

the rights of our most vulnerable and most precious resource, our children. If this bill is enacted without this amendment to the pending bill, we will be passing legislation that protects the interests of the National Rifle Association and negligent gun dealers and manufacturers, errant manufacturers, at the expense of our kids.

It is really coldhearted, as we see if we examine this legislation. How distant do we want to make ourselves from a condition that is so tragic that even just hearing about it, if it is in your own household, sends chills up and down the spine? We have already rejected in this debate the rights of sniper victims and police officers. But are we now willing to go ahead and victimize our children? Children who are injured by a gun, the families of children killed by guns, do we want to shut down their rights? I am a proud grandfather of 10 wonderful grandchildren. It pains me to think that the Senate in which I serve is willing to expose them to greater danger. That process is pretty easy, if there is no punishment severe enough to curb either negligent or reckless behavior on the part of manufacturers, dealers, or distributors.

I think the biggest rogue of all that we all talk about is the shop that permitted Lee Malvo to get the gun he had, the Bull's Eye shop. They had guns all over the place on display and couldn't detect that 237 or so guns were unaccounted for. That suggests even greater danger. What I really hope we can do is not take away a tool that helped make this society safer for our kids.

How can we leave out the children, the children's families, when it comes to seeking redress if this kind of tragedy strikes that family? Every day we hear more about another child falling victim to gun violence. It is a national epidemic. In 2002 alone, the Centers for Disease Control and Prevention estimates there were 13,000 kids injured by a firearm. From 1996 to 2001, more than 1,500 children were killed in firearm accidents. The CDC also found the overall firearm-related death rate among United States children below the age of 15 was nearly 12 times higher than it is in 25 other industrialized countries combined. This horrible trend in our Nation must be stopped. We should be working to enhance the safety of our children and not reduce it.

Tennille Jefferson, the mother of a child victim, understands only too well what dangers can result from negligent gun dealers. On April 19, 1999, her son Nathan was shot and killed by a young boy who found the gun on the street, a gun belonging to a gun trafficker named Perry Bruce, who bought the gun from a disreputable gun dealer. The gun dealer sold Perry Bruce guns, despite many obvious signs that he was trafficking in guns. Bruce had shown a welfare card as his only form of identification. Yet somehow he was never questioned about how he managed to scrape up the thousands of dollars necessary to purchase 10 guns.

The gun trafficker, Mr. Bruce, admitted the gun dealer "had to know what I was doing," and that he was high on marijuana each time he bought guns from this company. But the dealer acted recklessly. He had the information. Yet he sold the guns to Bruce. The result was the death of Nathan Jefferson. If this bill passes, families like the Jeffersons will not be able to hold the negligent, careless, irresponsible dealers and manufacturers who sell them to be liable for the murder of innocent children. This bill chooses special interests over the innocents. It is a sad commentary on this Senate. To be blunt, this immunity bill is a form of child abuse. We still have a chance to reverse the course and I hope we are going to do it. Meanwhile, I urge my colleagues to support this amendment and preserve the rights of America's children.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from West Virginia.

#### A BUDGET OF GIMMICKS, FALSE PROMISES, AND UNREALISTIC EXPECTATIONS

Mr. BYRD. Mr. President, with the release of the President's budget for the fiscal year 2005, and the upcoming markup of the fiscal year 2005 budget resolution, it is now clear the promises made by this administration during the 2000 election have not been kept. Contrary to the promise made 4 years ago to ensure the Social Security benefits promised to our Nation's workers, our retirement and disability system has become more vulnerable.

Contrary to the promise made 4 years ago to make health care more affordable, drug prices continue to rise and health insurance remains unobtainable for too many Americans.

Contrary to the promise made 4 years ago to protect our Nation's vital industry, this administration's tax and trade policies have been an unmitigated disaster with an alarming number of jobs being lost overseas.

