

happened de facto, if not de jure, is we have created a barrier for most Americans to ever think about having a seat in the House or Senate because, de facto, the cost of getting here is prohibitive. Either you have to have the money yourself, or you have to have access to the kind of dollars that would allow you to be a candidate in a statewide Senate race in the year 2001.

What Senator McCAIN and Senator FEINGOLD and those of us who are supporting them are trying to do is see if we can't change this assumption, this assumption that there is nothing or very little we can do about this, and we are just going to continue to raise the amount of money we can raise from individuals and groups and go to political action committees, to national parties, and State parties. Instead, we say: Enough is enough; 25 years of this exponential growth—we ought to be able to do something to slow this down. And that is what we are trying to do.

S. 27 allows for increases. McCain-Feingold allows for doubling contributions, if a few instances, one being a calendar year from \$5,000 to \$10,000. We have the same amount as currently permitted going to national parties, and we have an aggregate limit increasing from \$25,000 to \$30,000 per year.

How many people in this country can write a check for \$30,000 for Federal officeholders? And I am told that is too low. Too low? Too low?—\$30,000 a calendar year, to write checks for politicians, is too low?

You would be laughed out of my State, the most affluent State on a per capita basis, if you stood and said this is too little. And that is, in effect, what we are saying. I don't think it is too little. We would do ourselves, this institution, and the political process a world of good by adopting the McCain-Feingold approach and living with it and learning how to live with the spirit, as well as the law, of S. 27.

The adoption of the Torricelli amendment the other day, which I think could save millions of dollars for candidates by insisting that these television stations not charge in excess of the lowest unit rate charge, will contribute significantly to our slowing down the rising cost of campaigns. And some of the other provisions that have been introduced to allow for a more expeditious and efficient way of reporting will help as well.

Before we close out the debate on this subject, I wanted to say after the first week of debate, this has been one of the more enlightening debates I have been a part of in the time I have been in the Senate. We have had very few quorum calls. We have had terrific participation by Members concerned about this issue in the form of offering their ideas and thoughts by amendment. It has been one of the better moments in the Senate in the last number of years, in my view. So I commend my colleagues for that.

I hope next week will be as enlightening and as helpful as we move for-

ward. The hope is the ultimate adoption of the McCain-Feingold legislation—as is, with some of the improvements I know my colleagues will be offering.

I prefer we come along next week having made the positive changes we have made over this past week and ending up doing what some of these proposals suggest since the ideas are coming from both sides of the isle. But anybody who stands up and suggest to me that the reality—don't try to play games by what you write—this \$50,000 per person per calendar year—cannot expect to smuggle the \$50,000 through as the reality. The reality is it generally is per individual and spouse, which means as a practical matter, it is usually \$100,000 per family. As a result, in an election cycle of 2-years, it is \$200,000. If someone thinks they are going to smuggle that past this Member as a modest request, they have another consideration to make.

It is outrageous, excessive—there is nothing modest about it. It is what contributes to the feeling that so many Americans have about the political process in this country today. I look forward to the coming debate next week. It could get testy if we think these numbers are going to fly through without significant debate. Some of us Members think there are already ample limitations on contributions for individuals and ample room for people to make significant contributions in the political process.

Senator WELLSTONE made the point last week that it is less than one-half of 1 percent of the American public who make contributions of \$1,000. Mr. President, 99 percent of the American public cannot even think about that level of contribution. I know for a fact most candidates will not bother with that 99 percent of the American public and ask for their financial help.

If you can get the \$1,000, \$2,000 and \$3,000 contributions, then that is the pond you are going to fish in. You are not going to go out and raise money in \$50 and \$20 and \$100 contributions from average citizens.

I think there is something terribly dangerous about excluding average people from financially participating in the political life of America. That is what we are doing. That is the reality of it. There is not a single candidate who will bother with these people except to create some political event but not as a fundraiser. You will not be raising money from average Americans. You will be going after the big-dollar givers, and there are only a handful in this country who can make those contributions. The idea that we have to double and triple the size of that contribution limit is shameful.

I look forward to the debate next week. Hopefully the majority of my colleagues will reject those unnecessary increases in hard money individual contributions.

With that, I yield the floor. I did not see my friend from West Virginia be-

hind me. Mr. President, I yield the floor.

MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent the Senate now proceed in morning business.

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

The Senator from West Virginia.

NO BUDGET MARKUP

Mr. BYRD. Mr. President, yesterday the Senate Budget Committee held its last hearing on the President's budget plan prior to the Senate consideration of the budget resolution. As a new member of the Budget Committee, I would like to take a moment to commend Chairman DOMENICI and ranking member CONRAD for a series of thought-provoking hearings on the future challenges facing our Social Security and Medicare programs, on our efforts to improve the education of our children, and to address our Nation's infrastructure deficit and national security needs.

