In celebration of Tartan Day, it was a pleasure to have The Rev. Campbell Gillon as the guest Chaplain and give our opening prayer this morning. Mr. Gillon is a native Scot who has served as the pastor of the Georgetown Presbyterian Church for 20 years. Our own Chaplain, Dr. Lloyd Ogilvie, who also serves as president of the St. Andrews Society of Washington, is the organizer of the Tartan Day Celebration here at the Capitol today. It's good to see both our Chaplain and the guest Chaplain in their tartan kilts. They are ready for a great day and weekend for the Scots. I'm proud of my own Scots heritage through the Watson clan and look forward to the ceremony this morning.

I will join our Chaplain and the guest Chaplain soon, as will my son and I am sure many other Senators of Scottish ancestry. This will be a great day, a great weekend for all Scots, both in America and in Scotland.

I want to make the Senate aware of the special occasion. Amongst all these amendments and this great debate of the budget resolution, I am sure the spirit of the Declaration of Arbroath will be felt throughout the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The ACTING PRESIDENT pro tempore. The Senator from Maine is recognized.

SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will immediately resume consideration of the budget resolution. There will be 10 minutes of debate on the Stabenow and Collins amendments with back-to-back votes to occur at 9:30. Following the votes, Senator CONRAD will be recognized to offer his amendment regarding debt reduction. As a reminder, first-degree amendments to the resolution must be filed by 2 p.m. today. Senators should expect another late session with votes into the night. Votes also will occur throughout the day tomorrow. I thank my colleagues for their attention.

Mr. REID. If the Senator will yield, Senator CONRAD has indicated to me his amendment will be offered by Senator DURBIN.

Ms. COLLINS. I thank the Senator for that clarification.

MEASURE PLACED ON THE CALENDAR—S. 700

Mr. LOTT. Mr. President, I understand there is a bill at the desk due for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (S. 700) to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

Mr. LOTT. Mr. President, I object to further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001–2011

The ACTING PRESIDING pro tempore. Under the previous order, the Senate will now resume consideration of H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

Pending:

Domenici amendment No. 170, in the nature of a substitute.

Motion to reconsider the vote by which Harkin amendment No. 185 (to amendment No. 170), listed above, was agreed to.

Collins amendment No. 190 (to amendment No. 170), to establish a reserve fund to eliminate further cuts in Medicare payments to home health agencies.

Stabenow/Johnson amendment No. 191 (to amendment No. 170), to eliminate further cuts in Medicare payments to home health agencies.

AMENDMENTS NOS. 190 AND 191

The ACTING PRESIDENT pro tempore. The Senate will now resume concurrent debate on the Collins amendment No. 190 and the Stabenow amendment No. 191 with the time to be equally divided. There will now be 10 minutes for explanation prior to votes on or in relation to the Collins amendment No. 190 and the Stabenow amendment No. 191.

Ms. COLLINS. Mr. President, I have offered an amendment that we will soon vote on that is intended to eliminate a further cut in Medicare reimbursements for home health agencies. The statistics tell the story. The combinations of cutbacks in Medicare payments and the onerous regulations imposed by the Clinton administration have cost some 900,000 Medicare patients—often our most frail and vulnerable senior citizens, as well as those citizens with considerable disabilities—to lose access to their home health care.

In Maine, more than 11,000 seniors and disabled citizens have lost their home health care services. Nationwide, 3,300 home health agencies have closed their doors or have stopped serving Medicare patients. And looming on the horizon is yet another 15-percent cutback in Medicare payments to home health agencies.

It is scheduled to go into effect on October 1 of next year. If it does go into effect, it will have a devastating impact that will further jeopardize access to home health services for our senior citizens.

The cutbacks have already caused tragedies. I discussed last night an elderly woman with advanced Alzheimer's disease in the State of Maine who had a number of other problems, who lost access to her home health care services, and as a result died from an untreated infection in her foot.

Surely, one of the dedicated home health nurses would have been able to treat that infection before it got out of control. That is just typical of the problems being created by the cutbacks in home health care.

My amendment establishes a $13.7 billion reserve fund that can be used only to restore Medicare payments to home health agencies. And it protects every dime of the Medicare HI trust fund.

By contrast, my colleague from Michigan has also offered an amendment that would take the money set aside for tax relief and place it in the Medicare budget account. Once there, the funds could be used for any purpose under the Medicare program. Under the amendment of my colleague, there is absolutely no guarantee whatsoever that the funds would be used for home health care. Indeed, there is no mention at all of home health care in the text of the amendment of my friend from Michigan.

In contrast, my amendment would bring us significantly closer to restoring Medicare home health payments. It sets aside $13.7 billion for home health—and home health alone. It also provides a mechanism to move subsequent legislation to eliminate the scheduled 15-percent reduction without being subject to a budget point of order.

I want to make a point clear. Under either approach, subsequent legislation will be needed to repeal the 15-percent reduction. That is precisely the situation that the reserve fund is designed to address.

We have used this approach before. We set aside funds in a reserve account just last year for the cervical and breast cancer program, and subsequently passed authorizing legislation that, because of the reserve account, was passed last year.

Mr. President, I see that my colleague from Missouri, who has been a tremendous leader on this issue, is on the floor as well. I want to make sure I leave some time for him. Could the Presiding Officer inform me how much time I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Ms. COLLINS. With that, let me yield my 1 minute. But let me make one point.

My amendment is endorsed by the National Association for Home Care and the Visiting Nurses Association of America. Those are the two organizations representing home health care providers.

I yield the remainder of my time to the Senator from Missouri.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized for 40 seconds.

Mr. BOND. Mr. President, a very brief comment, necessarily, on the two amendments.

The Democrats claim the difference is that their amendment will guarantee that the money will go to home health care. Unfortunately, that is not the way the amendment is drawn. That is not what will happen. Basically, the Democratic amendment simply says: You may spend more on Medicare, not necessarily on home health. The only thing it truly does is cut the money available for tax cuts. That leaves more money for spending in any area.

The Collins-Bond amendment sets aside a reserve fund specifically for home health. It cannot be used for anything else.

I urge my colleagues to support the Collins amendment and to oppose the Democratic amendment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Ms. STABENOW addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President. Good morning.

We have in front of us two approaches to addressing home health care needs and stopping the 15-percent cut that is scheduled to go into effect in October of 2002. I applaud my colleague from Maine for her commitment to this issue. I share that commitment, having worked very closely for 4 years in the House of Representatives with the agencies and associations involved in home health care.

I know we share a deep concern about the fact that there has been a 24-percent cut in patient care in home health care settings as a result of the Balanced Budget Act. I consider that an unintended consequence. I do not believe that it was intended that we see a 30-percent reduction in the number of agencies that serve Medicare patients. And as a result of that, we have seen this 15-percent cut delayed on three different occasions.

Today is the opportunity for us to send a strong message to the patients and families who rely on home health care, and the home health care agencies that do such a wonderful job, and say that, in fact, this cut will not take effect and they can proceed in providing quality care for our families.

The difference in the approach is that my colleague provides for a proposal that says ''if.'' And I will read this: ''subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare . . . Trust Fund:'' Then, and only then, would we have $13.7 billion available for home health care. Then, and only then, would we stop this incredibly devastating 15-percent cut that is scheduled to take effect.

I offer a different approach. It is very simple. We will protect home health care, period. We take the $13.7 billion off the top, as they say. We take a very minute amount of money away from what is, in effect, a $2.5 trillion tax cut that has been proposed by the President, to say that we are going to make sure the families of America have access to home health care; that seniors can live in dignity in their homes; that families who care for moms and dads and grandmas and grandpas can make sure that home health care services are available so they are not forced to choose a nursing home or another institution when it is not appropriate.

