consent that after Senator SPECTER speaks that the Senator from Louisiana be recognized.

Mr. REID. Reserving the right to object, how long is the Senator from Pennsylvania going to speak?

Mr. LOTT. Not more than 15 minutes. I yield the floor.

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

The Senator from Pennsylvania.

SENATE BUSINESS

Mr. SPECTER. Mr. President, if I may have the attention of the Senator from Nevada, I listened very carefully to what the Senator from Nevada said and was looking for something which the Senator from Nevada said that factually disputed my representation of what has happened here. I did not hear anything disputed about what I have said.

The facts are, No. 1, that there is one bill outstanding to finish the work of the Senate; that is the appropriations bill on Labor, Health and Human Services, and Education.

All of the other complaints which the Senator from Nevada made—the litany that has been repeated day after day after day about what is wrong with the Republican Senate—is all prologue.

We are standing here today on a Saturday session—we are going to have a Sunday session and we are going to have a Monday session—and nothing is going to be done because the President wants to gain political advantage.

Mr. REID. Will my friend yield for a question?

Mr. SPECTER. No.

He wants to gain political advantage by trying to make a representation that it is a do-nothing Congress.

I will tell you what he is in effect doing. He is creating a do-nothing Congress on Saturday, Sunday, and Monday because we can't do anything in Washington.

But there is a lot we could do in our States where we have a lot of meetings and a lot of constituent business and a lot of legislative business.

But it is going to be a do-nothing Congress today, tomorrow, and Monday because right now the appropriations bill on Labor, Health and Human Services, and Education has to be read, has to be printed, and has to be completed. So we are not doing anything.

When the Senator from Nevada says that we ought to be working every day, I replied to the Senator from Nevada that he works every day. I have seen him work. He works every day. I would say to the Senator from Nevada and the other 98 Senators that I, too, work every day. So do the other 98 Senators.

But we don't work at the direction of the President. We don't work for the President. We work for the American people. I work for 12 million Pennsylvanians. I don't work for the President.

The Constitution has separation of powers. When the Founding Fathers organized the Constitution, they put Congress in article I. They didn't get around to the executive branch until article II. But today the system is inverted.

Since the Government was closed down in 1995 and our business has gone over into October and sometimes into November, there is no way for the Congress to do anything—at least we think so—but to yield to the President. That is why, as I have said earlier, we structured this bill on Labor, Health and Human Services, and Education so it could be finished and be presented to the President in September.

The mistake we made, quite candidly, was that we were negotiating with the President. We have undertaken in recent years nonconstitutional proceedings. The Constitution says that Congress will present a bill to the President after the Congress decides what the legislation should be, and then the President either signs it or vetoes it. But that has been turned around.

Now we have members of the President's executive branch sitting in our legislative conferences. We ought not have that. We ought to present our bill and let the President sign it or veto it. This Senator tried mightily to get that bill presented to the President in September. Then if the President wanted to veto it, so be it, that is his constitutional prerogative. But he doesn't have a constitutional prerogative to sit in on the legislative process and the Congress accede to it. We ought to change that.

I think if the American people had seen this bill, they would have preferred the congressional priorities to the President's priorities. The Congress gave the President 90 percent of what he wanted—more than 90 percent. We have a bill which is \$40.2 billion for education. The President's staff objected to \$3.3 million, less than 10 percent of \$40.2 billion. But we had some other priorities we wanted. We wanted special education. We also wanted money for the National Institutes of Health, where they have made enormous strides in conquering Parkinson's disease, Alzheimer's disease, breast cancer, ovarian cancer, heart ailments, and a whole range of medical problems.

We had different priorities. I think if we had presented those priorities to the American people, the American people would have sided with the Congress. So September went by the board. There were negotiations in September. And I make the representation that it was the intransigence of the White House which resulted in those negotiations not moving forward. I make that representation because our priorities were as good as theirs or better.