During the hearing yesterday, I inquired of—we often say "our good friend," my good friend Senator DOMENICI. When I say "my good friend," I mean just that; my good friend, Senator DOMENICI—about the prospects for the Budget Committee marking up the budget resolution prior to the April 1 reporting deadline contained in the Budget Act.

Let me say at the beginning of my remarks, again, I am a new member of the Budget Committee. Of course I was around 27 years ago when we created the Budget Committee, and I took a very considerable interest in the preparation of the Budget Act in 1974. I spent a great deal of time on it. So although I come as a new member of the committee, I am not wholly unaware of the fact that I have been around as long as the committee has and perhaps a little longer—longer than the Act itself.

One thing I try to remember is not to take myself too seriously. Sometimes it is pretty hard to avoid taking one's self too seriously. I try studiously to avoid that.

But I do take seriously the work of that committee. We have a great chairman. Senator DOMENICI is a very diligent Senator.

The Bible says: "Seest thou a man diligent in his business? He shall stand before kings."

Senator DOMENICI is diligent in his business. I have no doubt that he has stood before kings in his tenure as a Senator.

I admire him on top of all these things. I think he is a congenial person. I like him. It doesn't make any difference how this situation comes out—what the outcome of the budget action may or may not be. It isn't going to intervene in my admiration and my affection for Senator DOMENICI,

the Senator from New Mexico. We happen on this question to be a little bit at loggerheads with respect to our viewpoints. But who am I to say I am all right and he is all wrong?

I say the same thing with regard to my leader on this side, Mr. CONRAD. He is the ranking member of the Budget committee. I am not. I am just one of the new members. But my interest comes from elsewhere than just the fact that I am a new member on that committee.

I am not trying to rock the boat, or get out in front of the committee. I am here because I am a U.S. Senator. I love the Senate. I have been in the Senate more than half of my life. I respect its rules. I love its traditions, its folklore, its history. But I am exceedingly concerned about the way we are doing things in the Senate in these times.

I am only here for a little while, as we all are. But while I am here, I want to uphold the traditions and the rules of the Senate, because men who were far greater than I am wrote this Constitution. On July 16, 1787, they reached a compromise, which is often referred to in high school as "The Great Compromise." It was out of that Great Compromise that this institution, the Senate, came into being. It was that compromise of July 16, 1787, that made possible my coming here as one of the two Senators who represent the State of West Virginia. It wasn't West Virginia when those forebears wrote this Constitution that I hold in my hand. It wasn't a State of the Union at that time. My State, which I love and share in that love along with Senator JAY ROCKEFELLER, was borne out of the crucible of the Civil War. It became a State, and is the only State to have been born during the great war between the States.

But because those forebears, whose names were signed to this Constitution, arrived at that Great Compromise, we have this Senate. Otherwise, the Presiding Officer would not be here as a Senator from the State of Rhode Island. All the people who work here and our wonderful staff wouldn't be here. This ornate Chamber probably would not be here. There wouldn't be two Houses in the legislative branch.

So once in a while we have to stop and think about these things.

How did I come to be here? What do I mean by "be here"? What is this institution? Why do we have a Senate? Why not just have a House of Representatives?

The answers to those questions go back into the centuries.

Why do we have a legislative branch? Is ours a Republic? Is ours a democracy? What is the difference?

Look at Hamilton's essay denominated No. 10 among the Federalist Papers. Look at No. 10. Look at No. 14 and one will get a clear understanding of the difference between a pure democracy and a Republic. Ours is a Republic.

What does that mean? That means that the people across the land partici-

pate in their government through elected representatives.

Think of that. In a pure democracy, the people of my hometown of Sophia could very well have a pure democracy. There are only about 1,183 people in that town. They could all meet. They could make their own laws. They could execute their own laws. They could have a pure democracy.

But this is a nation spread from sea to shining sea with 280 million people. They could not all gather in one place at one time and act for themselves. So they elect us. We are the directly elected representatives of the people.

The President of the United States is not directly elected by the people. He is directly elected by the electors which are chosen in each State by the people. But we Senators represent and speak for the people. And every 2 years, or every 6 years, whichever it may be, Members of the other body and Members of this body have to go home and stand for reelection.

So we represent the people. I represent, along with my colleague, JAY ROCKEFELLER, 1.8 million people. But our votes—our votes—West Virginia's votes in this Senate are as important and are the very equal of the votes of the Senators from the great State of California. If it were a country by itself, California would probably be about No. 7 or No. 8 among all the countries of the world—a great State, a huge State, with a tremendous population that would dwarf the size of the population of my own mountain State of West Virginia.