Contrary to those assurances that it could be trusted to act as a prudent and responsible manager of our Nation's fiscal policies, the Bush administration has demonstrated neither prudence nor fiscal responsibility.

In his February 2001 address to a joint session of Congress, the President promised to pay down \$2 trillion in debt during the next 10 years. He said that is "more debt repaid more quickly than has ever been repaid by any nation at any time in history."

The President has not kept that promise.

Since President Bush submitted his fiscal year 2002 budget, our gross national debt has increased from \$5.6 trillion to \$7 trillion, and deficits have risen to \$521 billion in fiscal year 2004.

With the deficit projections mounting, the cries of alarm are growing steadily louder. The IMF—an inter-

national organization normally concerned with the debt problems of third world nations—has issued an alarming critique of the United States, pleading with the Bush administration to rein in its massive budget and trade deficits. Similar warnings have emanated from Federal Reserve Chairman Alan Greenspan, former Treasury Secretary Robert Rubin, and the U.S. Comptroller General, David Walker.

Even the administration's own political allies, ranging from the conservative Heritage Foundation to private sector economists who endorsed the President's tax cuts, have pleaded with this administration to get its fiscal act together. Yet these warnings fall on deaf ears in this administration.

After spending \$1.7 billion to finance three enormous tax cuts in the last 3 years, the President's budget proposes an additional \$1.24 trillion—in other words, that is one and a quarter trillion dollars—for more tax cuts.

President Bush's assertion that his budget will cut the deficit in half by 2009 is one more in a litany of promises that will go unfulfilled.

The Bush administration's own budget documents show that if none of its proposals were enacted into law, the deficit would still be cut in half.

The President's budget actually makes the deficit worse in 2009 than if the Congress took no action at all.

For the fiscal years 2001 through 2010, this administration's policies have transformed a 10-year, \$5.6 trillion surplus into a \$4 trillion deficit—and it just keeps getting worse.

The President's budget includes record deficit projections that will push our national debt to extreme limits never before seen in our Nation's history, or any other nation's history for that matter.

President Bush's budget is a wake-up call for working Americans. Under the guise of inviting middle class workers to sit at the table and share in the tax cut, this administration ran up a tab that won't be paid for by those with golden parachutes. It will be the working man—the man who works with his hands, in many instances, or most. It will be the working man who gets stuck with the bill—the working man, the forgotten man in this administration. In this administration's tenure, the working man is the forgotten man.

Instead of ensuring the Social Security benefits promised to workers—here me out there—the President's budget would spend the entire Social Security surplus over the next 5 years—all \$1.1 trillion of it—to pay for the administration's tax cuts for the affluent and for the corporate elite. Not one thin dime would be allocated to save your Social Security.

I remember life in the coalfields life in southern West Virginia when there was no Social Security. We had the old Raleigh County poor farm. Raleigh County is in south-central West Virginia, a great coal-producing county over the years. I remember the old

county poor farm out at Shady Springs.

It used to be when folks became old—and there in those coalfields they became old early—when they became old, they could no longer get a job. A person who was 60 years old, I can remember when I was a boy, was an old man. Sixty years old, that was old. Fifty-five years of age or 60 years of age was considered old. There was no Social Security when they became old. Those men and women who had given their best years in the toil and labor had given their best years. And they could no longer get work. The only thing they could do would be to go to the gates of their children with their hats in their hand and hope their children could take them in. Many of them went to that old county poor farm. No Social Security.

Then like the rays of hope breaking away the shadows in those West Virginia mountains, a new President, a crippled President, Franklin D. Roosevelt, came to the helm of this shipless state. He and a Democratic Congress enacted a law bringing to the country and to the old folks Social Security. I remember when those first Social Security checks came. A check came to my house where my old coal miner father—he was not my father, he was my foster father—received a check. And my mom, who was my aunt, had taken me to raise when my mother died in the great influenza in 1918. So the Byrds took me in and raised me and they drew a Social Security check.

