

My constituents want action. They want us to not only find the criminal, but they want us to prevent these type of deeds from being done again. So this is why I support the BLAST Act. I am a proud cosponsor and hope to vote for it in the Senate.

Unfortunately, the sniper is not the only killer who attacked our region and the people living in it. One year ago today, a letter containing the deadly anthrax was opened in the Senate. Before that letter reached the Senate office building, it passed through the Brentwood postal facility, exposing workers to its deadly contents. On this anniversary, I want to express my deepest condolences to the families who suffered in these attacks, particularly the families of two postal workers who died from anthrax exposure, my two constituents, Joe Curseen, Jr., and Thomas Morris, Jr. Both of these men lived in Maryland. They were public servants. They were patriots. They died in the service of their country.

I want them to know I will continue to stand sentry to make sure we will not forget them. America must not only remember the sacrifices they made and the pain felt by their families but the fact that every single postal worker continued to work, show up for duty, deliver the mail and was unflinching and unabashed in fulfilling their duty as postal workers.

I was proud to join with my colleagues in the House, Representatives WYNN and NORTON, in passing a bill to rename the Brentwood facility after Mr. Curseen and Mr. Morris, but I want to do more. The postal workers are scared. Little is known about the long-term effects of possible exposure to anthrax. Some are quite ill and continue to be ill. This is why I will be offering legislation calling on HHS to examine the effects of anthrax exposure on the long-term health of our postal workers.

I also want to thank every Senate employee who, though we have been faced with anthrax, continue to keep the doors of the Senate floor open. Thanks to our personal staff, our professional staff, to the pages, to the elevator operators, everybody, we survived that attack, and we survived it because we stuck together. God bless them, and God bless America.

The PRESIDING OFFICER. The time of the Senator from Maryland has expired.

Mr. REID. Mr. President, what is the regular order?

COMMITTEE ON APPROPRIATIONS REPORTING THIRTEEN APPROPRIATIONS BILLS BY JULY 31, 2002

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 304, which the clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 304) encouraging the Senate Committee on Appropriations to report thirteen, fiscally responsible, bipartisan

appropriations bills to the Senate not later than July 31, 2002.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I am pleased the Senate has begun debate on the extension of several critically important budget enforcement tools. I want to thank the majority leader, Senator DASCHLE, for bringing up this important matter and for finding the time for this Senate debate.

I know that floor time is scarce and there are many other important priorities for this Senate, but I believe this amendment, authored by myself, Senator DOMENICI, Senator GREGG, and Senator FEINGOLD, is one of the most important measures the Senate will vote upon this year.

As I have indicated, I am especially pleased to be joined in this amendment by the distinguished ranking member of the Budget Committee, Senator DOMENICI.

The amendment that we offer today represents a major step in preserving fiscal discipline in the Senate. The bipartisan amendment includes a 1-year extension requiring 60 votes in the Senate to waive certain Budget Act points of order. The extension would continue the 60-vote waiver of these points of order against legislation that would, among other things, decrease the Social Security surplus, increase spending, or cut taxes beyond levels specified in the most recent budget resolution.

A 1-year extension of the Senate pay-as-you-go rule that has been in effect since 1993 is also included. This Senate rule requires 60 votes to waive a point of order raised against direct spending or tax cut legislation that would increase the deficit, further tapping into the Social Security surplus. In addition, the resolution extends the pay-as-you-go rule to mandatory spending items added to appropriations bills.

If you pierce the veil, because that is a lot of technical language that is important, the fundamentals of this amendment are very simple. This is a question of whether or not we are going to have the budget disciplines we have had in place for most of the last decade that proved to be so important to having fiscal discipline in the Congress.

This amendment will help protect Social Security. As previously mentioned, it extends the Senate pay-go rule which helps to prevent use of the Social Security surplus for tax cuts or mandatory spending. It will extend the requirement for 60 votes to waive a point of order against a reconciliation bill that would make changes in Social Security. It will extend the requirement for 60 votes to waive a point of order against a budget resolution that would reduce the Social Security surplus, and it will extend the requirement for 60 votes to waive a point of order against legislation that would reduce the Social Security surplus.

This amendment does not accomplish everything I would like to accomplish.

Back in June, Senators DOMENICI and FEINGOLD and I offered an amendment to the Defense authorization bill that would have included all of the elements of this amendment but also would have gone further.