But because of this Constitution, this Senate is a forum of the States, and West Virginia has just as much voice as does California, or New York, or Texas, or Florida, or Illinois, or Pennsylvania—States whose populations greatly outnumber that of West Virginia. So this institution is the forum of the States. At the same time, it is made up of Members who are elected by, and who represent, the people of the United States.

Now this is a long way of saying these things which are not new to any of the people who are listening. But once in a while we need to be reminded.

Why do I take the floor today to talk about the budget? And what does all this that I have said got to do with the budget? What does it have to do with what we are doing in the Budget Committee? That is the problem. We do not pause and remember why we are here, and whom we represent here. We represent the people. We represent the States.

I am not the ranking member of this Budget Committee. I am not the chairman of it. But I am a member of it. I did not seek to become a member until this year. All these years since the act has been on the law books of this country, I never sought to be on the Budget Committee. But I saw that the Budget Committee, more and more and more, was becoming the major wheel in the constitutional system of this country—

more and more things are being decided in that committee—and, as one who helped to write the legislation, I must say that it was not intended to become that. The Budget Committee was not intended to have all the power it has today. It never was intended to be used as it is being used today.

So I have become increasingly concerned about the fact that the Budget Committee of the Senate—this is no reflection on its members or anything of that nature, it is just a fact that what that Budget Committee does this year, will have a major impact on the work of all the other committees, and on the work of the Senate throughout this year.

So that brings me now to what I want to say today.

I was disappointed to learn that Senator DOMENICI was not planning to have a committee markup. Now, he and I had discussed this privately on a couple of occasions. But apparently he reached that decision and so indicated during the last session the committee had, which was yesterday. He indicated that, given the 11-11 split on the committee, it would not be productive—in his way of looking at things—to go through the markup process. And following the hearing yesterday, I came down to the floor to express my disappointment that the chairman was not planning a markup, and—no reflection on him, nothing personal in what I say—I spoke on the floor. He indicated to me, by written note earlier yesterday, that he would be responding to what I had to say.

And everything is just fine between the chairman and myself. I have to remember that I am 83 years of age. I do not have a long life ahead of me, and one of these days I have to meet someone who is much more powerful than Senator DOMENICI or Senator LOTT or President Bush or anybody else. I will have to give an accounting for my work here, for my stewardship in this life. So I want to be able to leave this Senate with the good will of every Senator. I hope I have that. I am sure I do as far as Senator DOMENICI is concerned.

So he notified me that he would be speaking. Last evening I had to go somewhere. I do not often accept invitations to dinner. I like to have dinner with my wife, to whom I have been married almost 64 years, and with my little dog Billy when I can do so, so I do not accept many invitations.

One could spend all of his or her time in this town as a Senator by running here and there and thither and yonder and thither and letting the work on his desk pile up. But I found out a long time ago that there was not much to be had, not much that was important that went on at these cocktail parties, and so on, around this town. I could speak quite at length on that subject, but I will try to avoid getting off on to that, except to say that I could not come up at that point to the floor and participate or listen to Senator DOMENICI and all he had to say.

Therefore, this morning I said to Senator DOMENICI: I haven't seen the RECORD yet. I want to see what is in the RECORD. I understand you made a fine talk, and I heard just a little bit of it, but I couldn't come up. So I may have something to say today after I look at the RECORD.

So he said: That's fine.

And here I am.

We had many excellent, knowledgeable witnesses at our hearings, and our members engaged in spirited, incisive, and deep, probing questioning. When the Senate takes up the budget resolution, I believe the Senate should have the benefit of the committee's views.

Now, the Senate, in 1816, began to formulate the major committees. They have not always been around. There were committees in the very first week of the Senate's meetings. There were temporary committees, ad hoc committees, whatever, appointed to deal with this or that or something else. But in 1816, the major committees really began to take shape. Among those early committees, of course, were the committees that dealt with foreign affairs and the finances of the Government. It was not until 1867 that the Appropriations Committee came into being as a separate committee. The work of the Appropriations Committee was done by the Finance Committee. And in 1867, if I am not mistaken, the Appropriations Committee came into being.

By virtue of my seniority on that committee, I, at length—after 30 years, I believe it was, on the committee—I became, lo and behold, the chairman. So I take these things pretty seriously, having been chairman of the Appropriations Committee. And knowing what impact the Budget Committee of the Senate is having and what some of its decisions are having on the operations of the Senate, I decided I wanted to be on that committee. So again I say, here I am.

I also believe that when the Senate takes up the budget resolution, it should have the benefit of the committee's views.

