

we had to move forward on was Amtrak, a bill that had been in the Republican leadership for years not moving forward. We decided we would move forward on it, and we passed it. What was the first amendment offered? A tax amendment. It had absolutely nothing to do with Amtrak. We can't have these bills in the waning weeks of this Congress, when people are waiting around for all kinds of things they want to do on Iraq and Afghanistan and the military and immigration.

I guess the Republicans think they have a good issue on immigration, to bash immigrants. They have all kinds of issues they want on immigration. They are waiting in the wings to offer these amendments. We can see that on the farm bill. A number of the 287 amendments filed have been dealing with immigration. We can't open the farm bill during the time we are trying to pass FISA, trying to pass the farm bill, AMT, do our spending bills.

How much more reasonable could I be in trying to shorten the time? I said: Republicans take 10; we will take 5. No. So Senator HARKIN comes to me and Senator CHAMBLISS. They have it down to less than 40. I said: Take the deal; we will agree to it. We don't even want time agreements on the amendments. How much more reasonable can we be? We can't be. Whatever we come up with, the Republicans would not agree to it because they do not want us to have a farm bill. So why don't they just acknowledge that. They are acknowledging it by their stopping us from having any kind of agreement.

I agree with the Republican leader, once we got on the bill, we could move forward with these amendments quickly. But that is where we are.

According to my friend—and I think these are the words he said—it is offensive to pay for these tax cuts. Let's follow this. It is offensive to pay for the tax cuts? That has been the Republican mantra for 7 years. And where are we? When President Bush took office, there was a \$7 trillion surplus over 10 years. Where are we now? We are approaching a \$10 trillion debt. Everything the Republicans have done with their spending has not been paid for, and their tax cuts have not been paid for.

As with the Clinton administration, we adopted pay-go. That is in our budget. If we have a program that is new, we have to pay for it. That doesn't sound unreasonable. That is what the American people want. If they buy a new car, a new refrigerator, they have to pay for it. There is only so much credit in the world. This Government has exceeded its credit limit. The credit card no longer works.

We also believe the tax cuts, which have given us red ink as far as you can see, created by the Republicans, should come to an end. If there are going to be further tax cuts, we should pay for them. That is the right thing to do. That is all we are saying with the AMT. Pay for these tax cuts. This is a tax cut. It should be paid for. I don't know what is offensive about that.

I would further say we are willing to meet the minority more than halfway—halfway, of course, but more than halfway. We have proven that as we have worked through legislation this year. It has been hard. It has been a slog. I understand how disappointed the Republicans are that we are in the majority. It was a surprise to a lot of people when last November we took the majority of the Senate. We won seats that no one expected us to win. But we are in the majority, no matter how slim. We have had some accomplishments, and we are proud of those. But more importantly, we believe in change. We believe we are agents of change for America. The Republicans are agents of the status quo. The American people will have to judge whom they want to support. Do they want to support those who want to keep things the way they are in Iraq and every other bad situation we find ourselves in as a country or do they want to move forward with us and work for change? That is where we are.

I think we are on the right side. I hope during these next couple of weeks we can work together and do some good things for the country. We are willing to go more than halfway. Take AMT, for example. Let's go over that again. I have tried everything I can, offering unanimous consent requests which have been objected to. Vote on the House bill. No. Vote on what we have in the Senate. No. Vote on what Senator LOTT wants: just to repeal it and have another trillion dollars of red ink. No. Not willing to do that.

So today I said: OK, let's vote on not even paying for it. How about that? I have heard no clamor from the Republicans, yes, that sounds like a good idea. What more could we do?

The word is that there are people—and how big the number is we don't know, but we know in the Senate it doesn't take a big majority to cause problems—there are many Republican Senators who don't want us to put the patch for AMT so they can go around, as I told Senator MCCONNELL this morning, pointing fingers at each other about whose fault it is that these people in America with \$75,000 to \$500,000 in income are going to get a tax increase. How much more reasonable could we be? Have we gone more than halfway? The answer is obviously yes. We want to legislate. We do not want to block things from happening.