At that time, we recommended to our colleagues to set a limit of \$768 billion on discretionary spending for fiscal year 2003 and a required 60 votes to waive a point of order against legislation that would exceed that limit. We offered an extension of the statutory rules that would enforce that discretionary limit through sequestration. We also would have extended the statutory pay-as-you-go rules that require that increases in mandatory spending or tax cuts be paid for and that enforce requirement for sequestration.

Although we had bipartisan support for that amendment, we fell one vote short of the supermajority that was required. The President will recall on that day we had 59 votes to extend the enforcement procedures on the budget, 59 votes for a spending cap. But 59 votes was not enough. The rules require that we have the supermajority of 60 votes; we fell 1 vote short.

Senator DOMENICI, the ranking member of the Budget Committee, stood with us in that effort. Senator STEVENS, the ranking member of the Appropriations Committee, stood with us on that vote. Senator MCCAIN, a prominent Republican Presidential candidate, stood with us on that vote. Again, we did not achieve the 60 votes necessary to have that measure passed.

I would still like to put in place a limit on discretionary spending and extend the more comprehensive package of enforcement tools on which we voted that day. Getting agreement between the House, Senate, and the White House on a discretionary spending limit is not possible right now. For now, we have to take this different approach, even though it is more limited. Because of the importance of extending Senate rules enforcing limits on mandatory spending and tax cuts, Senator DOMENICI and I agreed to proceed with this simple Senate resolution.

Let me be clear; this is not a budget resolution. There has been some discussion, and I know Senator DOMENICI expressed concern to me. He is right; this is not a budget resolution. This is a measure that extends budget enforcement procedures in the Senate. It extends the expiring requirements for 60 votes in the Senate to waive the point of order relating to mandatory spending and tax cuts. It is, unfortunately, silent on the level of discretionary spending for fiscal year 2003.

Again, while this is not everything I want or everything that needs to be done to ensure fiscal discipline, I am convinced this is all that is possible today. It represents a very important step forward in the fight for fiscal discipline. I urge my colleagues to support this amendment. Let us demonstrate to the American people that the Senate has not abandoned budget discipline.

AMENDMENT NO. 4886

I call up my amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota (Mr. CONRAD), for himself, Mr. DOMENICI, Mr. FEINGOLD, and Mr. GREGG, proposes an amendment numbered 4886.

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

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

The amendment is as follows:

Strike all after the Resolved Clause and insert the following: That the Senate encouraging the Senate Committee on Appropriations to report thirteen, fiscally responsible, bipartisan appropriations bills to the Senate not later than July 31, 2002. :

SEC. ____ BUDGET ENFORCEMENT.

(a) EXTENSION OF SUPERMAJORITY ENFORCEMENT.—

(1) IN GENERAL.—Notwithstanding any provision of the Congressional Budget Act of 1974, subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974 shall remain in effect for purposes of Senate enforcement through September 30, 2003.

(2) EXCEPTION.—Paragraph (1) shall not apply to the enforcement of section 302(f)(2)(B) of the Congressional Budget Act of 1974.

(b) PAY-AS-YOU-GO RULE IN THE SENATE.—

(1) IN GENERAL.—For purposes of Senate enforcement, section 207 of H. Con. Res. 68 (106th Congress, 1st Session) shall be construed as follows:

(A) In subsection (b)(6), by inserting after “paragraph (5)(A)” the following: “, except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available”.

(B) In subsection (g), by striking “2002” and inserting “2003”.

(2) SCORECARD.—For purposes of enforcing section 207 of House Concurrent Resolution 68 (106th Congress), upon the adoption of this section the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) APPLICATION TO APPROPRIATIONS.—For the purposes of enforcing this resolution, notwithstanding rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, during the consideration of any appropriations Act, provisions of an amendment (other than an amendment reported by the Committee on Appropriations including routine and ongoing direct spending or receipts), a motion, or a conference report thereon (only to the extent that such provision was not committed to conference), that would have been estimated as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 207 of H. Con. Res. 68 (106th Congress, 1st Session) as amended by this resolution.

Mr. CONRAD. At this point, I thank my very able colleague, the ranking member of the Budget Committee, who has provided leadership to this body on these issues for a very long time and is

keenly committed to the budget process, and who is deeply committed, as well, to fiscal discipline.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, it is very late to be talking about this, but better late than never. So we will get something, rather than nothing.