It is very clear; we have two approaches and the same amount of dollars. One says: Maybe, if all other things happen, we will stop the 15-percent cut in home health care.

My amendment very simply says: We take it off the top. We guarantee that we place home health care as a priority.

It certainly is a priority for our families. It needs to be a priority for this Congress. My amendment will simply make sure that that is the case.

I urge colleagues on both sides of the aisle who care deeply about home health care to join with me in guaranteeing that home health care is a priority of this Congress and to make sure this devastating 15-percent cut will not, in fact, take place.

I urge support for the amendment and yield to my colleague and friend from North Dakota.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the difference between these two amendments is very clear. The Senator from Michigan has an amendment that is paid for. The Senator from Maine has an amendment for which there will be no money if Medicare is being raided for other purposes, which we have seen time after time after time on the floor of the Senate over the last 2 days. The choice is very clear. If Senators want to support home health care, they had better support the Senator from Michigan. It is the only proposal that is paid for.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. LOTT. Mr. President, I yield myself such leader time as I might need, although I will be brief.

On the issue before us, the amendment by the Senator from Michigan, once again, this is a continuation of what I referred to yesterday: Fiddling while Rome is burning. Once again we are going to increase spending, albeit in a good cause, and we are going to take it away from tax relief for working Americans.

The Senator from Maine has a better alternative. I say again to all who are watching, the pattern is clear—spend more and tax more. That is what the Congress has been committed to for so many years, and we are trying to change that culture.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I will take time off the leader time.

We always welcome the majority leader to the floor, even when he makes statements that don't quite fit the facts. I say to my colleague this morning, I think he knows, as we all know, that the choice is not the choice between spending and a tax cut. It is really more complicated than that. It is the question of what is the appropriate mix of tax cut, debt paydown, and reserving resources for these high-priority domestic needs such as improving education and a prescription drug benefit.

The most stark differences are that we have reserved much more of the projected surplus for the paydown of national debt. They have a tax cut that is about twice as big as ours. We have about twice as much reserved for the paydown of our national debt, both short-term and long-term. We think that is a better set of priorities. We have also reserved additional resources for improving education and for a prescription drug benefit and for strengthening our national defense. We think those are the priorities of the American people.

The President has said very often this is the people's money. We agree with that. Absolutely, this is the people's money. Some of it should be returned to them in a tax cut. Some of it should be used to pay down our collective national debt. After all, that is the people's debt. We also ought to strengthen Social Security because that is the people's Social Security program. We ought to improve education for our kids because, after all, they are our kids. We also ought to do something about a priority that is as important as home health care. The Senator from Michigan has an amendment that is paid for, that would provide an assurance that the resources would be available to improve home health care. It deserves our support.

I reserve the remainder of leader time and yield the floor.

The PRESIDING OFFICER (Mr. ALLEN). The question is on agreeing to the Stabenow amendment No. 191.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—47

Akaka	Breaux	Conrad
Baucus	Byrd	Corzine
Bayh	Cantwell	Daschle
Biden	Carnahan	Dayton
Bingaman	Carper	Dodd
Boxer	Clinton	Dorgan

Durbin	Kerry	Reed
Edwards	Kohl	Reid
Feingold	Landrieu	Rockefeller
Feinstein	Leahy	Sarbanes
Graham	Levin	Schumer
Harkin	Lieberman	Stabenow
Hollings	Lincoln	Torricelli
Inouye	Mikulski	Wellstone
Johnson	Murray	Wyden
Kennedy	Nelson (FL)	

NAYS—53

Allard	Fitzgerald	Murkowski
Allen	Frist	Nelson (NE)
Bennett	Gramm	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
DeWine	Lugar	Thurmond
Domenici	McCain	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	

The amendment (No. 191) was rejected.

VOTE ON AMENDMENT NO. 190

The PRESIDING OFFICER. The question is now on agreeing to the Collins amendment.

Ms. COLLINS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—99

Akaka	Durbin	Lugar
Allard	Edwards	McCain
Allen	Ensign	McConnell
Baucus	Enzi	Mikulski
Bayh	Feingold	Miller
Bennett	Feinstein	Murkowski
Biden	Fitzgerald	Murray
Bingaman	Frist	Nelson (FL)
Bond	Graham	Nelson (NE)
Boxer	Gramm	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Helms	Sarbanes
Carnahan	Hollings	Schumer
Carper	Hutchinson	Sessions
Chafee	Hutchison	Shelby
Cleland	Inhofe	Smith (NH)
Clinton	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Corzine	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
Dayton	Leahy	Torricelli
DeWine	Levin	Voinovich
Dodd	Lieberman	Warner
Domenici	Lincoln	Wellstone
Dorgan	Lott	Wyden

NAYS—1

Byrd

The amendment (No. 190) ws agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I understand we have an order entered as to how we proceed. I want to take 5 minutes off the resolution just to talk with the Senate a little bit about where we are. I understand my friend wants to do the same. He is not limited, of course, to 5 minutes. But I want to start that.

Mr. President, I want Senators to know that both of us, as managers of this bill, find ourselves in a position where there are some very big conflicting desires. One desire is that we finish by noon tomorrow. It seems to be a rather pervasive one going around. Whenever you say: Would you like to finish at 12 tomorrow, the roof goes down with shouts of, ''Alleluia. Let's do it.''

We are trying to figure out how we can do that. The problem, fellow Senators—I speak to all Senators; and then my friend can speak to all, and he can include ours in his comments—it is not possible to do that. Some Senators have five, some have six, some requested three amendments. I don't know if there is anybody with any higher than six that we are aware of, but we have all these requests for amendments, and we want everybody to know we are aware of that. But we also want everybody to know that we are going to have to soon find a way to limit our time. When that happens, it is not going to be possible that all of these amendments are going to be considered. We have a time agreement now that says Senators who have amendments and want them considered have to get them turned in by 2 o'clock today. That is in just a few hours.

I hope my recalling that to Senators does not bring another rash of amendments. If you have them ready, I am hoping you will get them down here. I hope I did not remind you to come up with more because essentially there is not going to be time for more.

We are going to have to get our heads together—that is, the two leaders and the two managers—to talk about how we are going to attempt to assure Senators that we will be finished tomorrow at 12 o'clock. In that process, we have no way of setting a list of 40, 50 amendments that are all going to be considered. I think you understand that would not be the case. If we used all the time we have, many Senators would not get their amendments up other than a vote-athon. We are trying very hard to limit the vote-athon so it is credible, rational, and so people have a couple minutes and we don't just start voting.

With that, I urge anybody on our side who has amendments that they absolutely feel must be considered to talk with us. If they can get by with one amendment, if they have three pending and will put two of them in the vote-athon, and then get them one after another, and very quickly, we will very much appreciate that.

We are trying our best. All Senators should know we are trying to get a consent agreement so that we will be out of here by 12 tomorrow. That means people will get pushed back in terms of the number that can be considered and the time that can be used on amendments. We are going to do our very best on our side. We think we know the Senators who have insisted and worked very hard to make sure they get an opportunity. We are going to try to protect that.

Beyond that, I don't think we can guarantee very much. If indeed Senators want us to lead them to the promised land, the promised land, we thought, was to have a unanimous consent agreement sooner rather than later, saying we will be finished at 12 tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

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

Mr. CONRAD. Mr. President, I repeat the theme of the chairman of the Budget Committee on this question of what we have before us. We have had Members come to us and say: We very much want to conclude our work by noon tomorrow.