But having given the President 90 percent, he should have been willing to accommodate to the 10-percent change in our priorities without demanding to control every semicolon in the bill. I

think we met him more than halfway when we gave him \$2.7 billion for school construction and for teachers, but we said this ought to be local control if the local district needed something more.

I was interested to hear what the Senator from Nevada had to say about the Las Vegas school system, its expanded school system and its need for schools. I can understand the need in Las Vegas for schools. However, I have a hard time understanding why Las Vegas schools ought to be paid for from Washington by the American taxpayers.

If there is one area in the country which has a tax base to support their local needs, it is Las Vegas. Las Vegas is the gambling capital of the world, and I say that with respect. I have been there. I haven't gambled, but I have been there. They have an enormous tax base. If we are putting up \$1.4 billion for school construction in the big bond issue for American cities such as Las Vegas where they can afford it themselves, I have grave questions as to whether we ought to be doing that. But we did it.

We presented it for the President. The President's men wouldn't come to a compromise. So what has happened is all the bills are finished except one bill. That bill can't be acted upon until Tuesday at the earliest. And the President is keeping us here to make a political point.

My preference would be, as Senator STEVENS said yesterday on the floor, he was considering amending the continuing resolution to provide for a 4-day continuing resolution which would carry us to Tuesday just to send to the President; then let the President sign it or veto it.

The difficulty with that is that the Government of the United States, the executive and legislative branches, are not exactly held in high esteem by the American people. And my instinct is that if we got into that sort of a situation, a game of chicken, a game which resembles a childish food fight, the people of America would say a plague on both of your Houses. It reminds me just a little bit of the confrontation that Piazza had with the Yankee pitcher. Piazza decided not to confront the Yankee pitcher after he threw a bat at Piazza. I think Piazza did the right thing, although people criticized him for not confronting the Yankee pitcher.

We are in a situation where the President is keeping us here so he can make a political point to try to have a democratically controlled Senate and a democratically controlled House and win the Presidency. We are not here doing the business of the people. We would be doing the business of the people if we attended our regular schedules and were free to do constructive work instead of sit around here on Saturday, Sunday, and Monday.

I do believe, Mr. President—speaking to the President of the Senate, Senator BENNETT, who is presiding—we have

been intimidated. The President is doing this as a form of punishment, a form of humiliation. We have a lot of very delicate relationships with the executive branch. It has to linger in the background among some minds as to just what the executive branch is doing, whether they are operating in good faith.

I say bluntly, keeping the Congress in session without any purpose is the worst of bad faith. We will do our job notwithstanding the executive branch and the President's men and women exercising the worst of bad faith, but we won't forget about it.

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

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Nevada.

WORK OF THE SENATE

Mr. REID. Mr. President, first of all, the President, I repeat, is doing the right thing. The right thing is having Congress do its work. This is all a game.

Now if we could complete our work by Tuesday, it seems to me if people hung around here and did their work now—they said they have to start reading the bill—let them read it now. I also say if people want to expedite matters and challenge the President's authority, I am standing right where I am today and yesterday. I said we will agree on a voice vote to the tax bill and send it to the White House this afternoon. Nope, objections from the other side. They wouldn't let us do that. They wouldn't let us do that. They are here stalling for reasons that some of us are having a little trouble determining, but they are stalling. They have continued to stall. That is why we wouldn't get any appropriations bills passed until very recently.

My friend from Pennsylvania said there is no factual variance. I was going to run through some of those, but the analogy is something like this. He says we gave the President 90 percent of what he wanted. Whether that is right or not, the point is, it is like a football game. You go to the 10-yard line and you almost make a touchdown; does that mean you should get the score? The answer is no. The score should not be given to the majority because they have not done their work. They haven't even gotten to the 10-yard line.

I say Members should be here working. The President is saying we should work. We don't need to go home. Some of us have a long way to go to go home. We should be here doing our work. I think the American people understand that the President is equal to the Congress.

I don't know why the framers of this Constitution had article I the legislative branch, article II the executive branch, article III the judicial branch. They could have been reversed. It doesn't matter. They are separate but equal.