Perhaps people are wondering what we are doing. If you think back the last 8 or 9 months, a vote will occur in the Senate, only in the Senate; a vote is going to occur, and someone stands up and makes a point of order to honor the Budget Act.

When you first do one of these, it is something big. I remember making one and you wonder what is going to happen. The staff told you how to do each little thing, and when it came time to vote, you wondered if you really did it. But it is a very heavily used situation in the Senate.

Members call up an amendment. It costs a lot of money either in program authority or outlays. The money is not found in the budget resolution that should have already been passed. Members get up and say: I am asking that that amendment be deemed invalid because it violates the Budget Act. Another Senator says: I move we waive this budget point of order under the Budget Act. Then Members state which part or provision to be waived.

What happens in that situation, from that point forward? If you call up that amendment, you need 60 votes. Many Americans, especially academicians, are wondering what happened to the Senate: Have we stopped being a body where the majority prevailed? Don't we have majority rules anymore?

The Budget Act provides an opportunity within its language—and it is only a 25-year-old statute—that if you violate the Budget Act by introducing and calling up an amendment or a bill, you can ask that it be deemed null and void, and the other side says: I want to try a waiver.

How effective has this been? We put this together with the first President Bush a number of years ago. We did not know it would be so effective. Let's see how effective it has been.

Fifteen Budget Act points of order that would have reverted now to simple majority votes, in a budget point of order, have been raised 65 times. Republicans raised 47, Democrats raised 18. Only eight times did these points of order get waived by having 60 votes or more.

When this rule for 60 votes first came about, we were talking about a constitutional amendment to balance the budget. Someone said: How in the world are you going to enforce it? So if you read the constitutional amendments—and the American people thought they absolutely prevailed—it said the only way you could violate that was by 60 votes in the Senate. That was borrowed, not knowing how well either of them would work, the

one that didn't happen or this one, but here it worked.

What happened? To those who are listening to this strange talk, that side of the aisle, the Democrats in the Senate, had a responsibility many months ago to pass a budget resolution. We have passed a budget resolution every year, sooner or later, since we have had a Budget Act. You come down to the floor and you give to the Senate an opportunity to vote on the big issues that will be part of a budget, saying how much will be spent and included within it or the entitlement programs, and obviously if there are big increases, you show them. Then you adopt that budget resolution.

That is the instrument around here for fiscal responsibility. Some people do not think it is strong enough; others think it is too complicated; others think it is too porous. But nobody denies if you do not have it around, the void will be worse than having it.

So months went by, and we did not get a budget resolution because the Democratic side, under their leadership, did not produce one we could pass. Then we started to talk, the chairman and I, about maybe we ought to save a piece of this. This is the piece we decided to try to save.

I hope all the Senators understand that, of the issues to be voted on, the most significant opportunity to save taxpayers' money for the next year is this little resolution.

Let me repeat that. If anybody wants to go home and say, “I really watched out for your taxes, but I voted against this particular resolution,” you can count on this Senator—and I am sure the Chairman will stand up and say count on him—to say you voted “no” on the most important opportunity to save expenditures of this whole year.

Somebody will come up with an entitlement program we have all been waiting for and we do not have it because it is too expensive, and we will be stirring around saying, What do we do? We are going to lose this one.

We would not lose this one, if this was the law because we would start telling everybody it violates the budget. Then pretty soon when we finish debate, that 60 votes would come into effect. It will not be in order unless this little resolution is adopted by the Senate.

It is very short. It is only in the Senate. You don't have to take it to the House because the budget resolution is a resolution, and this part of the budget does not apply in the House. So we have to do it. We are doing it. Frankly, I hope whatever the arguments are made, we can straighten them out and vote for it.

I told Senators what it said about entitlement spending programs. It also says if this is part of the way you do business, you have this resolution adopted and you want to cut taxes, if, in fact, your budget is not balanced, you have to put into your budget resources to make up what you are taking out by taxes.

Some will not like that. But we get both together because if you want one, you have to take the other. That is the way we have done the law. That is how we have lived under it.

My friend Senator GRAMM, who had been an ardent apostle of this 60-vote margin and this approach, has his own version as to why he would like it not to happen for a while. He will offer his own amendment and we will debate again.

I hope he will not win unless, after we discuss it with him, it essentially is about the same resolution we talked about here, and it will take up expenditures and not taxes.