Why do we have committees? They are the little legislatures, you might say, in the institution here. The members of the committees have a very special understanding of the work over which the respective committee or committees have jurisdiction. The views of those committee members are very important. In many instances, I have been guided by my decisions on matters, on votes and so on, by what the members of the committee having jurisdiction over the subject had to say. They are the specialists. They give their time, their talents, dealing with that particular subject matter, whatever it may be.

Members of the Senate need to know what the views are of the members of the committee with respect to the legislation before the Senate.

As I say, I am not saying something that is teaching anybody anything, but

it may be that some of our people out there who are watching through those electronic goggles up by the Presiding Officer's desk, it may be that what I am saying will mean a little something to those people, that they will have a better understanding of what we are talking about. They need to be informed. Woodrow Wilson said the informing function of the legislative branch is as important as the legislative function. We need to be informed.

It is more difficult to keep informed on subject matters of today than it was when I came to the Congress 49 years ago this year. There are a lot more things about which to be informed. We didn't have a lot of the laws on the books then that we have today. We didn't have as many agencies in Government then as we have today. We didn't have the Interstate Highway System that we have today. We didn't have the Appalachian Regional Commission or the Appalachian regional highways then that we have today. We didn't have the Clean Air Act; we have it today. We didn't have the Clean Water Act then, but we have it today. We have much more today to be informed about than we had in those days. That is why I am concerned about what is happening with respect to the budget which will be coming up in the Congress shortly.

That is a long way around to tell you, but you need to know that these are important matters that affect you, you the people, we the people. It is the impact on you. It isn't that I am a new member of the Budget Committee and I ought to have all this information and I am quibbling over this and quibbling over that. No, I am not quibbling at all. This is serious business. It is your business.

I believe the public would greatly benefit by having a markup in the committee. Having been the appropriations chairman, let me say what a markup is. The chairman, with his staff, develops, based on the budget the President sends up to the Congress, based on the hearings that have been conducted in the Appropriations Committee, and draws up an appropriations bill. It may be different from the appropriations bill that came over from the House of Representatives. Not by the Constitution but by custom, appropriations bills generally originate in the House of Representatives, unlike tax bills, which, according to the Constitution, must originate in the House of Representatives.

So I, as chairman, and my staff director, Mr. English, who has been the staff director on the Democratic side for a good many years, and others, sit down and look at this bill and say, this is it. Then I always made it a point to call Senator Hatfield, who then was a Member of the Senate from Oregon, who was the ranking member at that time. We said: This is the plan. We have this amount of money allocated, and here is the way it will be allocated.

That is the markup. Then the whole committee sits down and looks at that.

Republicans and Democrats alike sit down together and look at this bill. That is called marking up the bill. We may change it. The whole committee may not like an item. We may have to strike it, or they may want to add an item. In any event, that is the legislative process 101, as it pertains to appropriations.

Yesterday I expressed my dismay also that the administration has delayed from April 3 to April 9 the delivery date for details of the President's budget. The Senate is being asked to consider a \$2 trillion tax cut that is estimated to consume 80 percent of the non-Social Security, non-Medicare surplus over the next 10 years. Yet the details on over \$20 billion of program cuts for just one fiscal year apparently will not be available to the Senate when it is scheduled to debate the budget resolution on the week of April 2.

Last evening Senator DOMENICI sent me a letter, as I say, and came down to the floor to respond to my concerns. I thank him for responding quickly, but I am disappointed by his message. In his remarks he noted that in 1993, the first year of the Clinton administration, the details of the President's budget were sent to the Congress on April 8 and the Democratic leadership completed the budget resolution for President Clinton's budget prior to delivery of those details.

Senator DOMENICI said that the schedule for consideration of the budget resolution this year is in accord with the schedule in 1993 and that the schedule for consideration of the budget resolution of 1993 should serve as a role model for how to proceed this year.

Mr. President, Senator DOMENICI is absolutely correct in his description of the facts, but he missed my point. As I say, I have alerted Senator DOMENICI's office to the fact that I am going to say these things. I am not going to say anything to hurt his feelings or anything like that. He has been around here; he is a pro. He understands. He missed my point.

We have a 50/50 Senate. The Republican leaders should not be setting up a process that rams the President's budget through the Senate. We should be debating the budget, and we should be trying to reach an agreement on a budget. I don't mean we should displace the business before the Senate right now to do that. But this thing is coming; it is a train that is coming right down the track. That Senate process should start in the Senate Budget Committee with a markup.

As I say, I am not taking myself all that seriously as somebody trying to tell the Budget Committee how to do its work. That is not it. I am not looking at that. That is not it. I am concerned that the impact this process will have on the Senate, on its membership—the final outcome of this budget action—and on the country is a far-reaching impact.