If someone can show me how I am unreasonable with my proposal on AMT, I would be happy to sit down and talk to them. I don't know how I could be more reasonable.

The PRESIDING OFFICER (Mr. MENENDEZ). The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, others have been waiting patiently to speak. Let me say with regard to AMT, this is existing law we are trying to extend. With regard to the extenders, there is existing law we are trying to extend. We should not use that as an

excuse to raise taxes on a whole lot of other Americans. That is something that virtually every member of my conference feels strongly about. We are going to continue to talk about it. I am still optimistic we are going to be able to get this worked out. The majority leader and I are good friends, and we are going to continue to work on all these issues in the hope that we can go forward in the few weeks remaining before Christmas.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period of morning business for 60 minutes with the time equally divided and controlled between the two leaders or their designees and with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 2411 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

UNANIMOUS-CONSENT REQUEST— S. 1662

Mr. WYDEN. Mr. President, with the indulgence of the Senator from Oklahoma, at this time, on behalf of Senator KERRY, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 422, S. 1662; that the amendment at the desk be considered and agreed to; the committee-reported amendment, as amended, be agreed to; the bill, as amended, be read a third time; that the Small Business and Entrepreneurship Committee then be discharged of H.R. 3567, the House companion, and all after the enacting clause be stricken, the text of S. 1662, as amended, be inserted in lieu thereof, the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that S. 1662 be returned to the calendar, with all of the above occurring without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, I object and will take my morning hour time to explain why.

The PRESIDING OFFICER. Objection is heard.

CREDIT CARD BILLS

Mr. COBURN. Mr. President, I say to the Senator from Oregon, I look forward to looking at the bill he just introduced. I, too, am very concerned. We

had a hearing yesterday in the Homeland Security Oversight Subcommittee on credit card bills. There was some very revealing information. I think the Senator is addressing a problem we need to look at on the Senate floor. I will look at his legislation, and hopefully I will be able to cosponsor it with him.

LEGISLATIVE AND APPROPRIATIONS PROCESS

Mr. COBURN. Mr. President, let me, first of all, take a minute to talk about this bill for which unanimous consent was just requested. I think it is important in light of what the majority leader just said. Here we have a bill for which unanimous consent was requested. The American people need to understand what it means to get unanimous consent. It means all of us agree to it. It does not need to be further amended, it does not need to be changed, and it should be passed without ever having a vote on it.

This bill has a section in it that so far has lost over \$3.5 billion of your money doing venture capital investing by the Small Business Administration. The OMB analysis says there is absolutely no need for this venture capital investment, especially because of the fact it has lost such a great amount of money. And venture capital investing itself is a highly risky business that requires tremendously acute knowledge and people of great acumen in terms of investing, and they lose lots of money investing.

The last thing we ought to be doing at the end of a session is passing a bill without vetting it, without debating it, without talking about the problems that are in the bill. This portion of the bill, the portion that is the Small Business Venture Capital Act, if anything, should come out of this bill. We should not reauthorize something that has lost already in excess of \$3 billion, and something for which we do not get to look at the results until 10 years after it happens.

The last thing we ought to be doing is investing the American people's money in venture capital when we cannot pay for the things we need to be paying for that the American people are dependent on. I look forward to working with Senator KERRY. I have had a good relationship with him. We will sit down and talk about this bill. But I think it highlights what we need to be doing and not spending time in quorum calls but spending time debating bills.

I also want to spend a minute on this issue. I think the American people ought to be asking us about this. Here we sit, and we have one appropriations bill passed for the year that started October 1. I think I am correct. Other than the THUD bill, there has been no objection raised by the minority to proceeding to any of the appropriations bills. As a matter of fact, the choice was made not to bring up the appro-

priations bills in a timely manner and debate them because of the choice it was not a priority.

I do recall the tremendous criticism we rightly received for what happened last year in the appropriations process. What is going to happen? I am happy to be here for Christmas to do the business we should have already done. But let me lay out what will happen, and then let me also give a warning. At the end of sessions, what happens is we get the request to pass all sorts of legislation—much like this bill to which I just objected. Committees do good work on legislation. But a bill that has passed committee has to be agreed to by a majority of the Senators to be able to become law.