I understand he has a very legitimate concern. But I tell you, so do I. I have a big concern. We had 4 years of balanced budgets and that was great. The American people liked that, and the markets in America liked that, and the foreign investors liked that, and we had very low interest rates, which were very good for Americans. I do not intend to carry on a debate, unless somebody cares to, as to who caused it. Many factors caused it. But we are now back into an unbalanced situation.

If we had had these provisions in when we had a surplus and we would not vote for new expenditures, or to cut taxes unless we had paid for them, or unless they were in the budget resolution, then why wouldn't we have it now when we have this huge deficit? Unless we are providing for something absolutely important—such as war or the continuation of a recession that lasted a long time—in those cases, obviously the Senate would say the 60 votes are not so hard to make; let's vote and get it done so we can spend the extra money.

We know of no better way to maintain our system—which should have been 51 votes, majority vote—no way of putting it in a mode where it can take care of excessive spending by corraling excessive spending and the extra tax cuts with a resolution that says we choose, ourselves, to restrain spending by enacting a law, in effect, that restrains us. It puts a little collar around us and tightens us.

I have some additional remarks that go into a little more history, but I have a hunch we will talk more at some point. When I first started talking about this, I went to talk to Senators on that side of the aisle. I note the presence of one of the Senators, who asked me then: If you do this, please put me on. We did add the Senator as we said we would. I assume the Senator still agrees we ought to have the 60-vote majority requirement?

Mr. REID. If the Senator will yield, I know the Senator from Wisconsin has wanted to speak for some time.

I speak for the entire Senate when I say how much I appreciate the leadership of Senators Conrad and Domenici. I think, as Senator DOMENICI has said, we could have a long, drawn-out debate on why we are in this economic situation. The two managers of this bill

have decided to go the path less traveled in recent months and talk about what is really the best thing for the country. There is no question the best thing for the country is to have fiscal constraints that are not mandatory unless we pass this legislation. I hope we can quickly resolve this issue. It is so important for us and the future of this country.

Again, I compliment and applaud the two managers of this bill for working together in a bipartisan fashion to allow us to get to the end of the road, where we need to get on this issue.

Mr. DOMENICI. Mr. President, I want to ask the Senator from Wisconsin if he is going to join us.

Mr. FEINGOLD. I support it.

Mr. DOMENICI. I am going to stop in a minute and let him speak. But I believe we need 60 votes at some point on this resolution. I hope Senators will understand we have drawn it in the fairest way possible. If somebody thinks we should only apply it to the entitlements, then I am afraid half the Senate will vote against it because they would say: "It started with both; it is only for 1 year; let's see how it works."

Even in better times, I think we ought to have it on the books rather than have nothing.

I will be back to talk to Senators again about it, once Senator GRAMM has come to the floor. Maybe he can find some amendments that will make his concerns disappear, in which event this Senator will be helping him.

Parliamentary inquiry: Is there any parliamentary order with reference to when we might vote on this?

The PRESIDING OFFICER. Not at this time.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. DOMENICI. I ask the Senator to yield for 30 seconds.

Mr. FEINGOLD. I yield to the Senator from New Mexico.

Mr. DOMENICI. I ask unanimous consent that Senator JUDD GREGG be shown as an original cosponsor.

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

Mr. FEINGOLD. I ask the Chair to confirm that I am an original cosponsor of this as well.

The PRESIDING OFFICER. The Senator is correct.

Mr. FEINGOLD. Mr. President, I rise to join the Chairman of the Budget Committee, Chairman CONRAD, the Ranking Republican Member, Senator DOMENICI, and the Senator from New Hampshire, Senator GREGG, in offering this amendment to extend the budget process.

Exercising the power of the purse is among Congress's most important responsibilities. Justifiably, there has been much concern in the Nation about how Congress has exercised and will exercise its responsibilities under the Constitution's war powers, and certainly that is a grave and consequen-

tial responsibility. But we should recall that the way that the Congress ended the Vietnam war was through the exercise of the power of the purse, by constraining spending. The power of the purse is a momentous power.

Article I, section 9, of the Constitution reserves the power of the purse with Congress through the admonition that:

[n]o Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .

Interpreting that power, our Founder James Madison wrote in the "Federalist Papers":

They, in a word, hold the purse that powerful instrument by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its activity and importance, and finally reducing, as far as it seems to have wished, all the overgrown prerogatives of the other branches of the government. This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

That is what James Madison wrote in Federalist No. 58.

Congress exercises that power of the purse through its rules and through the Congressional Budget Act of 1974. The strength of Congress's power of the purse depends on the orderly rules that the Congressional budget process provides.

