

town and feel like a million dollars. All of that is possible because of research, an expenditure in health care in this country. It is remarkable. It has been remarkably effective. The same is true with education.

My colleague from Illinois is going to follow me on the floor. He will remember—and I have told my colleagues this on previous occasions—he will remember Claude Pepper, who served with us in the U.S. House. The first time I went to Claude Pepper's office, I saw two pictures behind his chair. One was Orville and Wilbur Wright making the first airplane flight; it was autographed to Claude Pepper. Orville autographed the picture before he died. And then a photograph of Neil Armstrong standing on the moon, and that photograph was autographed to Congressman Pepper.

I thought, what is the interval between leaving the ground to fly, and flying to the moon? What is that interval? It is the most remarkable investment in human potential and in education compared to anywhere else on Earth. All of the kids that went to our school, that became the best scientists, the best engineers, the best at whatever they could be the best at, and we discovered we could develop the technology, through research, to learn how to fly, learn how to fly all the way to the moon. And standing on everyone's shoulders with accomplishment after accomplishment, we have now understood that virtually anything is possible. That comes from massive investment in education. That is what the interval in the two pictures told me—that investing in America's children in education has paid dividends far beyond our wildest imagination.

That is why I come here today.

Let me make one additional point with respect to family farmers. I have talked about investment in health care and education. Investment in America's family farmers is also one of the best investments our country has ever made. We have the best food in the world for the lowest percent of disposable income anywhere on the Earth. Who produces that food? A lot of families living out there in the country, by themselves, taking risks that almost no one else takes—the risk that they might lose everything they have, this spring, this summer, this fall if a seed doesn't grow, or if a seed grows and is destroyed by nature, or if it grows and is not destroyed and they harvest it and take it to the elevator and it is worth nothing. These family farmers just inherit, by the nature of what they do, the most significant risk you can imagine.

That is why this country, for 60 or 70 years, has said we want to try to help farmers when we have these price depressions, we want to build a bridge to help them over the price valleys. That is what this fight has been about in recent days here in Congress. That is what the President's veto is about—about trying to get this country to say,

during a time of severe crisis in family farming, during a time of abject price collapse, where the price of wheat has gone down 60 percent in 2 years—our farmers in North Dakota have lost 98 percent of their income in 1 year alone. Ask yourself, in any city, on any block, any occupation, what would happen to you if you lost 98 percent of your income? Would you be in a severe crisis? Despite that, what do we do about that? Can we extend a helping hand? Can we say, during these tough times, that we want to help you over this valley because we want you in our future?

Family farmers matter to this country. If we lose family farmers, we will have lost something about ourselves that is very important—broad-based economic ownership, with families living on the land and producing America's foodstuffs. That is what the fight is about. I am not saying one side is all right and the other side is all wrong. But I am saying to those who say that farmers aren't worth it at this point, just let them float in some mythical free market, that we just don't have the money, or those who perhaps would say if you use the money to save family farmers, it is "robbery"—I don't understand that.

This, after all, is about priorities. What are our priorities? What is important to us? A hundred years from now, everybody in this room will likely be dead. The only way anybody might determine about our value system as a people is to look at how we chose to spend our resources. What did we think was important? Education? Family farmers? Did we think it was important to deal with health care? What were our priorities?

President Clinton, at the start of this year, asked for the education priorities dealing with school construction and class size. He asked, at the start of this year, to deal with health care issues—Medicare, managed care, and the Patients' Bill of Rights. He asked, at the start of this year, for a tobacco reform bill. He asked, at the start of this year, for campaign finance reform.

Sadly, we now come to the 12th hour and we have a bunch of folks sitting in a room somewhere trying to negotiate probably a third of the Federal budget, or a third of the Federal spending, by themselves. I just think that is a terrible way for Congress to conduct its affairs. My hope is that when all of these fights are done and the dust has settled, we will have achieved a result that says the priorities for us at this point are to try to save family farmers during a time of crisis, the priorities for us are to invest in our kids and our schools, and the priorities for us are to decide that, in the future, we ought to do our work in Congress the way the law describes. Let's pass a budget, pass some bills, do the regular order, and not end up another session the way this session appears to be ending.