When we do unanimous consents, that means we are going to let it pass without looking at it, without amending it, and without voting on it. Well, at the end of the year, the time pressure comes. Everybody wants to get something passed. So what happens is we do a poor job of legislating because we do not look at it. We do not amend it. We do not have a debate so the American people can know about it. We just pass it.

I sent a letter to all of my colleagues today outlining and reinforcing four statements I made at the first of this year. I will object to any bill coming forward by unanimous consent at the end of the session unless it meets the requirements I laid out. That means no new authorizations unless you deauthorize something else. We are not going to grow the Government any more when we cannot pay for the Government we have. No. 2, it has to be constitutional. It has to be a true duty of the Federal Government, not an obligation of the State governments that we are going to stand up for, when they have a \$6 billion to \$7 billion surplus. Easily, when you look at any combination of any 10 States, they have an over \$36 billion surplus totally, and we are running, in real numbers—non-Enron accounting but real numbers—a \$250 billion surplus.

I am not going to allow—unless we want to put it on the Senate floor, unless we want to debate it—I am not going to allow us to pass bills at the end of the session by unanimous consent. So if you have a bill that you want to try to pass by unanimous consent, I would suggest we sit down and talk about it now, not 2 weeks from tomorrow but now. If they come in the last week, we will not have the time to look at them. So not agreeing to unanimously consider the bill as passed will be the standard fare.

Now, let's talk about the appropriations process. What we have is \$23 billion more than what we agreed we are going to pass in total for the appropriations bills, not counting the emergency things we have already done that we have charged to our grandchildren. As the game is played in Washington, what will come is the pressure of chicken. We are going to play chicken

because we chose not to do the appropriations bills at the appropriate time, and lots of Members have lots of earmarks in bills.

So they do not want us to continue to fund where we are. They want us to have an omnibus bill where we can have all these earmarks, about \$26 billion worth of earmarks, so we can look good at home—not competitively bid, not based on priorities but based on our political priorities individually as Senators. We are going to spend about \$23 billion more than what we said we are going to spend. That \$23 billion is almost \$300 billion over the next 10 years. And we are fighting about \$80 billion on an AMT fix for 1 year. But we are not concentrating on the fact we are going to institute \$300 billion worth of more spending.

I will remind my colleagues again, we do not have to raise taxes. We can eliminate the AMT. What we do not want to do, and what we fail to do, is get rid of the waste, fraud, abuse, and duplication that numbers in excess of \$250 billion every year—every year—because we will not do the hard work of oversight.

So we are going to line up, and we are going to get a package from the House, and we are going to get a chance to vote on it, and the President has already said he is going to veto it if it has this excess number and all these earmarks in it. I would think this would be better than playing chicken: Why don't we live within our means like every family has to? That \$250 billion comes to 20 percent of everything we spend in the discretionary budget. If you ask homeowners and families who are having a lot of pressure now, would they dare waste 20 percent of their budget, would they dare not look and reconsider how they are spending their money when it comes to their family budget, they would not. Yet we continuously refuse to do the hard work of oversight. We do not want to offend anybody. In the process we are offending the next two generations. My hope is we don't end up here at Christmas, but I was dead serious when I took my oath. I am going to defend the Constitution and I am going to work to make sure bills that are outside of that Constitution don't pass this body. I am going to defend my obligation to the next two generations and the heritage this country was built on—one generation sacrificing for the next—so future opportunity is there. I am going to do everything in my power to not let \$23 billion of extra spending go through this Senate at the end of the year. Now, I may not be successful in that, but at the end of the day, I am going to sleep real well knowing I am fulfilling my oath, knowing that I know what the Constitution says. When we get outside the bounds of the Constitution, in terms of Federal responsibility, what we do is we say in name we are helping somebody and we are charging it to our grandchildren and undermining the very opportunity we all experience.