As Senator DOMENICI pointed out in his remarks last night, in 1993 the Senate Budget Committee had a markup—get that—the Senate Budget Committee had a markup on March 11 and debated and approved the budget resolution, which was filed on March 12. The markup was held in 1993, just as there has been a markup in every other year since the Budget Committee was established. Yet apparently the distinguished chairman, Senator DOMENICI, does not want to have a markup this year. He has very plainly, forthrightly, and honestly said so. He doesn't make any bones about it, and I admire him for that.

In his remarks last evening, the chairman mentioned the first Clinton budget document, entitled "A Vision of Change For America." Here it is—"A Vision of Change For America." It is dated February 17, 1993. This morning, after briefly reviewing that document, I find that several sections have applications to the issues we face today. That 1993 document noted—lend me your ears, friends, "Romans"; lend me your ears. Here is what the 1993 document said:

For more than a decade, the Federal Government has been living well beyond its means—spending more than it takes in, and borrowing the difference. The annual deficits have been huge.

Deficit reduction is not an end in itself. It is a means to the end of higher productivity, rising living standards and the creation of high wage jobs. In short, it is about securing a better economic future for ourselves and, even more importantly, our children. Huge structural deficits are harmful for a simple reason: when the economy is not in recession, each dollar the Federal Government borrows to finance consumption spending absorbs private savings that would otherwise be used to increase productive capacity. Large, sustained budget deficits mean that we must either reduce our investment at home or borrow the money overseas.

This 1993 document went on to say:

The drain on our savings has caused anemic domestic investment, especially in comparison with most advanced industrial countries. It has retarded growth in productivity and living standards. Meanwhile, borrowing from the rest of the world to maintain investment at even today's depressed levels has increased interest payments to foreign leaders. In effect, we have signed over some of the fruits of today's productivity—enhancing investments to the children of Europe and Japan, rather than preserving them for our own [children].

"A Vision of Change For America" laid out a plan for addressing the deficits that were created by the excessive tax cuts of 1981. It was a 5-year plan, not a 10-year plan, and it put us on a course to eliminate the colossal deficits of the 1980s and early 1990s. Page 115 of that document included the following:

The plan promises rising standards of living, productivity and national savings. It stimulates growth and provides insurance that the current slow recovery will be lasting and strong.

There are not many predictions one can believe in around here, but that was one we all saw come to fruition.

Continuing my quotation:

It invests in education, training and health of our people. It encourages the private sector to modernize and acquire the tools and technology to compete in the global economy. And it confronts our deficit head on.

That is what this book said in 1993.

It confronts our deficits head on, with a serious, fair plan to bring it under control and generate economic growth.

So that plan worked. It worked. Instead of the colossal deficits which confronted the Senate at that time, today we have—according to the projections which may or may not come true—colossal surpluses. How many on the Republican side voted for that plan? Zero. Not a single vote in either body—not one. Not one. My good friend from New Mexico says that ought to be a role model—that budget—that budget plan, as outlined in the book titled "A Vision of Change For America." Not one. Not one. Not one voted for that.

The first question that was ever asked, I believe, in the history of mankind was, Where art thou? God walked in the Garden of Eden, when the shades of the day were falling and when the cool of the evening was on the forehead of Paradise. God walked in the garden. He was looking for Adam and Eve. He said: Adam, where art thou? That was the first question: Adam, where art thou?

In thinking about the votes that were cast on the plan, that marvelous plan which my good friend, Mr. DOMENICI, called to our attention on yesterday and which he said was a role model, one could have rightly asked from this side of the aisle: Where art thou? Where art thou? Not one of our friends over here on my right who belong to a great political party, the Republican Party—by the way, I get lots of votes from Republicans in West Virginia. I am proud of them. But not one, not one answered: Here am I. Not one.

That was the role model, Mr. DOMENICI said. They did not follow that role model when it came to votes on that occasion.

That is why I take the time of the Senate to review these passages, because we are being asked to take up a budget resolution on April 2 without the benefit of a Budget Committee markup and without the benefit of a detailed budget from the President.

As has been pointed out, this will not be the first occasion when we did not have a detailed description of the President's budget, but there are significant differences in that time and our time.

We are also told by the Republican leaders that the core of the President's budget, a \$2 trillion tax cut, may be brought to the floor as a reconciliation bill for which debate is limited to, at most, 20 hours. Now get that. They say that these moneys are the people's money. They are your money. We are talking about a \$2 trillion tax cut. That is the President's proposal, as I have read about it in the press—a \$2 trillion tax cut. That is a lot of money.

We are not used to counting money in sums of that size down in West Virginia.

How much is \$1 trillion? Have you ever stopped to think? We talk about it as though it were just a few dollars. I have three \$1 bills in my hands.