Regrettably, those rules and that Congressional budget process largely expired at the beginning of this month. That is why it is so important that the Senate adopt this amendment to extend the budget process.

Our responsibilities under the Constitution would be enough of a reason to extend these rules. But added to that, and making the need for budget rules even more pressing, is the dire turn of affairs that our government's finances have taken in this last year-and-a-half.

In January of last year, the Congressional Budget Office projected that, in the fiscal year just ended, fiscal year 2002, the Government would run a unified budget surplus of \$313 billion. In its latest projections, however, CBO now estimates that we will have run a unified budget deficit of \$157 billion. That is a dramatic swing of \$470 billion—the disappearance of nearly half a trillion dollars—for that 1 year alone.

If, as the law requires, we do not count Social Security surpluses toward that total, then the picture is even more alarming. In January of last year, CBO projected that for fiscal year 2002, the government would run a surplus of \$142 billion, without using Social Security surpluses. Now, CBO projects a deficit of \$314 billion, not counting Social Security. If that projection holds, it will have been the third-largest on-budget deficit in our Nation's history, rivaling those of the bad old days of 1991 and 1992, when the

United States logged its record highest on-budget deficits. Instead of using those Social Security surpluses to prepare for the coming needs of that vital program, the Government has instead been using them to fund other Government programs.

And the baseline projections for the fiscal year just begun bring no respite. For the year that started at the beginning of this month, fiscal year 2003, CBO projects baseline deficits similar to those for the year just ended. For 2003, CBO projects a unified budget deficit of \$145 billion, and a deficit of \$315 billion, not counting Social Security.

And that is before taking into account the costs of a possible war with Iraq. The Wall Street Journal recently reported that American taxpayers may have to come up with between \$100 billion and \$200 billion more to wage a war in Iraq, according to President Bush's chief economic adviser. He said that we could have to add \$100 to \$200 billion to the non-Social Security deficit that CBO says will already be \$315 billion this year. If those predictions prove true, yielding on-budget deficits of \$415 to \$515 billion, then the government would be running the largest on-budget deficits in our nation's history, by far.

Looking into the years to come, one can see little if any relief from the damaging fiscal outlook. CBO projects that under current policies, unified budget deficits will continue until 2006. And without counting Social Security, CBO projects that deficits will continue until 2011, when the sunset of the tax cut brings us back to on-budget surplus again, just barely. And it is among the most fervently-held articles of faith among many on the other side of the aisle that those tax cuts shall not be allowed to sunset.

Over the next 10 years, CBO projects a deficit of more than \$1.5 trillion, without counting Social Security. And that is before taking into account a war with Iraq, before taking into account a prescription drug benefit that most Senators agree is needed to bring Medicare up to date, and before taking into account any of the many additional tax cuts that the President and many in the Senate would still like to enact.

It is sad to say that there is no way to look at these numbers without coming to this conclusion.

The government is in dire fiscal circumstances. I am concerned that many elected officials have not yet come to realize how grave those circumstances are.

We must not forget why sound fiscal policy is important. We must stop running deficits because they cause the government to use the surpluses of the Social Security Trust Fund for other government purposes, rather than to pay down the debt and help our nation prepare for the coming retirement of the Baby Boom generation.

We must stop running deficits because every dollar that we add to the

Federal debt is another dollar that we are forcing our children to pay back in higher taxes or fewer government benefits in the future. When we in this generation choose to spend on current consumption and to accumulate debt for our children's generation to pay, we do nothing less than rob our children of their own choices which they deserve the opportunity make. We make our choices to spend on our wants, but we saddle them with debts that they must pay from their tax dollars and the sweat of their brow. That is not right.

That is why Senator GREGG and I offered an amendment in the Budget Committee markup of the budget resolution to extend budget rules and set appropriations caps for 5 years.

That is why Senator GREGG and I offered an amendment on the Senate floor on June 5 to extend the budget rules and set appropriations caps for 5 years.

That is why I joined with our distinguished and very able chairman, Chairman CONRAD, on June 20 in yet another attempt to extend the budget rules and set appropriations caps for 2 years. Fifty-nine Senators voted for extending the budget process on that day, just one short of the number we need to adopt such a measure.

That is why I am joining with my Colleagues the Chairman and Ranking Republican Member of the Budget Committee and Senator GREGG to offer this amendment to extend the budget process today.