Mr. President, I know that the Senator from Illinois is waiting to speak. Let me also say, as I conclude, that the

Senator from Illinois has been very active on the issue of tobacco legislation, as well as education issues. I think he has been a remarkably effective addition to the U.S. Senate. It has been my pleasure to serve with him in the 105th Congress.

I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to address the Senate for 20 minutes.

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

#### THE 105TH CONGRESS

Mr. DURBIN. Mr. President, let me say at the outset to my friend from North Dakota, whom I served with in the House of Representatives, he has been not only our floor manager of debate during the course of this 105th Congress, but he has also been an active leader for his State. The leadership he showed along with Senator CONRAD, as well as Senators DASCHLE and JOHNSON of South Dakota, during the crisis that faced their States earlier when they dealt with floods and fires—it seems like all the furies at once—was the type of leadership that is extraordinary, and I thank him for that.

I know we are going to have even more discussion in the days ahead about the current agricultural crisis in his State. I see his colleague, Senator CONRAD, on the floor and I know that they are going to carefully monitor the debate going on now about an omnibus spending bill to try to do their best to help struggling farmers in their State—and, I add, in my State of Illinois, which has its own share of difficulties.

I have brought to the floor here a volume, which those of us in the Senate know very well, and perhaps those in the gallery may recognize, and those at home may find new. It is "The History of the U.S. Senate" compiled by one of our colleagues here, Senator ROBERT BYRD. He is the preeminent Senate historian. He has written this history to try to capture what the Senate means and what it has meant to the United States. I have seen it several times, and I have read portions of it. I am determined that I am going to finish it from cover to cover soon. I looked through it to try to remember if there was another Senate that you could point to that was parallel to what we are seeing here today.

This is the conclusion of my first 2 years in the U.S. Senate, representing my home State of Illinois. Prior to that, I served for 14 years in the House of Representatives. I am no stranger to Capitol Hill, but I am a newcomer to this body. I am surprised that I stand here today on October 12, some 12 days into the new fiscal year, and say that we are still here. We were supposed to be gone, supposed to have finished our

work and gone home. Unfortunately, we have not.

As the Senator from North Dakota indicated, there is a great deal still being debated. The size and scope of this debate is mind-boggling—that we would be talking at this moment about still having unresolved questions concerning about a third to a half of the Federal budget that we appropriate.

How can we be in on October 12 still talking about these things? It is because several things have occurred, which are not historic and not in a positive way. This Congress, this House and this Senate, under Republican leadership, failed to pass a budget resolution for the first time in 24 years. So what? Well, the budget resolution is supposed to be the game plan—not the President's game plan, but Congress' game plan—of how we will spend money and reach certain budgetary goals, as well as policy goals.

I can recall, in the 16 years I have been on the Hill, that there were long and arduous and heated debates about our goals. We would get them out of the way and pass the budget resolution, usually around the date it was due, which is April 15. Does that date ring a bell with people in the gallery? We all meet our obligation to pay our taxes on April 15. Congress was supposed to meet its obligation to pass a budget resolution by April 15, but it failed. It has now failed for almost 6 months.

A great deal of blame has been assigned to the President for this mess that we are in today in the 105th Congress. But any honest appraisal suggests that the President had nothing to do with the budget resolution. That was Congress' responsibility. The President doesn't even sign it. It is a resolution, not a law. The House passes it, the Senate passes another, they come to conference and agree, and then set out to spend the money. And they never could agree. The Republican House and the Republican Senate could not reach an agreement between them, and here we are today. That is unfortunate. Eight to ten of our appropriations bills have not been passed.

We are still working on theories and concepts when we should be wrapping things up and going home. We are going to pass stopgap spending measures to try to keep the Government going while we reach an agreement that should have started back on April 15.

I would like to address a couple of specific issues which this 105th Congress has failed to address as well, not just the budget but other issues equally important.