We want to be faithful to that charge. It is absolutely not possible to do that and to consider all of the amendments that have been reported to us. We have over 110 amendments. If we go into a vote-athon with 110 amendments, that will take 40 hours to complete with 3 votes an hour being conducted.

It is very important that the message go out to our colleagues: It is now time for us to exercise self-discipline. Every Senator has the right to offer their amendment and get it considered under the rules of the Budget Act. Unfortunately, that means if individual Members insist on their right to offer each and every one of the amendments that has been prepared, we are going to be here through Monday. That is just the hard reality of calculating the number of amendments, the amount of time, and how long it takes to vote. If people want to be here through Monday, voting every 20 minutes on an amendment, we can do that. Or we can exercise self-restraint and self-discipline and work with the managers and work with the leadership and winnow down the number of amendments and enter into time agreements so we can dispose of amendments as quickly and efficiently as possible.

One other thing: It is very important that we not have to hold the vote open for 30 minutes so colleagues who are late have a chance to vote. We want every colleague to have a chance to vote. We hope they will consider their other colleagues. We are going to wind up being very late here night after night if we don't exercise that restraint.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, if I could have the attention of my colleagues from North Dakota as well as New Mexico, I have an amendment I will offer with Senators BIDEN, NELSON, and DASCHLE. I ask unanimous consent that our 30 minutes on this amendment be divided so that Senator BIDEN of Delaware will be first to speak for 10 minutes, Senator NELSON of Florida for 5 minutes, and that I will speak for the last 15 minutes.

Mr. REID. Mr. President, if I may just say, the Senator from North Dakota has asked to use all the time on the resolution. It is my understanding that the Senator from North Dakota would like to save some time on the amendment. I am sure the Senator from North Dakota would yield time on the resolution as the Senator indicated and reserve the time on the amendment.

Mr. DURBIN. I thank the Senator. If it is permissible at this point to go ahead with this arrangement.

Mr. REID. The arrangement would be fine, but the time would be off the resolution, not off the amendment.

Mr. DURBIN. I ask unanimous consent then that the next 30 minutes of debate on the amendment I am sending to the desk be allocated as I have suggested.

Mr. DOMENICI. Mr. President, reserving the right to object—I must apologize to the Senator—would he please repeat the request.

Mr. DURBIN. I am asking that 30 minutes of the debate that will follow on the amendment be allocated 10 minutes to my colleague from Delaware, Senator BIDEN, and 5 minutes to the Senator from Florida, Mr. Nelson, and that I have the last 15 minutes of that 30 minutes.

Mr. REID. The time will be yielded off the resolution.

Mr. DOMENICI. I understand that the time would not come off the amendment but off the resolution.

Mr. DURBIN. That is my understanding.

Mr. DOMENICI. I have no objection.

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

AMENDMENT NO. 202

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Mr. BIDEN, Mr. LIEBERMAN, and Mr. DASCHLE, proposes an amendment numbered 202.

Mr. DURBIN. 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:

(Purpose: To call for immediate action by the United States Senate on passage of an Economic Stimulus Package in FY01 and to provide for further tax cuts in Fiscal Years 2002–11 as part of a fiscally responsible budget that ensures maximum feasible debt reduction)

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $12,100,000,000.

On page 3, line 2, increase the amount by $33,077,000,000.

On page 3, line 3, increase the amount by $57,444,000,000.

On page 3 line 4, increase the amount by $67,821,000,000.

On page 3, line 5, increase the amount by $73,414,000,000.

On page 3 line 6, increase the amount by $71,119,000,000.

On page 3, line 7, increase the amount by $80,281,000,000.

On page 3, line 8, increase the amount by $64,625,000,000.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $10,606,000,000.

On page 3, line 15, decrease the amount by $12,100,000,000.

On page 3, line 16, decrease the amount by $33,077,000,000.

On page 3, line 17, decrease the amount by $57,444,000,000.

On page 3, line 18, decrease the amount by $67,821,000,000.

On page 3, line 19, decrease the amount by $73,414,000,000.

On page 3, line 20, decrease the amount by $71,119,000,000.

On page 3, line 21, decrease the amount by $80,281,000,000.

On page 3, line 22, decrease the amount by $64,625,000,000, and add the following

(a). FINDINGS.—The Senate finds:

(1) That the economy of the United States has consistently grown since 1993, providing increasing prosperity for millions of hard-working Americans;

(2) That the pace of growth of the economy of the United States was measured at only one percent in the fourth quarter of 2000;

(3) That debt reduction is effective in stimulating capital investment that promotes long-term growth;

(4) That the President and Vice President of the United States have noted that the economy of the United States is in need of a stimulus;

(5) That the Democratic Leader of the United States Senate and other Members of the Democratic Caucus have called for immediate passage of a $60 billion Economic Stimulus Package;

(6) That the Chairman of the Senate Committee on the Budget has included in his FY02 budget substitute a $60 billion Economic Stimulus Package;

(7) That the Ranking Member of the Senate Committee on the Budget has also called for a $60 billion Economic Stimulus Package;

(b). SENSE OF SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Senate should discharge H.R. 3 from the Senate Committee on Finance, begin floor consideration of H.R. 3 immediately after passage of H. Con. Res. 83, strike all after the enacting clause and insert the text of the agreed upon $60 billion Bipartisan Economic Stimulus Package, including an immediate economic stimulus check for all payroll and income taxpayers and a permanent reduction of the fifteen percent income tax bracket to a ten percent tax bracket, and proceed to a vote on final passage prior to April recess.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the Senator from Illinois.

This is a simple amendment. It is an amendment that everyone here, on both sides of the aisle, should be able to support.

When President Bush was campaigning during the Republican primaries, he announced a 10-year across-the-board income tax cut plan. He said that increasing the budget surplus meant the Government was taking much too much money.

Steve Forbes had his flat tax, and Mr. Bush had his tax cut plan. He offered that plan at a time—to repeat what has been said on the floor before—when our economy was booming, when the stock market was still climbing. In late 1999, when the campaign was beginning and this plan was offered, the economy was growing at 8.5 percent. That is a very different circumstance than we have today. We just found out that the economy was still growing in the first quarter of this year, but not at 8.5 percent, at 1 percent.

The President has told us the plan he came up with in the campaign when the economy was expanding was exactly the right size for the economy at that time. Now he is trying to tell us it is exactly the size for the economy at this time.

President Bush has admitted that his plan fails to get enough money out to people at the start of his plan, right now, while the economy is at a low point, while consumer confidence is bumbling around down there, and while people are slowing up on their purchases, slowing up on buying durable goods, and beginning to wonder whether or not the economy is going to take a further tailspin or recover, although consumer confidence bumped up slightly.

The vast majority of the President's tax cut actually happens many years from now. It can't have any effect on the economic problems we face today, on the sluggishness of our economy, and our concerns for recession. In fact, 95 percent of the President's tax cut takes effect after the year 2003. His plan, whatever else we may make of it, is not designed in any way, shape, or form, to stimulate the economy in the short run.

One thing everyone seems in agreement on is what we should be doing. At least what we should be doing is stimulating the economy in the short run. The President himself acknowledges this. In fact, so does the Republican budget resolution before us today. My friend, the chairman of the Budget Committee, has included $60 billion for a stimulus proposal in this resolution. Senator DURBIN, Senator NELSON of Florida, Senator LIEBERMAN, and I suggest that we act on that. We are offering an amendment, with the same $60

billion cost this year as in the Republican plan, that will put money in the pockets of everyone who works for a living and pays payroll taxes.