Yes, I would prefer to strengthen the budget process. I would prefer to do more.

But this is the bare minimum that we should do. The Conrad-Domenici-Feingold-Gregg amendment would provide some minimal restraint on entitlement spending and tax cuts. And we can do no less.

The Senate must preserve its vital role in exercising the power of the purse that the Constitution vests in Congress.

We must stop using Social Security surpluses to fund other government programs. We must stop piling up debt for our children to pay off. We must adopt this amendment and extend the budget process.

I again want to thank the chairman for his leadership and the opportunity to work with him on this issue. I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from Wisconsin, Mr. FEINGOLD, for his strong support of this amendment. I also want to thank him for his contribution on the Budget Committee. He has been a disciplined voice for fiscal responsibility. He has been a leader in trying to bring to the attention of our colleagues how dramatically the budget circumstance of the Federal Government has changed. I thank Senator FEINGOLD for reminding

our colleagues of where we were a year ago, where we are now, and where we are headed.

It is critically important that our colleagues, the others on the other side of the Capitol in the other body, and the American people understand how dramatically our fiscal circumstances have changed.

A year ago, we were told we could expect over the next 10 years nearly \$6 trillion in surpluses. Now we know with the latest look from the Congressional Budget Office that the money is all gone. If we were just to put in place the President's proposals for spending and revenue over the next decade, there wouldn't be \$6 trillion of surpluses. There wouldn't be \$4 trillion of surpluses. There wouldn't be \$2 trillion. There would be \$400 billion of deficits. That is from \$5.6 trillion, which we were told a year ago we would have in the surpluses over the next decade, to \$400 billion of deficits. That is a \$6 trillion swing in 1 year.

Now the question before this body is we are going to leave this place without the fiscal discipline that helped us get deficits under control once before in our history—after the 1980s when deficits were exploding, and we put in place a framework to get us back on track, a framework that worked, a framework that moved us from deficits to surpluses, that led to the longest economic expansion in our history, that led to the lowest inflation in 30 years, and the lowest unemployment in 30 years. Are we going to abandon all of that now?

That is the question before this body. Are we going to have the fiscal discipline that will be critically important to economic recovery? That is the question.

That is what this amendment is about. That is why it is important. That is why I thank Senator GREGG, Senator FEINGOLD, and Senator DOMENICI for cosponsoring this amendment. That is why I ask my colleagues to adopt it.

This is important. It is important not just for the notion of fiscal discipline, but it is important for the economy. When the markets see that we are serious about living within our means, we know that means good things for interest rates, and we know that means good things for the economic strength of America.

That is what this amendment is about. I know there are some who have a different view. I can't think of any good thing that will come from doing away with the budget disciplines that have worked so effectively in this Chamber.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Nevada.

Mr. REID. Mr. President, I hope those who wish to speak on the matter now before the Senate will do so. It is 4 o'clock. We understand there are a number from each side who wish to speak. We hope that will occur.

Others wish to speak on other issues. If they feel so inclined, I hope they will come and speak now. We would like to have as little down time as possible before we go out this evening. If there are no amendments or further debate, of course, we can move to third reading. I am told there may be some amendments, but I don't think either leader wants us to wait around here doing nothing on this resolution.

If there are going to be amendments, I hope Members will come and offer them. If not, as I indicated, we can move to third reading at any time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Mr. President, what is pending business?

The PRESIDING OFFICER. Amendment No. 4886 to S. Res. 304 is the pending business.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

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

UNANIMOUS CONSENT REQUEST— S. 3018

Mr. BAUCUS. Mr. President, on October 1, Senator GRASSLEY and I introduced a bipartisan Medicare package, the Beneficiary Access to Care and Medicare Equity Act. Our bill would address a number of Medicare payment changes—primarily reductions—that went into effect at the start of the fiscal year. At the beginning of the fiscal year, Medicare payment reductions automatically went into effect in many areas. What were they? Cuts to home health services. Cuts to nursing homes. Cuts to hospitals. One of the most damaging cuts of all, for Medicare physician payments, is scheduled to take place beginning January 1, 2003. This is the second year in a row such physician payment cuts would occur. Mr. President, these cuts threaten access to care for tens of millions of seniors across America.

Sadly, since this bill was introduced, the Administration has indicated that preventing these cuts from going into effect is simply not a priority.

Tom Scully, the administrator of the Center for Medicare and Medicaid Services made this clear last Tuesday. He said:

It would be fine with the Bush administration if Congress does not pass Medicare provider payment legislation this year.