So I know what it meant for those who had to depend upon Social Security, and those out in the plains, mountains, the prairies, and the valleys of America, who still depend upon Social Security.

But even the enormous surpluses in the Social Security accounts cannot cover the colossal cost of the administration's tax cuts. President Bush's budget would also cut the funding for those Federal programs that most benefit working families: Federal student aid, unemployment and job training programs, health care initiative for veterans and the poor and the elderly by a whopping \$50 billion to pay for the administration's tax cuts. Hear me, out there. And still it is not enough.

After Draconian spending cuts on the loss of the entire Social Security surplus, the President's budget proposes to borrow an additional \$1.4 trillion. How long does it take to count \$1 trillion? At the rate of \$1 per second, how long would it take to count \$1 trillion? A thousand years? Two thousand years? Thirty-six thousand years.

The President's budget proposes to borrow an additional \$1.4 trillion, much of it from countries such as China and entities like OPEC, to pay for what? To pay for its tax cuts, tax cuts for the well-to-do, tax cuts for the wealthy. I say to the people from West Virginia who may be watching, there are not many of you included in that group.

When you look at the promises of this administration on the one hand

versus the performance on the other hand and the massive increases in the national debt necessary to finance their ill-conceived fiscal policies, our Nation would be left with a Bush debt gap of \$4.5 trillion.

The administration is forcing working class Americans not only to shoulder a massive debt burden but also to give up those Federal programs and services from which they most benefit. The President's tax cuts are squeezing State revenue, forcing increases in tuition rates. The cost of attendance at a 4-year public college or university has gone up 26 percent since Mr. Bush became President, from an average of \$8,418 in the year 2000 to \$10,636 in 2003. Let me say that again: The cost of attending a 4-year public college or university has gone up 26 percent since Mr. Bush became President, from an average of \$8,418 in 2000 to \$10,636 in 2003. Interest rates on student loans will increase, while Pell grant moneys and Federal student aid programs are rolled back.

Drug prices will continue to increase and veterans and senior citizens—the old folks; I can call them senior citizens; I can call them old folks because I am one of them, thank God—veterans and seniors will continue to see their savings depleted while cuts are made in those programs that help to provide them with basic health care.

Workers' pensions will remain underfunded and vulnerable while this administration stands passively mute. Social Security's financing problems will continue to worsen as money that should be saved to ensure the benefits promised to workers is wasted on an ideological fiscal policy that advocates tax cuts above all else.

The financial perils underlying the Social Security Program were brought to light this week when Federal Reserve Chairman Alan Greenspan forced the President to confront the fact that his administration has been for 3 years hiding from the facts. Namely, if we continue on the fiscal course set by this administration, we will lose the only opportunity that we will have left to save Social Security. Congress has a responsibility to better educate the public about their Social Security system.

The panic—have you ever heard panic in the voice of someone? The panic in the voices of my constituents as they called my office yesterday made it clear that more must be done to keep the public informed.

What is regrettable is that the real problems confronting future Social Security retirees have only recently surfaced in the Presidential debates—how about that—only recently surfaced in the Presidential debates.

What is unforgivable, however, is if it were not for Chairman Greenspan's comments, this administration may not have even raised it as an issue this year. The President's evasive remarks have been to assure the American people that he will not cut the benefits of

retirees or those near retirement. But what does that mean for 59-year-olds? What does that mean for 60-year-olds? Oh, I wish I could say I was 60 again. Maybe not. Maybe not.

What does that mean for 59-year-olds or 60-year-olds? Will the President try to cut their Social Security benefits or not? To cut Social Security benefits, without first engaging the public about its intentions, should tell us a great deal about the fiscal priorities and methods of this administration.

In the face of this dismal reality, the administration does not offer solutions, it offers excuses—just excuses. This administration can only argue that their budgetary decisions are not their fault. The recession and out-of-control spending is to blame for massive deficits. Corporate accounting scandals are to blame for weak pension funds. The September 11 terrorists are to blame for the shoddy economy.