If this were to become law, as soon as 2 or 3 months from now, we will be able to send a $600 check to eligible couples, $300 to single taxpayers. We also permanently drop—and the President proposes as well—the income tax rate from 15 to 10 percent. This is a permanent cut that affects everyone who pays income tax at the highest and lowest brackets.

The President has a similar proposal, but ours would go into effect immediately. That would mean an additional $300, on average, per person per year on top of the payroll tax rebate check for a married couple through lowering withholding from their paychecks, having lowered the lowest rate from 15 to 10, as the President proposes. That extra 900 bucks per family this year is real money. It is real money for working families, and it has real consequences.

As strange as it may sound, it means a couple that is withholding the purchase of a new toaster or refrigerator or microwave or a durable product that folks like us don't withhold buying now—we are not the reason the economy is slowing down. Everybody always talks about how the Senate is made up of millionaires. I wish I were one of them. But there is no millionaire in this place who is not spending their money. They are not the reason the economy is slowing down.

Average folks, the folks I grew up with, they are the ones who are causing the economy to slow because they are not spending their money. They have lost confidence in the economy. So if we are going to have any hope of an impact beyond what I believe is needed—the monetary stimulus that Mr. Greenspan, hopefully, will continue to provide, this is the only fiscal stimulus that is available to us.

That extra $900 per family, as I said, is real money. It exceeds what they would get under the whole plan, in some cases, of the President. This will mean a lot of people and businesses that depend on them will be able to purchase and sell, keep people employed, keep the economy going. This money would get out this year, and to give a $60 billion jump start to the economy is something, if I read the budget resolution correctly, if I listened to the rhetoric I have heard from Democrats as well as Republicans, as we all acknowledge is needed—maybe the argument will be it is not enough of a stimulus. Some argue it is too much. I don't know anybody arguing that we don't need a stimulus.

This is something I think we can all agree on: the need for a tax cut that actually does something to lift the sagging economy here and now. By the way, as our friend from Arkansas stood up, Senator BLANCHE LINCOLN, a couple weeks ago, I was surprised when she listed how many people in her State would not benefit from any aspect of the President's tax cut because all they do is pay payroll taxes. Nothing. This will see to it that everybody—those folks, real live folks we all say we care about, will get a tax cut, and they will get it now. So the two benefits it has for that cadre of people is, one, they get it now and, two, they get it.

Under the existing proposal of the President, they don't get it, period. I hope we get it and figure it out.

The amendment I am speaking to today, along with my friend from Illinois and my friend from Florida, who will speak next, simply says we should put our money where our mouth is. Both parties in the Senate agree on a $60 billion stimulus plan, and we should act as soon as possible. This amendment calls on us to take the first tax bill that comes over from the House, substitute our $60 billion economic stimulus plan with this bipartisan support, pass it right away, and within weeks get money into people's hands.

I say to my friends on both sides of the aisle, if you believe in doing something right now to pump some life into the economy, this is your chance. Whatever you make of this $2 trillion-plus tax cut cost by the President, whatever you make of its size or its distribution, this amendment does what tax cuts alone do not do—it puts money now, real money, into the hands of every taxpayer in the country in time to respond to the real needs of the economic stimulus. It is not based upon some pie-in-the-sky expectation of what is going to happen over 10 years based upon the growth of the economy and us limiting spending.

I thank my colleague for listening. Whatever time I have left, I yield to my friend from the State of Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized. The remaining time is 1 minute 2 seconds.

Mr. BIDEN. I ask unanimous consent that the remaining time be yielded to my friend from Florida.

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

Mr. NELSON of Florida. Mr. President, I had requested 5 minutes, so would you prefer that I go ahead and take it, or let the Senator from Oregon go ahead, and I will be happy to speak after him? What is the pleasure of the Senator from Oregon?

Mr. SMITH of Oregon. I say to my friend, I am awaiting the arrival of the senior Senator from Oregon, Mr. WYDEN, who will be here momentarily. If the Senator won't be long, why doesn't he go ahead and we will wait.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. NELSON of Florida. Mr. President, I thank Senator BIDEN for his comments on the introduction of this particular amendment. He has spoken to the stimulus of the tax package and why we need in a declining economy, which, of course, we hope rebounds, but because there is an indication that the economy is on the decline, we don't need a tax cut to take effect mainly in the last 5 years of the next decade; we need it to take effect now, to inject some financial, some fiscal stimulus into the economy so we can come out of the slump. That is what Senator BIDEN has addressed.

I wish to address another part of this particular amendment, and that is the part of debt reduction, because this amendment takes a portion from the President's proposed tax cut, lowers that tax cut, changes the nature of that tax cut to an immediate fiscal stimulus, and has further a reduction of the national debt down to a level of approximately $500 billion after the decade, after the 10-year period for which we are planning.

Now, why is this important? First of all, it is very important because that is what the people of America want. For decades we have been living in an economy that has been driven by annual deficits; that is, when the Federal Government is paying more out than it has coming in in tax revenues. And the difference—since we spend more than we have in tax revenues—is what we have to borrow each year, called the annual deficit. That deficit then, is added each year, and cumulatively the national debt becomes greater and greater. That figure today on the publicly held national debt is about $3.4 trillion.

Well, not until a year ago did we ever seriously think that we could confront the fact of paying down the national debt, until suddenly we realized that we were in this surplus condition. Now we don't know what the surplus is. We say, in the last estimate, that it is $5.6 trillion over the next 10 years. New estimates are saying it is much lower than that, and that it is really about $4.2 trillion. But if we keep going into a declining economy, the surplus could dwindle to significantly less than we are projecting. But we do know there is a surplus there, at least for the foreseeable future.

So all of this is to say that is why the people out there in America—and I can tell you in my State of Florida—clearly are giving us the message that in this time of beneficence, as a result of the prosperity that we have experienced in the last decade, they want us to use that prosperity to start paying down the national debt, as well as giving a substantial tax cut. That is just good economic common sense. That is what we all do in our individual budgets. We want to pay down debt, get ourselves debt free so we have a much more stable financial condition. So, too, with our country.

In our country there is a little bit of difference. In the $3.4 trillion of publicly held debt, there is some of that debt, as Mr. Greenspan testified in front of our Budget Committee, which you would not necessarily be able to pay off right away because it is long-term bonds and the Federal Government would have to pay a premium to pay those off. That overall publicly

held debt is estimated to be about half a trillion dollars, $500 billion, which would be difficult to pay off without paying a premium.

This amendment brings down, over a 10-year projection, that publicly held debt to a level at which we would not have to pay a penalty or a premium to pay off, and that is estimated at $500 billion at the end of the decade.

That is common sense. That is good fiscal discipline. That is good fiscal and economic policy, and it is what the people of our country want.

If we have an opportunity to pay down our national debt, we ought to do it. That is being good stewards of our national economy.

That is the message I wanted to bring as this amendment being offered by Senator DURBIN is considered by the Senate.

I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield myself 3 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CONRAD. Mr. President, I commend the Senator from Florida, who is a very distinguished member of the Budget Committee, for his remarks and for the contribution he has made to the work of the committee in this his first year in the Senate. Of course, he is a veteran of Congress because he served with distinction in the House of Representatives. He has been through the 1980s and saw firsthand what happened when very serious fiscal mistakes were made.