If I had to guess right now—I guess there won't be any give-back bill.

The White House Office of Management and Budget Director, Mitch Daniels, also said he thinks "the Federal Government cannot afford to pass a Medicare provider give-back bill."

Mr. President, the Administration says it cannot afford, after all the billions that have been spent elsewhere, to restore some of the cuts that have already gone into effect.

The chairman of the House Ways and Means Committee has been equally unenthusiastic about addressing these cuts.

The Administration and the chairman of the House Ways and Means Committee may believe this legislation is not a priority. I respectfully disagree. This bill is a priority. It is a priority for every senior who receives home health care. It is a priority for every senior who receives nursing home care. It is a priority for all Americans of all ages who depend on our teaching hospitals. And it is a priority to anyone who cares about ensuring our seniors receive access to physician services.

Again, a large cut goes into effect for physician services after January 1. Last January, physicians saw their payments cut by 5.4 percent. Already some doctors are talking about leaving Medicare. Why? Because they are concerned that Medicare payments may not be enough to allow them to pay for the costs of caring for seniors.

If this legislation I have introduced with Senator GRASSLEY does not pass, physician payments will be cut again by over 4 percent. This must be changed.

Our bill also is a priority for our children. Under current law, funds for the Children's Health Insurance Program that have not yet been spent are scheduled to be returned to the Federal Treasury. I think this money should remain where it belongs—with the States, helping children. It is helping children who need health insurance benefits. We have about 9,500 Montana kids, and many more children in many other States, who are currently receiving coverage through CHIP. If our bill does not pass, America's kids stand to lose as much as \$2.8 billion.

This bill is also a priority for States. We have all heard about the budget problems threatening States in every corner of our Nation, about the possibility of deep cuts to important programs and services, such as Medicaid. Our bill will send an extra \$5 billion in fiscal relief to the States to forestall these cuts.

This bill is a priority for rural America. From Montana to Maine, the Medicare payment system continues to discriminate against rural patients and rural providers. Our bill takes strong steps to address these regional inequities.

This bill is a priority. I cannot imagine the administration saying this is not a priority, given all the other areas where we spend dollars. Defense, homeland security, and other issues are vitally important. But our Nation's health is also important, and we should invest in it accordingly.

I cannot believe this administration is saying it is not a priority to prevent

these cuts from taking effect. I cannot believe that. Nevertheless, that is what they say. This legislation tries to address that situation so those cuts do not go into effect.

I said this bill is a priority. It is a priority for our seniors. It is a priority for our children. It is a priority for our State governments and rural areas in our country, for anyone who cares about preserving access to quality care in America.

I might add, this is a bipartisan bill. Senator GRASSLEY and I have worked very hard on this legislation. Senator GRASSLEY is the ranking member of the Finance Committee. We worked together at every point to craft this bill. We sought input from our colleagues on both sides of the aisle. We met with our respective caucuses. We worked closely with members of the Finance Committee.

When the Senator from Oklahoma objected to my unanimous consent request almost two weeks ago, he suggested this bill appeared out of nowhere on the Senate floor. That could not be further from the truth.

The Senator also objected to this bill because we lack official CBO scoring. That issue has been cleared, as we received an official estimate of the bill on Friday. CBO estimates this bill would cost about \$43.8 billion over 10 years. We guessed it would cost about \$43 billion. CBO said our guess is pretty close; it is \$43.8 billion.

I believe that is the minimum investment we should make to address the priorities I mentioned. So today as the Medicare payment cuts go into their 16th day, and as many more cuts loom on the horizon in January, I will again ask unanimous consent to pass S. 3018.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3018, a bill to amend title 18 of the Social Security Act; that the bill be read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Senator from Oklahoma.

Mr. NICKLES. Mr. President, reserving the right to object, unfortunately this bill did not go through committee. I ask the Senator if he would modify his request to refer the bill to the Finance Committee to be reported out within 48 hours. Will he be willing to modify his request?

Mr. BAUCUS. I am sorry, I was distracted.

Mr. NICKLES. Correct me if I am wrong, but the Senator is trying to pass his bill which never had a markup in the Finance Committee. I happen to be a member of the Finance Committee. I would like to offer an amendment. I know Senator SNOWE has an amendment she would like to offer. Senator SESSIONS has an amendment he would like to offer, or myself or someone else on the committee to offer on his behalf.