Earlier this afternoon, Senator KENNEDY of Massachusetts spoke to education issues, as did Senator GRAMM of Texas, and, to no one's surprise, there is a big difference of opinion about what we should do, if anything, about education. I, frankly, think that we have a responsibility at the Federal level. Certainly, the vast resources in-

vested in education come from State and local sources, but we invest some 6 to 7 percent at the Federal level for programs like title I. If your child is falling behind in the classroom, specialized tutoring is available through that Federal program and programs that are designed for disabled children. If you have a child who has a learning disability, a physical disability, some mental handicap, they may have a chance to come to a regular school and a classroom because of the Federal program. Vocational education, a critically important element, is one that I think we all understand is important for a lot of students who will never need to get a college degree but need a good job.

Federal expenditures—college loans, I wouldn't be standing here today without one. Frankly, I think that it is a good investment for all Americans. Yet, there are those who question whether or not there should even be a Department of Education.

In the senate debate in Illinois, the Republican candidate has said that he can't find the word "education" in the Constitution. He uses that for an argument that perhaps the Federal Government shouldn't be involved in it. I see it differently. I think the preamble to the Constitution about promoting the general welfare of America necessarily includes looking at education.

Think about the turn of the last century, from the 19th century to the 20th. And think about this for a moment. Between 1890 and 1910, in that 20-year period of time, on average in America we built one new high school every day for 20 years. What was going on? Was it a building by a Federal program? No. But it was a decision by States and localities that they were going to democratize education. So at the turn of the century, 10 percent of kids graduated from high school. By the 1930s, it was 30 percent. And now it is up over 90 percent. We have democratized education. What do we have to show for it?

Think about the comments of the Senator from North Dakota. Think about the dramatic progress we have made. Think about Orville and Wilbur Wright, and Neil Armstrong, to the return of JOHN GLENN from space. Incidentally, this is his desk right here—a man who serves in the Senate now, and on October 29 he will be launched into space again. We are all so excited about that prospect. But the fact that there is a space program and that we have come so far has a lot to do with education.

What will we do in the next century in terms of our investment in education? Will we step back and hope things will work out for the best, or will we show initiative?

President Clinton in his State of the Union Address in January of this year suggested an initiative that I think is a sensible one—100,000 new teachers. Can it make a difference? You bet it can. And 100,000 new cops across America has made a difference in commu-

nities from Cairo to Chicago in my home State of Illinois. And 100,000 new teachers would mean reducing class size until we can say that in K through 3, your child in the classroom will have no more than 17 classmates in the room. Ask any schoolteacher what the difference is between having 18 first graders and 30 first graders. It is dramatic.

A teacher spoke the other day here in the Capitol and said, "There are days in my classroom of 30 kids when I don't get a chance to speak to each individual child in the course of the day." She says, "I go home at night saddened because I have never really believed that you can educate a child unless you can connect personally."

President Clinton says 100,000 new teachers. The Republicans in the Senate and the House have not honored that. Now it is a subject of debate.

The President suggested in his State of the Union Address reducing class sizes for the lower grades. I honestly believe that if we want to graduate quality high school graduates, quality college graduates, you have to start at the beginning—childhood development, K through 3, the basics, reading and writing and spelling so that kids get a good start.

That is the President's program. That is one of the things we are debating. It is one of the things that has been seriously overlooked by this Congress. In fact, the Republicans in Congress have cut the title I program, specialized tutoring, for kids who might fall back a grade. They have cut teacher training at a time when our teachers should, frankly, be getting more skills instead of fewer. They have cut the summer jobs program for kids.

I can tell you a lot of kids don't have a chance to work during the summer. They not only don't make a few bucks and don't have a work experience, but they are tempted to do the wrong thing instead of the right thing. And they have cut technology grants to students and schools that need them so they can bring in the right technology. That is one of the things this 105th Congress has failed to do.

They talk about crumbling schools. One of the earlier speakers said it is really not a problem that we ought to worry about.

Take a look at this chart. K through 12 enrollment is at an all-time high, and is continuing to rise over the next 10 years. Where are these kids going to go to school? Where are their classrooms? Unfortunately, a lot of the classrooms that currently exist are deficient.

This year K through 12 enrollment reached an all-time high, and continues to rise for the next 7 years. We need 6,000 new public schools by 2006 just to maintain the current class size. Due to overcrowding in schools, they are using trailers for classrooms, undermining discipline and increasing student morale.