The Senator from Florida has been one of the strongest voices in the Senate Budget Committee saying: Let's not repeat those mistakes; let's be serious and sober; let's take a look at the fact that these surpluses are projected, they are forecasted; they are not in the bank; and let's dedicate most of that projected surplus to debt reduction.

Yes, we can spend some money. Yes, we can have a significant tax cut. Yes, we can provide additional resources for improving education, as we did yesterday, and provide a prescription drug benefit, as we did the day before yesterday. Yes, we can strengthen our national defense, as we did last night, over what is in the President's budget. Those are investments. That is prudent spending.

The primary emphasis ought to be: Keep our eye on the ball; keep paying down this national debt. That is what is going to be a time bomb for this country if we fail to keep the pressure on paying down this national debt. That is what this Durbin amendment is about.

The Durbin amendment does two things. It says: Reduce the size of the President's tax cut and with that money pay down more of this debt. Second, it says we have money in this year's budget that will permit an immediate fiscal stimulus.

The PRESIDING OFFICER (Mr. ALLARD). The Senator's time has expired.

Mr. CONRAD. I yield myself an additional minute. We have money in this year's budget for an immediate fiscal stimulus of $60 billion. On both sides, we have agreed that is necessary, that is important. Let us do it, and let us do it before we leave on the April work break. Let us do it now. Let us inject these funds into the economy to give some lift so that America can regain some sense of confidence that the fiscal affairs of the country are being managed in a way that affects this economic downturn in a positive manner.

Again, I thank the Senator from Florida who has been such a valued member of the Senate Budget Committee. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan. Who yields time to the Senator?

Mr. CONRAD. How much time would the Senator from Michigan like?

Ms. STABENOW. I request 5 minutes.

Mr. CONRAD. I yield 5 minutes off the resolution to the Senator from Michigan.

Ms. STABENOW. I thank my esteemed leader from North Dakota.

Mr. President, I rise today to congratulate my colleagues, my friends from Florida and Delaware and the Senator from Illinois, the author of the amendment, on this approach of putting dollars directly into people's pockets as a part of this budget process.

We do that in three ways: First, through an immediate tax cut. The President has proposed a tax cut, most of which would not take effect for at least 6 years. We know that is not what is needed in this economy. We need to be putting dollars directly into people's pockets immediately as a stimulus. This would do that.

Secondly, we put money into people's pockets by lower interest rates. We must keep the economy going. One of the reasons the economy has done as well as it has in the last 8 years is because we began to systematically pay down the debt so our mortgage payments could go down, our car payments could go down, college loan payments could go down. That is a second way we put money back in people's pockets.

The third way is to guarantee we keep this economy going so people have a job. This package does all three of those things. It stimulates the economy so we can continue to focus on creating good-paying jobs for people so they can care for their families and have the resources they need.

It puts tax dollars, this year, directly into people's pockets, and it puts dollars in their pockets by allowing them to refinance their mortgage, as we continue to pay down the debt so interest rates come down.

It is incredibly important we act immediately. We heard over and over in the Budget Committee that if we were going to have any impact through a tax cut, it needs to be immediate. We can do that immediately and at the same time address debt reduction and critical investments that we know will help keep the economy going for the future.

I support these efforts. It is very important we act immediately. We can do that right now. We can make a difference for families right now and stimulate this economy immediately so we can continue to make sure that families benefit from the economy we have had of the last 8 years.

My distinguished colleague from Illinois, who is the chief sponsor and leader in this effort, is in the Chamber. I yield back my time and give the Senator from Illinois an opportunity to address his amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, on behalf of Senator DOMENICI, I ask unanimous consent that the Durbin amendment be laid aside and that Senator BENNETT be recognized to offer an amendment.

I further ask consent that the debate run concurrently on both first-degree amendments and be limited to 60 minutes equally divided, and following that time, the amendments be laid aside.

I further ask consent that no amendments to these amendments be in order prior to the votes just described and the votes occur in a stacked sequence, first, in relation to the Durbin amendment, and then in relation to the amendment offered on behalf of Senator DOMENICI, beginning at 6 p.m., with 10 minutes for closing remarks equally divided prior to the 6 p.m. stacked votes.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

Mr. SMITH of Oregon. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Reserving the right to object, the only reservation I have is I hope I have an opportunity at this time to speak for about 15 or 20 minutes on my amendments as we had agreed to under a previous unanimous consent agreement.

Mr. BOND. Mr. President, so long as it comes off the time of the amendment, there is no objection on this side.

Mr. CONRAD. Reserving the right to object, the previous agreement with respect to the Senator from Illinois was that the 20 minutes he had reserved would come off the resolution, not off the amendment. We will now be changing a previous agreement if we do that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Mr. NICKLES. I ask unanimous consent the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, April 5, at 10:00 a.m. in Senate Dirksen 226.

Mr. CONRAD. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. NICKLES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. I thank everyone for helping on this agreement. I think we have reached an agreement with which everybody agrees.

I ask consent the Durbin amendment be laid aside and Senator BENNETT be recognized to offer an amendment.

I further ask consent the debate run concurrently on both first-degree amendments—both of them—and be limited to 60 minutes equally divided in the usual form and, following that time, the amendments be laid aside.

I further ask consent that no amendments to those amendments be in order prior to votes just described and the votes occur in a stacked sequence, first in relation to the Durbin amendment and then in relation to the Bennett amendment, beginning at a time determined by the two leaders. Further, I ask consent that following that debate, Senator SMITH of Oregon be recognized to offer an amendment and there be 15 minutes of debate equally divided between Senator SMITH and Senator WYDEN and, following that debate, the amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object, the only point I would like to add is that after Senator BENNETT's second-degree or substitute amendment is laid down, I would like to have right of recognition first.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Let me be clear. What the Senator from Illinois is asking, as I understand it, is after Senator BENNETT's amendment has been laid down, that he receive the first right of recognition.

Mr. DURBIN. That is correct.

Mr. CONRAD. Is that acceptable?

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, reserving the right to object, I would like to see this written agreement. I may not have objection, but I would like to see what we are doing.

Mr. DOMENICI. Fine.

Mr. BYRD. Mr. President, I withdraw my reservation.

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

The Senator from Utah is recognized.

AMENDMENT NO. 216

Mr. BENNETT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT] proposes an amendment numbered 216.

Mr. BENNETT. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To call for a quick stimulus for the American economy, linked to a long-term stimulus to guarantee economic expansion and job creation, and oppose a $439 billion tax increase that would threaten economic growth)

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $0.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

AMENDMENT NO. 202

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, this may be one of the most important debates we will have about this budget resolution because at issue in this debate, with the Durbin amendment and the Bennett amendment, is a very simple proposition. It is this: America's economy needs a shot in the arm. It needs help immediately—not a year from now, not 5 years from now, not 6, 7, 8, 9, or 10 years from now, but immediately.

What I am proposing with the Durbin amendment is to take from the surplus of some $97 billion, which we know we will have this year on the budget we are debating, $60 billion of that surplus and return it to the American people as quickly as we can prudently return it so we will give that spending power back to families in America immediately. That is what I am proposing.

The amendment by the Senator from Utah proposes to stay with President Bush's approach. They believe in it on their side of the aisle. I understand that. But they will have to concede this point. If they prevail, there will be no immediate relief for taxpayers—none, zero, no help. I can tell you for families across Illinois and across the Nation there is an immediate need for a helping hand.

Let me tell you about this amendment.

Mr. NICKLES. Mr. President, will the Senator yield for a second?

Mr. DURBIN. Yes.