By the way, when I married my wife 64 years ago, on the next day after we married, I gave her my pocketbook. I had been working as a meat cutter in a coal company store. My salary was \$70 a month—\$70 a month. She was a coal miner's daughter, and I grew up in a coal miner's home. We never had anything as far as refrigerators or vacuum cleaners. As a matter of fact, some of those inventions did not come along very much in advance of the year we married.

I said to my wife: Here's my wallet. We were walking down the railroad tracks. That is the only place we had. We did not have any fine streets, shaded avenues, boulevards beautiful in their makeup. We had to walk down the railroad tracks.

I gave her my pocketbook, and I said—now this was 64 years ago. I gave her my pocketbook. I said: You keep the money. I will work and make it—I won't make much, but whatever I make, you will have. When I want a dollar or two, I will come to you and ask for it. And I have done that for 64 years.

This morning she said: Do you need any money?

I said: No, I have \$3.75, and I am taking my lunch so I don't have to go down to the Senators' dining room and spend 30 or 40 minutes waiting on somebody to help me with food and then have to spend \$8, \$10, or \$12 to pay for it. I just take my little lunch, and there is my \$3 I have for the day. You can ask her; she will verify everything I have said.

Why do I say that? We are talking about \$2 trillion. How long would it take you to count \$1 trillion at the rate of \$1 per second? How long would it take you to count \$1 trillion at the rate of \$1 per second? Thirty-two thousand years. A trillion means a little more if I look at it in that way.

What I am saying is that we are told by the Republican leaders that the core of the President's budget, a \$2 trillion tax cut—that is your money, and they say we ought to give it back. But it is also your debt, it is also your schools that are falling down; the windows are broken, the plumbing out of shape; it is your schools; those crowded classrooms out there are your classrooms. It is your children. It is your parents who need health care, who need a prescription drug plan. Yes, it is your money, but in our scheme of things, we are elected by you to be the stewards of your money.

It is your highways on which you travel. It is the safety of your highways that you have to depend upon when your wives take the children to the doctor or to the child care center, or you have to go to the hospital, or

you have to go to the store, or you go to church, or you have to drive to work. It is your safety on your highways for which we are responsible. You cannot build the highways yourself. West Virginia cannot build a national system of highways, but the Federal system is what the people were talking about—those framers—when they wrote this Constitution—the Federal system.

It is your money. It is a \$2 trillion tax cut. What a whale of an amount of money. It may be brought to the floor, we hear, as a reconciliation bill for which debate is limited to, at most, 20 hours—20 hours of debate, that is all. Yet it is your money. It is this budget with its colossal \$2 trillion tax cut that may return us to the deficit ditch that the 1993 plan helped us to claw our way out of after 12 years of huge deficits; that 1993 plan which my friend, the Senator from New Mexico, referred to yesterday as a model. That is the plan that helped us to scratch and crawl and dig our way out of that deficit ditch. It is a role model. Where were you? Where art thou? Where were you? the people might ask. The 1993 plan.

Last week, all of the Democratic members of the Budget Committee wrote to Senator DOMENICI and urged him to schedule a markup.

I joined with my colleagues and urged Chairman DOMENICI not to take the unprecedented step of failing to mark up a budget resolution. If we don't mark it up, it will send a dangerous message to the Senate about the prospects for working on a bipartisan basis in this evenly divided body.

President Bush, upon several occasions during the campaign, talked about the bickering, the infighting, the bitter partisanship that was occurring in Washington. He said he wanted to stop it. He wanted to end it. He wanted to do something about it. He is right. And the people want to end it. That is why they sent 50 of us to sit on this side and 50 to sit on that side in this Senate. That is the only time that has ever happened—50-50. It has happened 37-37 upon an occasion, several decades ago, but never 50-50, which is a tie vote here.

If there is ever a time when we ought to have partisanship, it isn't now. We need to work in a bipartisan manner. The President wants that. I have great respect for this President. I was inspired by his inaugural address. He didn't bow and scrape to the special interest groups. He referred to the Scriptures. Thank God we have a President who referred to the Scriptures in his inaugural speech. He talked about Good Samaritans in that speech.

I will be very much opposed to his \$1.6 trillion tax cut, which will amount to over \$2 trillion. I will be very opposed to that tax cut. I may vote for a tax cut, but it won't be that one. That is not to say I am disrespectful of him. I just think he is wrong. On other occasions I may think he is right about a matter, but this, I think, is a colossal mistake.

I think we are foolish, foolish, to talk of a \$2 trillion tax cut based on projections of surpluses 10 years away, 9 years away, 8 years, whatever, which may never—and probably won't—materialize.

That is taking a very important step, and it is going to impact on you, the people. So why shouldn't we have a debate? Why shouldn't we have a markup in this bill? We may report out a better measure than even the chairman has in mind.