What about those existing classrooms and these crumbling schools? On

this particular issue, I salute my colleague, Senator CAROL MOSELEY-BRAUN of Illinois, who has really taken the national initiative on this.

Look at the state of current schools in America. Fourteen million children learn in substandard schools. Seven million children attend schools with asbestos, lead paint and radon in the ceilings or the walls. Twelve million children go to school under leaky roofs. One-third attend classrooms without enough panel outlets and electric wiring for computers. If we do nothing about this, the burden will shift considerably to the property taxpayers across America.

But if we have a Federal initiative, as the President suggested, to build and repair 5,000 schools, it is going to help the kids prepare for our clear needs with more enrollment and to reduce the burden on local property taxpayers.

Let me mention a few other issues that have failed in this Congress. One of the current questions that is asked of most pollsters in almost every poll is, Does this candidate really care about you? It is an open-ended question. It is an invitation for the person who is being asked the question to really say, "Well, I don't know if Senator so-and-so really cares about me. I would say no." Or yes, whatever it might be. I think the appropriate question for the 105th Congress is, Did the 105th Congress really care about you as Americans and American families? When it came to education, the cutbacks that I have talked about clearly are not responsive to the needs of many families trying to raise their children.

In the area of managed care reform, so that we would change health insurance to give doctors more say in treating us and our children, and those we love, so that hospitals would be able to make the right decisions for us medically rather than an insurance company, this Congress, this 105th Congress with the Republican leadership, failed to pass a Patients' Bill of Rights and managed care reform. For those families worried about quality health care, I am not certain that we have demonstrated that this Congress and this leadership in Congress cares about us.

An issue near and dear to me is the question of tobacco. I started this fight about 12 years ago when I banned smoking on airplanes, joining Frank LAUTENBERG of New Jersey in that effort. We had a chance this year, a historic opportunity because of the initiative of State attorneys general, to bring the tobacco companies and have them face their responsibility to the American people. We failed. We failed because 14 Republican Senators voted in an effort to stop us from having that happen.

That is a sad commentary, because while we languish in this body and cannot face our responsibilities to these tobacco companies, they continue to

market and sell their products to our children. I have never in my life met a parent who has said to me, "I have great news. My daughter came home last night and she started smoking." I have never met that parent. Maybe some day I will. Maybe some of the Senators in this body have met those parents. I have not.

As we have been unable to address this issue about tobacco companies, the number of American kids taking up smoking has risen 73 percent in the last 8 years. More than 1.2 million start smoking every day—kids under the age of 18—and are likely to be addicted, and one-third of them are likely to die because they did it. The rate of smoking—becoming smokers—is increasing. And this Senate turned its back and refused to take action to hold the tobacco companies accountable in their merchandising, their retailing and sales to kids—another failure of the 105th Congress.

Another one clearly is in the area of campaign finance reform. I mentioned managed care reform. Some insurance companies that don't provide good care didn't want to see managed care reform; they succeeded in the Senate. Certainly the tobacco companies didn't want to see us change the way that they sell their product, and they succeeded. Now take a look at the contributions in this campaign, find out which candidates receive the most money from just those two groups, for example, and you will find the same Senators who voted to kill the tobacco bill, voted to kill the Patients' Bill of Rights, will be the ones receiving the money.

We have tried on a bipartisan basis to pass campaign finance reform. This 105th Congress has failed. Nothing on education, nothing on managed care reform, nothing on tobacco reform, nothing on campaign finance reform, and no budget resolution, no effort to preserve Social Security or Medicare over the long term, no expenditures on behalf of the things that are critical for us.

This Congress has stepped away from its responsibilities. Some have called it the worst Congress that has ever served in this building. I am not certain I would go that far, although I searched Senator BYRD's history of the Senate to find a more ineffectual Senate, and I can't find one. But I will keep looking.

Another area where this Congress failed is when it comes to sensible gun control. Let's face it; the gun lobby holds sway in the Senate. Take a look at the rollcalls. Efforts that we have had by Senators BOXER and KOHL to require people to keep a trigger lock on their guns so that they are safely stored away from children failed on this floor. A bill which I introduced which held the owners of guns responsible to safely store their guns away from children was defeated.