Mr. NICKLES. I inform my colleagues that the Bennett amendment takes the two tax accelerations that the Senator from Illinois has in his first 2 years. If I am correct, the Senator has an additional tax increase of $31 billion in 2002 and $11 billion in 2003. We put that in our amendment. The difference is that we reduce or eliminate the tax cut, and in subsequent years we drop that. But we took the first 2 years of accelerated tax cuts that the Senator has, and that is going to be in the Bennett amendment.

Mr. DURBIN. I see there has been a modification to the amendment since it was given to us earlier. I thank the Senator from Oklahoma for clarifying that point.

If there are any additional modifications, I hope you will bring them to our attention as well.

Let me tell you what we are proposing with this tax stimulus package: a one-time tax refund check for all people who pay income or payroll taxes of $600 per couple and $300 per individual. A new 10-percent tax bracket applies to the first $12,000 of income for every married couple in America, whatever their gross income may be, and $6,000 for single filers. The total 2001 tax cut will be $900 per couple and $450 per individual.

This is the first step in the Democratic tax cut agenda. The reason why people believe this is an important first step is that it deals with reality, and not with speculation. It deals with the reality of an economy that has slowed down and the reality of families who need a helping hand.

It provides a rebate to families, and within a matter of weeks they will be receiving it. This kind of timely tax assistance is going to be important across the Nation. Whether you are paying electric bills in California, or heating bills in Illinois, you have had a tough winter.

I can tell you from my family experience and the people I have spoken to in

my State that their heating costs have gone up. People are saying: We would like a helping hand, Senator. If you are going to talk about tax relief, don't talk about a theory in the future. Help us now. Show us that this is something beyond political chin music and that you are actually dealing with reality.

The Durbin tax cut applies immediately. Let me tell you why it is important. The Democratic stimulus plan would provide immediate tax cuts for all taxpayers.

President Bush's tax cut of $1.6 trillion, which was his first proposal, leaves behind 23 million taxpayers in America. The Republicans supporting this proposal say they aren't really taxpayers; that all they pay are payroll taxes; and they do not pay real taxes. Tell the 23 million Americans who pay payroll taxes but not income taxes that they aren't facing a tax burden. They are. Quite honestly, they are the people who are facing a tougher burden than most because they are in lower income categories.

The President right now is holding the economy hostage. He is holding it hostage to his $1.6 trillion proposal. What Senator BENNETT and others have said is, if you want to talk about an immediate stimulus, you can only have it if you buy the whole program. You have to buy the whole package. You have to accept $1.6 trillion over 10 years or we are not going to be signing up for any kind of stimulus right now.

I think that is very shortsighted. I don't think it is fair to families across America. I don't think it is responsible to the real serious economic problem that we face. Our plan is fiscally responsible.

The Senator from Oklahoma makes an important point. We believe the overall tax cut, the long-term tax cut, should be a responsible, prudent, manageable figure, and something that won't drive us back into deficits.

The Republicans think that the President's projections of what will happen to America 5 or 10 years from now are as reliable as they can be.

We know that 6 months ago when Chairman Greenspan, our economic guru in America, was looking at the economy he got it all wrong. Six months ago he said we had to raise interest rates; that the economy was heating up too fast. He was wrong. This man with all the information and all of the wisdom didn't get it right. But the White House is telling us that the President can get it right—not just 6 months from now but 6 years from now; he can tell you what the American economy is going to produce. If you were a stockbroker or an adviser, you could get rich if you had that kind of confidence in the end results. Ordinary people don't. Economists are often wrong.

Let me tell you about this tax cut and what it means.

The American income tax system is a system built on stair steps. Everybody pays the bottom rate of 15 percent. Then, of course, as your income increases, the incremental dollars are taxed at different levels—28 percent, 31 percent, 36 percent, and beyond.

We are proposing a permanent tax cut for all Americans across the board who pay income taxes from 15 percent to 20 percent so that the richest in America as well as those in the lowest income categories paying income taxes will benefit.

The President's proposal, on the other hand, says, let's provide the lion's share of the benefits to those right here at the highest income categories. The President's tax cut gives 43 percent of all the tax benefits to people making over $319,000 a year—43 percent. That is not fair.

The Democratic approach says everyone benefits across the board. The richest down to the lowest in income pay an income tax. The Durbin amendment provides that tax relief.

Let me give you an idea why that is important. Eighty-one percent of all the taxpayers' benefits will go to those who pay the 15-percent rate on income tax. When we reduce this rate, it means that 81 percent of the taxpayers in America are going to benefit from this rate cut.

If you just provide the rate cuts for the higher income categories, you can find that, frankly, smaller and smaller percentages of Americans will benefit.

We want the benefit to go to everyone in America. I can tell you that the home heating bills in Illinois went to people of all income groups—not just to the poor or to the rich but everybody. The folks who got hit the hardest were those in the lower income categories.

When you take a look at the source of individual tax collection in America, here is an interesting statistic: 57 percent of the individual tax collection comes from income taxes and 37 percent from payroll taxes.

Do not forget that President Bush in his tax cut and Senator BENNETT in his amendment leave these people behind. They do not provide the assistance that is needed so that people paying payroll taxes also get some benefit from the tax cut.

If you look at the total Government revenues by source, you can see that 50 percent comes from the income tax but 32 percent comes from payroll taxes.

President Bush ignores this reality. President Bush's tax cut does not provide that kind of tax benefit.

Let's talk for a moment about a stimulus and whether it is needed. I am going to quote some sources of which I think Senator BENNETT will be proud. This is our new President, George Bush, from the Washington Post of January 15 this year:

> I am open to any suggestions people have, particularly as it relates to making sure that the economy gets the kick-start it needs.

I think that is a pretty good endorsement of the Durbin amendment.

Let me see. This is another one from President Bush that is better, on February 7, when the President said:

> The economy is slowing down, and we need to act, and act as quickly as we possibly can. The goal is to get money into the pockets of the working people as quickly as we can.

Part of the Durbin amendment says the Senate will not go home until we vote this tax cut. That is right. We may have to put off Passover observance. We may have to put off a bit of our observance of our Easter holiday. But we ought to observe the obvious; that is, the American people do not need our speeches. They need our help. If they are going to get our help, we shouldn't leave town saying that we got the budget resolution passed, and in a couple of weeks we will come back and think of something new. This is something new. This is tax relief that is real, tangible, and immediate. It says in this amendment which I have introduced that we will immediately take the House tax bill that has come over here, put this tax into it, pass it in the Senate, and send it back to them when they come back to town in a couple of weeks and move on it.

We will be able to say to the American people, almost to the tax day of April 15, that you are going to be assured that a tax rebate is going to come your way and help your family.

There are quotes from a very learned and esteemed colleague of Minnesota, a spokesman for Senator PETE DOMENICI, chairman of the Budget Committee, who said:

> Senator DOMENICI is willing to put off consideration of the marriage penalty relief, estate tax repeal, and other elements of the Bush tax plan. But he said the stimulus tax cut and the reductions in the personal income tax rates must be in the same bill. Sixty billion dollars without the marginal rate cuts doesn't tell taxpayers that help is on the way. It puts them in the boat without any oars.

That is a quote from a staff person of Senator DOMENICI in the Washington Post on March 24 of this year.

We have good news for the Senator from New Mexico. We not only have a boat; we have the oars. We are providing a rebate directly to the families, and we are cutting the tax rate permanently, so families know their tax burden is going to be reduced.