Why have we seen fit in our constitutional system to have committees? Why? If we are going to have committees, why don't we have markups on bills and let Republicans and Democrats hammer it out, hammer out the measure on the anvil of free debate? Why does any chairman want to say to the committee, I am not going to have a markup, period?

Some people might think that is dictatorial, tyrannical, autocratic, arbitrary. We have had great hearings. We have had witnesses who have traveled here from all points of the compass. They have answered our questions. We have had splendid hearings—you people have attended the hearings—but we are not going to have a markup in this committee.

Why? Because we are operating on a 50/50 basis. It is even-stephen in this committee. If I had a majority of one or two in the committee, yes, we would have a markup then, but we don't have a majority. The people have decided that. We don't have a majority. So whatever you say, I will listen, but we are not having a markup. Might as well not have meetings. A committee chairman may as well just say: We are not going to have any meetings. We will have a meeting in committee when I decide to and we won't have a meeting in committee when I decide we won't.

That is the way it used to be. Do you believe that? It used to be that way in considerable measure.

When I came to the House of Representatives 49 years ago, committee chairmen could simply bottle up legislation in their committees and not even have a meeting. I can remember a Member of the House whom I respected a great deal and admired; he was a former judge in the 16th District of Virginia. His name was Howard Smith. He represented the Eighth Congressional District of Virginia.

Let me say: You know what, you know what. Howard Smith, this former judge, was chairman of the Rules Committee in the House. I have the book here, *Congressional Directory*, 1953, March. When matters came to his committee, he just would go on back down to the farm and tend to his farming and leave the legislation bottled up in his committee.

I remember reading about it in the papers. The chairman didn't have a meeting. Where was he? He was down on his farm. So the chairmen sometimes just bottled up things in their committees.

In effect, that is what is happening here. Markup of the Budget Resolution is being “bottled up.” Our cries and pleas and prayers are going to be of no avail because we are not going to have a markup in that committee. Well, why did I attend most of the hearings?

So it is in a different form but it is the same old thing as when those chairmen used to say, we will have a hearing or we may not have a hearing, or we won't even have a meeting, and the whole session passed and there would be no meeting of the committee on many important matters. That is the way it used to be.

So what happened? This is not National History Month but I am just repeating a little bit of history today. We have heard that history repeats itself. That is what we see in front of us. History is repeating itself.

Here is what happened in the writing of the rules around here—I am not sure I ever read much concerning the House rules. I was there 6 years, but I didn't get so much embedded in the study of them. The rules today won't allow chairmen to do that.

Let me read, as an example, from rule XXVI of the Standing Rules of the Senate. Here it is. I used to know the rules much better than I know them now.

Rule 26, section 10(B)—I haven't read this lately. This is a different print. This is 1999. That was the last century, 1999. So I haven't read this one. But this is what I think is pertinent to our discussion. “It shall be the duty.” 10(B).

It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the Senate, any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote. In any event, the report of any committee upon a measure which has been approved by a committee shall be filed within seven calendar days.

And so on and so on. I don't think that is the pertinent part.

I will ask the Parliamentarian to give me a copy of the rules and the pertinent provision which I am talking about; 26, paragraph 3. Here it is. Each standing committee—aha, here it is.

Each standing committee (except the Committee on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee and additional meetings may be called by the chairman as he may deem necessary. If at least three members of any such committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and the hour of that special

meeting. The committee shall meet on that day and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

That provision applies to the Budget as to any other committee except the Appropriations Committee. So in the rules there is provision for members of a committee, if the majority of the members so wish, to insist upon and to require and to have a meeting of the committee.

Now, there are two problems with this provision. One is that you have to have a majority. We have a 50/50 breakdown. In other words, in the committee we have 11-11. I haven't tested the waters to see if someone on the Republican side—with, I assume a majority, probably unanimous group of Senators on my side—would join to insist that we have a meeting of that committee, the Budget Committee, to mark up the bill. It might very well be that we would get a majority. That is the first problem.

The second problem is as big or bigger. Once the committee meets at the request and insistence of a majority of the committee, if the chairman is not there, the ranking member—which means of the same party—would act as chairman. So far, so good. But the real fly in the ointment would come in the fact that that chairman can call the meeting to order and put the committee out immediately. He has fulfilled his—the request of the majority of the committee. In other words, he doesn't have to sit there and have a long hearing or meeting. He can just call it to order and adjourn.

So why do I call that to the attention of the Senate? Not as a possible—not to indicate that there is a possible avenue which would constitute a threat to the chairman. I do not do that at all. But just to remind Senators that it is there.