I am not arguing about your right to own a gun here, but I say if you own one, for goodness sakes, store it safely

away from the child. The kids who are showing up in these schools and opening fire on their classmates and teachers are kids who have brought guns from home, guns that didn't have a trigger lock, guns that weren't locked away, guns that became instruments of death in the hand of a child. When a 4-year old can reach into a grandmother's purse, pull out a loaded handgun and shoot another 4-year-old, as happened last year in America, it raises a serious question about whether that gun owner has accepted her responsibility to store that gun safely.

That radical notion of holding gun owners responsible for storing their guns safely is the law in 15 States and was defeated soundly in this Chamber because the gun lobby didn't want it. And the Brady law, which has stopped literally hundreds of thousands of convicted felons, people with a history of serious mental illness and the like, from buying guns expired, and as it expires the waiting period of 3 to 5 days to check on the background is going to go away in many States.

This Senate and this House of Representatives failed to respond. Does this Senate, does this House care about families across America? When you look at the litany here, frankly, there is not much to point to.

Some have suggested it is not an ineffectual Senate or Congress; it is a retrograde Congress—one that is moving back, and I think that is true. We have now reached that pinnacle where we are moving toward a real balanced budget, and having reached that pinnacle many in leadership on the Republican side can't think of a reason why they are here. And failing that, they have failed the American people time and again on education, on health care and protecting our children.

I hope that in the closing hours, in some room here in the Capitol where the negotiators are sitting together trying to work out their differences, they will at least listen carefully to the administration and to the Democratic side. We do need to do something about education before we leave, something about 100,000 teachers across America and smaller classroom sizes. I hope we will have more money for title I, more money for summer jobs, more money for teachers and technology grants.

It is not likely we are going to have a Patients' Bill of Rights. It is not likely we are going to have a tobacco bill. We are certainly not going to have campaign finance reform. But in 3 weeks the voters of this country get a chance to go to the polls. They get to look forward and decide what their vision of the 106th Congress will be—more of the same or new and different leadership.

I hope that they agree, as I do, there is an important national agenda, an agenda which should be served whether the leadership is Democrat or Republican. This 105th Congress will put its tail between its legs and go whimpering out of town, back to their States,

back to their districts to carry on the campaigns, but we squandered an opportunity here, an opportunity to lead, an opportunity to show that we truly care about families across America.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. NICKLES. Mr. President, will the Senator yield to me for 30 seconds?

Mr. ASHCROFT. Without losing the floor, I would be happy to yield to the majority whip.

#### CHANGE OF VOTE

Mr. NICKLES. Mr. President, on roll-call No. 295, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. NICKLES. I thank my colleague from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I thank the Chair.

#### THE WORST OF ALL OUTCOMES: CLINTON SPENDS THE SOCIAL SECURITY SURPLUS

Mr. ASHCROFT. Mr. President, I believe these are times in which anyone, anywhere would wish to live—times of boundless opportunity when distant horizons are brought near. Since the second year of Ronald Reagan's first term, America has seen her GDP climb every year but one. Our unemployment rate stands at a historic low. Poverty has dropped by more than ten percent. And our budget is in surplus for the first time in a generation.

For the first time since 1969, the federal government will run a surplus estimated to be \$70 billion. It is a surplus that could allow us to do so much for so many. We could free American families from a debilitating tax burden or help the forgotten middle class keep more of what they earn with tax relief.

Beyond meaningful tax relief, the surplus offers another great potential—ensuring the long-term solvency of the Social Security Trust Fund.

The surplus is an opportunity for us to honor our commitment to the men who scaled the cliffs at Normandy and the mothers who sent their son to defend America's freedom halfway around the world. It is, Mr. President, a once in a lifetime chance for us to make the paper IOUs in the Social Security Trust Fund real—to pay our debts and keep our word. We can use the surplus to do this.

Unfortunately, the President and his apologists on Capitol Hill have a different plan. It is an attack given to platitudes rather than principle, an approach long on meaningless rhetoric

and short on meaningful reform. It is a plan that calls for a return to the profligate spending of yesterday at the cost of a brighter tomorrow.