We have more comments from President Bush. And they just keep getting better about the Durbin amendment. Here is one from the Detroit News on March 27. The President said:

> I'm listening to what different members have to say. The key thing is, we have to have meaningful, real tax relief . . . to get money in people's pockets to serve as a stimulus for the economy.

I want to thank the President for those kind words of encouragement.

Then on March 28, in the Orlando Sentinel, the President said, again:

> We must put more money in the hands of consumers in the short term and restore confidence and optimism for the long term.

He goes on to make that point.

My friends, the sad reality is, unless and until we pass a tax rebate that has teeth in it—that means that a check will be coming to families across

America, not in a matter of a year or two or beyond but right now—that we are not going to see this economy turn around as quickly as it might. The benefits, of course, to an economy turnaround are pretty obvious.

You pick up the Washington Post this morning, and you go to the Business section and look at the Dow Jones or go to the New York Times—the same story; it is an up-and-down roller coaster but mainly down. People across this country who have 401(k)s and IRAs understand that that little nest egg they put aside for security and safety in their retirement has been battered pretty badly over the last 6 months or a year. We believe we can get this economy back on track.

During the Clinton-Gore administration, we had unparalleled prosperity in this country. We can return to those days, but we have to return to them with the vision of what makes the economy move forward. What helps it move forward is when consumers have some confidence, confidence that they can pay their bills, confidence that this economy is going to be there, so they can turn around and buy a car, a washer and dryer, maybe remodel the kitchen—whatever is important to their family—pay off some tuition bills for their kids.

We want to put money in their pocket to make it happen. The Durbin amendment really addresses that directly.

I say to those on the other side who believe you cannot really offer a stimulus and this kind of tax cut to families unless you talk about what is going to happen in America over the next 10 years, that is an important debate. Let's stick with that debate. Let's have it, but let's not let that debate hold hostage the idea of a stimulus right now, a stimulus that can help the American economy turn around.

I do not believe the support for this idea comes exclusively from Senator DOMENICI or President Bush. I think it comes from the people I represent in Illinois, and I will bet most of the other States that are represented in this Senate.

I ask my colleagues, let's pass this budget and immediately take up H.R. 3 and substitute this bipartisan stimulus package and get checks out to every taxpaying American. Let's do this before we leave for any kind of a break. Then, when we come back, let's debate the marriage tax penalty, let's debate the estate tax, the IRA/pension bill, the charitable giving bill, the ESEA bill, the minimum wage, and so many other important issues.

This does not have to be the end of tax cuts. This does not have to be the end of debating bills such as the Senate of old. Over the last 2 weeks I have been heartened that this Senate has really reverted to what it was for so many decades, a gathering of men and women who studied an important issue and then came to the floor to offer amendments and debate them. We did that on campaign finance reform. We can do it on our tax policy.

The vote yesterday suggested there is a bipartisan sentiment to move away from President Bush's $1.6 trillion figure to one that is more manageable. We believe we can justify a $745 billion or $750 billion tax cut and also dedicate resources in our surplus to important other priorities.

Now the Republicans say: Oh, there they go again; if we don't give it all away in tax cuts, these Democrats will spend it. Well, we want to put money into a stimulus package, have a tax cut right now. We also believe we can pay down more of the national debt. If that is what they call tax and spend, I don't buy it, but I certainly think paying down our national debt is one of the best investments for our future and for our Nation. We collect $1 billion in taxes a day to pay interest on our old debt of $5.7 trillion. I think we ought to try to reduce that debt as much as possible. The Democrats reduce more of the national debt than the Republicans do with President Bush's approach.

We also believe it is naive to ignore the reality that we will need to invest more money in Medicare and Social Security. In 10 years, 53 million Americans will be drawing Social Security as a retirement. In 10 years, 43 million Americans will rely on Medicare.

Should we spend money on those two programs to reform them and make them stronger? Absolutely. We know that balloon payment is coming. The Democrats set money aside so we can make that investment when the baby boomers arrive. We do not want to face any sticker shock when it comes to the expenses of those two invaluable social programs in America.

Mr. President, I am prepared to yield the floor now. I see my colleague, Senator LIEBERMAN, a cosponsor of this amendment, is here to join me.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. 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. BENNETT. Mr. President, may I inquire as to what the time situation is.

The PRESIDING OFFICER. The Senator from Utah has 28 minutes 48 seconds.

Mr. BENNETT. And on the other side?

The PRESIDING OFFICER. The other side has 13 minutes 15 seconds.

Mr. BENNETT. Mr. President, may I be notified when there are only 13 minutes left on our side?

The PRESIDING OFFICER. The Chair will notify the Senator from Utah.

Mr. BENNETT. I thank the Chair.

AMENDMENT NO. 216, AS MODIFIED

Mr. BENNETT. Mr. President, I ask unanimous consent that my amendment be modified. I send a modification to the desk.

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

The amendment, as modified, is as follows:

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $10,606,000,000.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

Mr. BENNETT. Mr. President, I have listened with interest to the statements of the Senator from Illinois, who says we need to kick-start the economy. He went on at great length quoting Senator DOMENICI and President Bush about how we absolutely need to do this, perhaps ignoring the statement by the Senator from Oklahoma that my amendment includes the amounts he says will kick-start the economy.

The issue is not, Do we both agree that there must be something to kick-start the economy? The issue is whether or not, having kick-started it, we then try to kill it at the back end.

Let's make no mistake about what this amendment is about. This amendment is not about stimulating the economy in the short run, because Republicans and Democrats agree, and my amendment has exactly the same numbers in it as the amendment on the other side. The disagreement is on what happens on the back end.

In the name of stimulating the economy in the short term, they want to kill the tax cut in the long term. That is what this is about. It may be couched in other kinds of rhetoric, but basically this is a further attempt on

the part of the Democrats in the Senate to see to it that President Bush will not get his tax cut, so that the headline in the Washington Post will be ''Bush Suffers A Defeat.'' That is what they are after. This is not about the economy. This is not about paying heating bills for poor people in Illinois. This is about the political victory of the Senate Democrats to get the headline that says ''Bush Suffers A Defeat.''

Look at the numbers. The total effect of the underlying amendment, to which my amendment is a second degree, would be to cut, over a 10-year period, the total size of the tax cut by $418 billion. Right now, if the Harkin amendment is not overturned on reconsideration, the tax cut has been scaled down from the $1.6 trillion President Bush asked for to $1.1 trillion. If this amendment passes, that will be scaled down further to $746 billion, which is below the number the Democratic leader offered in the first place as the logical size of the tax cut.

This is a stealth attempt to make sure, in the name of stimulating the economy, that the tax cut gets cut, and cut, and cut.

I suggest that there are other amendments lying in the weeds which, added to this one, will bring it down even lower than the 746. That is a prophecy; prophecies can be wrong. One thing is not wrong is the 746 number. If the underlying amendment passes, the total size of the tax cut is cut to 746. That is what this is all about.

We talk about stimulating the economy, and we need to do it now. Once again, my amendment has exactly the same numbers the underlying amendment has. Make no mistake: We are not debating stimulating the economy. We are debating eviscerating the Bush tax cut.

I wish I had this better than secondhand. It was reported to a group of us yesterday. The source given was Alan Blinder. I am prepared to be corrected if it is wrong. It makes sense. It is right, and I will share it with the Senate with those caveats around it.

Alan Blinder said, if you want to stimulate the economy and you pass a long-term rate structure reduction, the net benefit is 1, whatever 1 is. We are on a scale now. If you do a quick fix kind of stimulus, the net benefit to the economy is, compared to 1, .5. If you do a complete rebate of sending out checks, the net effect on the economy is .3.

