

Now, it is true, that is down dramatically from the last year of the Bush administration, when the true deficit, instead of being \$290 billion, was really \$341 billion if you excluded the Social Security surplus. But if you exclude the Social Security surplus this year, instead of having a \$70 billion surplus, you have a \$35 billion deficit.

Some economists say, well, you really ought to put it all together. Well, maybe that is why they are economists. I can tell you this: If you were running a company and you tried to take the retirement funds of your employees and throw those into the pot, you would be in big trouble because that is a violation of the law. It is called fraud. You cannot take the retirement funds of your employees, throw those into the pot, and say you have balanced your operating budget. But that is what is done with the Federal budget.

So I think it is important to understand that while it is true we have made enormous progress, we have come down dramatically with respect to the deficit, and in fact in terms of a unified budget, we are balanced for the first time in 30 years. If we did not count the Social Security surplus, we would still have a deficit of \$35 billion.

Mr. President, let me just conclude by saying, the fact is, when I hear our colleagues say, No. 1, President Clinton is responsible for our failure to have a budget resolution, that is absolutely untrue. There is not a Member of this body who does not understand the President does not have one thing to do with the budget resolution. The budget resolution is just that—it is a resolution by both Houses of Congress. It is our responsibility to pass a budget resolution, and this Congress has failed.

For the first time in 24 years, there is no budget resolution. The Senate passed a budget resolution, but the Republicans in the House and the Republicans in the Senate could never agree, and so for months the appropriations bills were delayed. So here we are at the start of a new fiscal year—no budget, no appropriations bills, and we are sitting here wondering how it is going to end.

I think we know how it is going to end, Mr. President. It is going to end with a huge continuing resolution. There will probably be thousands of pages. There will probably be seven or eight appropriations bills all glommed into one package. And remember what Ronald Reagan said about that kind of process? He said in his 1987 State of the Union Address:

... the budget process is a sorry spectacle. The missing of deadlines and the nightmare of monstrous continuing resolutions packing hundreds of billions of dollars of spending into one bill must be stopped.

Our Republican friends in the House and the Senate must not have been listening to former President Reagan, because they have not stopped it. In fact, what they have done is, every year for the last 3 years that they have been in

control of this Senate and the House, that is exactly what they have done. They failed to do their work on time and, instead, they have handed us a stack of thousands of pages in a continuing resolution, with no time to review.

And Ronald Reagan said the very next year, on February 18 of 1988, in his budget message:

As I have stressed on numerous occasions, the current budget process is clearly unworkable and desperately needs a drastic overhaul. Last year, as in the year before, the Congress did not complete action on a budget until well past the beginning of the fiscal year. The Congress missed every deadline it had set for itself just 9 months earlier.

He could have been referring to this Congress, because this Congress has failed to meet every single budget deadline. In fact, for the first time in 24 years, they have produced no budget. Our colleague across the aisle was talking about how a family operates. I do not know many families that never bother to come up with a budget, but that is what has happened here under the leadership of our friends on the other side of the aisle. For the first time in 24 years, there is no budget—none. That is their failure, not the President's failure. It is their failure.

President Reagan went on to say that Congress missed every deadline. He said, "In the end, the Congress passed a year-long 1,057-page omnibus" appropriations bill with an accompanying conference report of over 1,000 pages and a reconciliation bill over 1,100 pages long.

President Reagan said:

Members of Congress had only 3 hours to consider all three items. Congress should not pass another massive continuing resolution [President Reagan said in 1988.]

He went on to say:

—and as I said in the State of the Union Address, if they do, I will not sign it.

What a difference 10 years makes. Ten years ago, a Republican President said there should not be passed another continuing resolution. But here we are with a Republican-controlled Congress who has failed to even write a budget. That is the most basic responsibility of any Congress, to write a budget. This Congress, under Republican control, has failed in that most basic duty for the first time in 24 years. Why? Because the Republicans in the U.S. Senate who did pass a budget resolution—we passed it on a bipartisan basis—could never get together with the Republicans in the House of Representatives. So what we have is a colossal failure.

I don't know how else to say it, but this is mismanagement on a grand scale. I hope people will remember what the record is because it does make a difference. America has enjoyed unprecedented prosperity in the last 5 years, prosperity that I believe came in significant part because of an economic plan that was passed in 1993, the 5-year budget plan, that actually did the job. It reduced the budget each

and every year. I will show the comparison chart again.

It reduced the budget each and every year since it was passed. When President Bush left town, he had a \$290 billion deficit. If you weren't counting Social Security surpluses, it was even worse than that; it was \$341 billion. Let's talk on a unified basis for a moment because that is how the press always reports it. Clinton came in and each and every year after we passed that 1993 plan, the deficit has come down. So now we have a \$70 billion surplus.

Again, I am quick to say I don't consider this a surplus because it is counting the Social Security surplus. Nonetheless, dramatic progress has been made in reducing the deficit. That has given rise to the strongest economy in almost anyone's memory.

Our friends on the other side who are now in control are responsible for a dramatic failure, a failure to write a budget for the United States of America. The result is, here we are, the new fiscal year has started, we have no budget, half the appropriations bills aren't done, they will all be rolled into a stack of paper that will be probably 3 feet high, it will be slammed on our desks, and we will be told to vote on it 3 hours later.

What a way to govern. What a way to manage.

It is not Bill Clinton's fault that no budget was written here. A budget resolution is the distinct responsibility of the Congress. This Congress has failed.

I yield the floor.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

The PRESIDING OFFICER. Under the previous order, H.J. Res 134, received today from the House, is deemed as passed.

The joint resolution (H.J. Res. 134) was considered read the third time and passed.

Mr. CONRAD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JEFFORDS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HOUSE-PASSAGE OF THE DIGITAL MILLENNIUM COPYRIGHT ACT CONFERENCE REPORT

Mr. HATCH. Mr. President, last Thursday the Senate approved, by unanimous consent, the conference report on H.R. 2281, the Digital Millennium Copyright Act (DMCA). I rise today to laud the House's action in adding its vote of approval to that of the Senate. The bill now goes to the President, who I expect will move