As I suggested last Monday on the Senate floor, since late September the President has submitted a series of requests to fund new "emergency" spending initiatives. And, because current law subjects discretionary spending to annual caps through FY 2002, this so-called "emergency" spending would increase the discretionary spending caps, decrease the budget surplus, and take money from the Social Security Trust Fund.

And what are the President's "emergency" spending requests? What are the eleventh hour developments that have made Social Security's solvency a low priority instead of a high one? The President is proposing that the equivalent of at least 24% of this year's surplus—\$14.4 billion to date—be spent on a Bosnia deployment that is now four years old, government computer repairs, increased embassy security and a variety of other initiatives.

Now, I will be the first to concede that many of the President's requests constitute real and important funding issues. But emergencies? Mr. President, the lives of our elderly are too important for half-truths and doublespeak.

Social Security should not be betrayed by emergencies that are conjured up and have been anticipated for quite some time. The definition of an emergency is not something that we have known about for 4 years or 2 years or something that we are really trying to get money to spend in the last fiscal year and not in this one.

In his January 1998 State of the Union address, President Clinton made the following statement: "What should we do with this projected surplus? I have a simple four word answer: Save Social Security first. . . . I propose that we reserve 100 percent of the surplus—that's every penny of any surplus—for Social Security."

And just 10 days ago, the President repeated his demand again (October 2, 1998). "I made it clear and I want to make it clear again. . . . We simply have to set aside every penny of it [the budget surplus], . . . to save Social Security first."

Unfortunately, Mr. President, you can't have it both ways. We can't hide from the truth. More to the point, you can't save Social Security by wasting the surplus on mislabeled emergencies or more big spending. Even as I speak here, the President and his aides are working to see that our seniors' Social Security checks either are shipped overseas or squandered on more bureaucrats in Washington, DC, with more spending programs proposed for money to be shipped overseas or bigger bureaucracies here in the nation's capital. Tragically it is what Chairman Greenspan warned us about just weeks ago. Referring to whether the surplus should be spent, saved, or returned to the taxpayers, Greenspan said, ". . . I

am also, however, aware of the pressures that will exist to spend it, and that in my judgment would be the worst of all outcomes."

Greenspan says, ". . . the pressures . . . to spend it . . . would be the worst of all outcomes."

Mr. President, if increased spending is labeled as "emergency" as an accounting gimmick in order to authorize us to spend the surplus, I will not be a party to it. Labeling the taxpayers' money "emergency" doesn't make it any less wasteful. Just because it is called emergency doesn't prevent it from adding government and adding bureaucracy. As was said by another, putting a sign on a pig and calling it a dog doesn't make the pig any less of a pig. And there is going to be plenty of pork in this "Mother of All Pigs," that is coming to the Senate for its approval by way of a proposal for spending.

For example, the Wall Street Journal this morning reported that Labor, Health and Human Services and Education account for the single largest part of the Omnibus bill in terms of add-ons sought by the Administration. The President wants a total of \$1.6 billion, including almost \$1.2 billion for his "class size" initiative and another \$182 million for a child care block grant.

Mr. President, all of this \$1.6 billion dollars in increased education spending is paid for from the Social Security Trust Fund. The President has not offered one dime in spending cuts to pay for his "priorities," which he has labeled as "emergencies."

What is equally as shocking is that the underlying Labor/HHS/Education appropriations bill is estimated to be about \$4 billion over its spending allocation even before accounting for the extra money sought by the Administration this weekend.

The President should explain to the voters that his pledge to "save every penny of any surplus" was untrue. His promise to "save Social Security first" was just a slogan—offered during his State of the Union with a wink and a nod, and broken days later.

Only days after first promising to save the surplus, he submitted a budget to Congress calling for \$150 billion in additional spending. And in the entire legislative year since the President made his pledge, he has done nothing to fix the Social Security problem—and far too much to fix the blame. He has wasted this entire year, just as he is proposing to waste our seniors' Social Security checks on overseas deployments and projects.

If the President truly meant what he said about Social Security, he would propose real fixes instead of empty promises. If the President truly meant what he said about saving the surplus, he would not be trying to spend the taxpayer's money under the camouflage of bogus "emergencies."

This whole notion of false "emergency" spending is a dangerous ploy. It