All of these arguments are belied by the facts.

Our investments in education, health care, transportation, and other domestic discretionary programs are not the source of this administration's deficit problems. Domestic discretionary comprises only 9 percent of the increase in spending over the last 3 years, and it represents only 17 percent of all Federal spending. President Bush's budget does not even look at mandatory expenditures for savings even though they comprise two-thirds of the Federal budget. While the President's proposed spending cuts would significantly undermine our education and health care investments, it would barely make a dent in the administration's deficit projections.

Meanwhile, the Defense Department is plagued with accounting problems so severe that the Secretary of Defense cannot account for billions of taxpayers' dollars. The General Accounting Office estimates that the very earliest that the Defense Department could possibly pass an audit would be the year 2007, and that is optimistic. The administration does not even know how much time and how much money it will take to fix the accounting problems.

It is absurd that the administration is proposing to cut vital domestic investments while billions and billions and billions of dollars are lost every year in the Pentagon's broken accounting system. The administration's deficits have exploded, and they have exploded in large measure because revenues as a percentage of our gross domestic product have declined to their lowest levels since 1950—1950. According to the House Budget Committee, the three Bush tax cuts have increased the deficit by nearly \$2.6 trillion from 2001 to 2013.

The notion that the administration's deficits were created by a poor economy and increased spending is pure fantasy. It is made all the worse by this administration's efforts to hide these facts from the public—from you,

you. They say it is your money. The administration is touting the tough choices it is making to cut the deficit in half over 5 years. Yet its budget is full of “magic asterisks” that assume an initiative will be offset, such as the \$65 billion health care tax credit but provides no information on from where that savings will come.

Contrary to the Bush administration's past budgets, with surplus projections extending out 10 years to justify their tax cuts, this year President Bush proposed a 5-year budget—a 5-year budget. It hides from the public the alarming long-term deficits projected by the Congressional Budget Office. It hides the real cost of the administration's proposals, such as the \$1.1 trillion cost of extending the Bush tax cuts. Further, President Bush's budget includes no additional funds for Iraq, even though the administration reportedly will submit another supplemental request for Iraq—when? After the November elections.

Not many of you, perhaps, are old enough to remember the old vaudeville shows, where they would tell you, “Watch this hand,” while they were doing something they did not tell you about with the other hand, or, “Now you see it; now you don't.”

So they do not tell us how much money they need for Iraq, but they reportedly will submit another supplemental for Iraq after the November elections.

Here, perhaps more than anywhere else, is where the budget deficit is the most deceptive.

To date, contrary to the modern tradition of an administration funding large-scale, ongoing wars, at least in part, through the regular appropriations process, the Bush administration has refused to request funds for the war in Iraq in its annual budget.

Why? They do not want you to know. They want the American people to be fooled. The administration waits until funds for the troops are almost exhausted before requesting additional funds through a supplemental—through a supplemental. The Bush administration's purpose is clear. What is it? To limit debate, to limit discussion, to limit having to explain to those people out there who are watching the Senate through those electronic lenses—to limit having to explain to the American people how much this war will cost. This unnecessary war, how much will it cost, this war which the American people should never have fought, never. They were fooled, then, into believing there were weapons of mass destruction all over Iraq and that we were in danger of seeing a mushroom cloud. But to date there have been none found. This administration, which will argue until they are blue in the face that black is white and white is black, will still say: Oh, there are still weapons of mass destruction there; we just have not found them yet. They are there. Well, who knows? Maybe they will be. But that is not the

way it was when the administration proposed our invasion of Iraq early last year.

How much will it cost, to say nothing of how many lives will be lost before it is over? How many lives? On how many doors will that knock fall before the war ends?