When George Mallory, that great Britisher, was asked why he wanted to climb Mount Everest, he said "because it's there." So, today, I have taken the time to point out to my colleagues, some of whom may have not read this in quite a while, myself included—that it is there.

Why is it there? It is there because it needed to be there. Why did it need to be there? Because there were some chairmen in the Congress, both Houses, who just refused to have their committees meet. And if the civil rights bills or whatever were introduced, they went to the committee. That was the burying ground. They never came out of that door.

So Congress said, and the people said, and the press said: We have had enough. We are going to require—we are going to put something in here by which a majority of the committee can

be sure that that committee does meet. As I say, the chairman may gavel it in and gavel it out, but he has to do this before the people. Used to be these things did not have to be out in the sunlight, but you have to be in the sunshine now, so the people say. So if he wants to gavel the committee in and gavel it out, OK, he can do that. He is elected for 2 years. Probably—it is unlikely he will be expelled from the body for doing that, but there comes a time when he does have to stand before the bar of the people. If he wants to be high-handed, heavyhanded, or whatever, the people will make a judgment.

So that is why we have in the rules a way to force a committee chairman to meet. We are not talking about that here, for Chairman DOMENICI; he is very excellent about having hearings and so on. But there is just a certain remnant of the evil that existed when chairmen could bottle up matters in their committees, not even have meetings.

We have been having meetings, but we face a very serious matter of having soon to be confronted with a budget resolution which will not have been marked up in the committee, and which will have only details which will have only been provided by the chairman.

I come to a close now just to say again that all I say is meant to be within the spirit of goodwill, but also to indicate my concern about what is happening in this Senate and the way it is happening.

I thank the Chair and all Senators who have been waiting.

Let me thank, again, my own chairman, the ranking member of the Budget Committee, for the excellent work he has done in that committee.

I made it clear at the beginning, may I say to my ranking member, that I am not here posing as top man on my committee. I couldn't be, and I wouldn't want to be. The ranking member has done a very good job.

But as a member of that committee, and as one who has been around here now for 49 years in this institution, I am afraid something is going on that gets to the root of this institution and will hamper the representation of the people by virtue of the fact that our hands, figuratively speaking, are going to be tied, and that we are, to an extent, being gagged to the point where it is going to be done the chairman's way. The way it is going to be done, he has been very forthright about and very frank about. It is just going to come to the Senate without the benefit of amendment. That in my opinion is not for the Senate or for the good of the Nation. So, I respectfully ask my chairman, Senator DOMENICI, let us follow your own advice, let us use the 1993 Reconciliation Act as a role model and have a markup.

I thank all Senators for listening. I yield the floor.

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

Mr. JEFFORDS. Mr. President, I thank the senior Senator from West Virginia for making us aware of the situation which we are coming into. I speak as a committee chairman who is deeply concerned about the process and how we are going to be meaningful in our participation to handle some of the very serious issues of this country. I thank him very much for his help.

Mr. BYRD. Mr. President, if the Senator will yield, I thank him, not for what he said but I thank him for being a Senator who is independent in his thinking, who has the courage of his own convictions, and who is unafraid to state them. I thank him for his service not only to his State and the people who sent him here but also on behalf of the Senators from other States who respect that kind of integrity.

Mr. JEFFORDS. I thank the Senator.

SNOWE-JEFFORDS PROVISIONS

Mr. JEFFORDS. Mr. President, I rise today to more fully discuss the Snowe-Jeffords provisions of the Bipartisan Campaign Reform Act. Accountability and transparency are two of the most important principles in a democracy. The Snowe-Jeffords provisions will strengthen our campaign finance laws and democracy by ensuring the financial sponsors of sham issue ads are accountable to the voters through increased disclosure.

I am concerned that the intent and effect of these provisions have been distorted by some of those who oppose campaign finance reform. I am here today to set the record straight.

I have been proud to work with my good friend the senior Senator from Maine to develop these provisions that our citizens demand and that abide by the First Amendment. Senator SNOWE has shown great leadership and dedication in developing a legislative solution that will fully and fairly address the proliferation of these sham issue ads.

Let me begin with a discussion of what the Snowe-Jeffords provisions would do. First, they require disclosure of certain information if an individual spends more than 10,000 dollars in a year on electioneering communications which are run in the 30 days before a primary, or 60 days before a general election. Second, Snowe-Jeffords prohibits the direct or indirect use of union or corporate treasury monies to fund electioneering communications run during these time periods. For my colleagues and those watching on C-SPAN, an electioneering communication is any broadcast, cable, or satellite communication which references a clearly identified federal candidate within the time period explained above.

Now let me explain what the Snowe-Jeffords provisions will not do:

The Snowe-Jeffords provisions will not prohibit groups like the National Right to Life Committee or the Sierra Club from disseminating electioneering communications;