See, we have two wars. We have the war in Afghanistan, which resulted from the attacks upon us on the Twin Towers, on the Pentagon—the attacks by al-Qaida, by the 19 hijackers, not one of whom was an Iraqi. Not one was from Iraq. That is the war that is still going on in Afghanistan. That is the war I support. That is the war I have supported from the beginning. But I have never supported the other war, the Bush war, the war still going on in Iraq, the war that comes under the rubric of the doctrine of preemptive strikes. That is another war. That is the Bush war in Iraq. That is the war in which the American people should never have had to spill a drop of blood. The American people should never have had to send one of their sons or daughters to fight. That is the Bush war, and nobody knows how many more lives will be lost before that war is over.

This year, the political posturing has gotten worse. Not only did the President not include any funds in his budget for the ongoing operations in Iraq, the administration has announced no supplemental will be sent to the Congress until after the November election, depriving the American voters of any opportunity to judge the President based on his promises about the cost of a war in Iraq. This is a budget of gimmicks, false promises, unrealistic expectations. It is a budget of misdirection, canards, speciousness, spuriousness, sophistry, equivocation, fallacies, prevarications, and flatout fantasy.

Worse, under the guise of reining in budget deficits, this administration is continuing its assault on the values of the working class. This is an administration of corporate CEOs and Texas oil men. The corporate elite of this administration did not grow up wondering if their parents could afford to send them to college. Their parents did not have to choose between paying for groceries and paying for health care. Their parents did not have to stay up late at night worried about whether they would lose their pension benefits or whether Social Security would be enough to provide for their retirement.

When the administration proposes to cut these programs or fails to provide adequate resources for them, it is because it has no personal understanding of the plight of American workers and how much the President's budget cuts affect middle-class Americans.

Only a President who never had to apply for unemployment benefits would oppose extending them when so many workers are without a job. Only a President who never needed overtime pay would advocate taking it away from those workers who rely on it to make ends meet. Only a President who

never needed Federal aid to attend college would advocate cutting it back for those students who cannot attend college without it.

When this administration leaves office—and I hope it won't be long—its legacy will be an enormous debt, an enormous debt burden that will weigh heavily on the middle class. In the process, it will have severely weakened their safety net and will have left little means for fixing it. But it won't matter to this President. At that point, he will just move back to Texas, back to good old Crawford, TX, knowing that his pension and his health care benefits are secure, and that corporate CEOs and Texas oil men are wealthier and more comfortable than ever before. He will never have to rely on the safety net his administration has worked so hard to dismantle.

Mr. President, I yield the floor.

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#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is now in morning business.

The Senator from North Dakota is recognized.

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#### THANKING SENATOR BYRD

Mr. CONRAD. Mr. President, I want to thank our very able senior Senator from West Virginia, former majority leader, ranking member on the Appropriations Committee, for his wisdom. Every time I have a chance to listen to Senator ROBERT BYRD, I treasure it. Senator BYRD has a mix of wisdom and experience that informs his remarks.

Mr. BYRD. If the Senator will yield, I apologize for interrupting his remarks. I thank the Senator for his words. I thank him, however, far more for his wisdom and for his courage, and for his insight, and for his constructive contributions that are made so often to the debates in the Senate. I marvel at his talent. He is not one who has hidden his talents. He is out front, outspoken, and I listen always with great admiration. May he long continue to serve the people of the United States in this Senate in the capacity which he now serves, in which capacity he would have no peer; I have not seen a peer yet. I thank him again.

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#### PRESIDENT BUSH'S ECONOMIC POLICY

Mr. CONRAD. Mr. President, I want to talk for a few moments about many of the subjects Senator BYRD addressed. I think this week has been a wake-up call to the United States, for the Senate, for the House of Representatives, and I hope for the White House, because this week the chairman of the Federal Reserve, Chairman Greenspan, as the Washington Post headlined from the next morning indicates: “Fed Chief Urges Cut in Social Security.” The subhead says: “Future Benefits Must Be Curtailed, Greenspan Warns.”