We are willing to talk about something that, on the scale I have just described, would be a .5, but we are not willing to sacrifice the 1 in order to do it. We are not willing to kill the most fundamental and beneficial stimulus for the economy, long term as well as short term, in the name of a short-term stimulus that makes for good speeches but bad economics.

We hear a lot of class warfare rhetoric. We heard it again from the Senator from Illinois: We must take care of the little people; we must do something, not for the rich, we must do something for the people at the bottom.

Every time we have had testimony before the Banking Committee, on which I sit, or the Joint Economic Committee, on which I am now vice chairman, from Chairman Greenspan or other distinguished economists, the question comes up: Who benefits the most when the economy is sound and doing well? The answer is always: The people at the bottom.

The best thing we can do for the people at the bottom is see to it that the economy is structurally sound and growing. The best stimulus is to see that the people who control capital have confidence in the future. They will start making the capital investments that create the jobs. They will start putting in place the structural pattern that they have interrupted because they have lost confidence. And that can come by the passage of the Bush tax cut, which may or may not have any immediate stimulation in terms of the people in Illinois the Senator refers to, but will have the kind of impact that will produce both short-term stimulus and long-term stability.

That is what this debate is all about. Are we going to get excited about the short-term stimulus being the only thing to do and kill the long-term stability on the basis that we don't know what the numbers are going to be? Or are we going to do both in a prudent fashion?

I hear a lot of talk about the heating bills. I suggest to the Senator from Illinois and other Senators that if they want to deal with heating bills, they ought to deal with the energy crisis and not try to fiddle round with taxes. But that is another debate for another time.

Let me address one other point that keeps coming up. We must pay down the national debt. Both sides want to pay down the national debt. Let us not pretend that is an exclusively Democratic position or an exclusively Republican position. Let's not go through the motions of saying we are the ones who want to pay down the national debt. Let's ask the question: How much national debt can we prudently pay down?

Once again, the numbers make it clear that the Bush tax proposal is a prudent and intelligent attack on the national debt that will bring us to the place where we want to be in an intelligent fashion.

I spent some time with officials from the Treasury Department. I don't have time in this debate to go into it in detail; I will at some future point. These officials, quite frankly, if we want to put a political cast on it, are holdovers from the Clinton administration. I got the numbers directly from the Treasury. I didn't get them from a columnist. I didn't get them filtered through staff. I got them directly from Clinton-appointed officials at the Treasury Department. I am absolutely satisfied that the level of debt being paid down by the Bush tax cut is prudent and fits perfectly with the numbers they have given us.

These numbers are reality. These numbers are not projections. These numbers are very clear. We don't have time now, in the restricted agreement we have, for me to go into these numbers in any great length.

Fundamentally, we must understand this. If we pay down the debt too rapidly, we will have to go to holders of the debt that are not yet maturing and say: Will you give us the opportunity to pay you in advance? For that, we need to pay them a premium.

Right now, 42 percent of the debt is held by foreign sources. The largest chunk of that is held in Japan. This has been going up dramatically. People say: Does that mean foreigners are buying more of our debt? No. It means the debt is being paid down among American holders, and foreign holders are hanging onto it. That is why the percentage of foreign holders of the debt is going up. The total debt is going down, but their total numbers are staying about the same.

I don't want to be in the position of going to foreign holders of the debt and saying to them we want to pay them a premium to buy their debt back early, just to satisfy some political rhetoric and political points.

I conclude as I began. This is not a debate about whether we will have a short-term stimulus because the numbers in my amendment are identical to the numbers in the Democratic amendment. This is a debate about whether or not we kill the Bush tax cut long term. As long as we understand that, as long as we understand that the effect of the underlying amendment would be to bring the size of the tax cut down below the level the Democratic leader has endorsed, we will understand what we are talking about. Otherwise, we will waste our time in rhetoric about short-term stimulus, when there is, in fact, no difference.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from North Dakota.

Mr. CONRAD. Mr. President, will the Chair inform us of the time remaining on both sides?

The PRESIDING OFFICER. The Senator from North Dakota has 13 minutes 15 seconds. The distinguished Senator from Oklahoma has 17 minutes 35 seconds.

Mr. CONRAD. Does the Senator from Oklahoma desire going now? The Senator from Connecticut has requested 5 minutes, 6 minutes. I would be prepared to yield 6 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The distinguished Senator from Connecticut is recognized for 6 minutes and 15 seconds.

Mr. LIEBERMAN. I thank the Chair. I thank my friend and colleague from North Dakota.

It seems to me as we deal with this budget resolution and we think about the condition of our economy and of the Federal Government books, we have a short-term need and a long-term opportunity. The long-term opportunity is to constructively use the surplus that the American people have built up over the 1990s, to continue our prosperity, to continue to act with fiscal responsibility, and to invest in the seeds of growth in our economy so that the private sector, which is where jobs and growth are created, can in fact continue the growth in this decade that we had in the last decade.

We also clearly have a short-term need. It has affected our longer-term discussions because the obvious fact is that the economy, after a period of unprecedented growth, has now slowed. My friend from Utah used the word ''prophecy.'' We all would like to achieve some degree of it. I think it is fair to say that none of us has clear prophecy when it comes to our economy.

Now a $9 trillion economy is affected every day by the decision of now 280 million people. We can't predict what they are going to do next week, let alone 10 years from now.

The economy is slowing. We don't know how long this slowdown will last or how deep it will go. That is why people on both sides of the aisle and folks in the administration are now talking about trying to use part of the surplus that we know will be there on October 1 of this year, when the books close for the Federal Government on September 30, to use that to get some money out into the economy—not with any confidence that it is going to make everything better in our economy but with the confidence that it will help.

I spoke to a number of economists before I worked on the proposal that underlies the amendment that my friend and colleague from Illinois and the Democratic leader offered, of which I am proud to be a cosponsor. I said to these business leaders and economists: What is a reasonable amount of money for us to try to get into people's pockets right away, in the next couple of months, to have an effect on the economy? Interestingly, the consensus was $60 billion. That is a number that has come up on both sides of the aisle in the Senate and from the administration.

One business leader said economists told him we could expect a multiplier effect of 1½ times so that we might—actually, by putting $60 billion back into the public's pockets right away—have a 1½ times multiplier, or a $90 billion effect on the economy. That is 1 percent of the gross domestic product. That would be a tremendous result and a great lift out of the slowdown.

Other experts told us they have done studies that, interestingly, have focused on what taxpayers do with a refund check. I am sure the Chair will not be surprised to hear that 70 percent of those checks are spent within 3 months. It is different than having a reduction in your withholding. It is a check in hand. You may buy something you have needed. Maybe you pay down a bill. Maybe, if you are a young worker, you buy a CD or a new suit.

That is our short-term stimulus package, and the most important part of the amendment that is before the Senate now is the last paragraph sent to the Senate that ''the levels in this resolution assume that the Senate should discharge H.R. 3 from the Committee on Finance''—that is the tax bill they sent over—''strike all after the enacting clause and insert the text of the agreed upon $60 billion bipartisan economic stimulus package,'' including an immediate economic stimulus check for everyone in America who pays payroll taxes or income taxes.

That means everybody. If you don't make enough to pay an income tax, but you are working and you have a lot of money taken out of your paycheck every week, every couple of weeks, you get $300. How did we come to $300? Take 200 million taxpayers and put that into the $60 billion we want to get into the economy. It comes out to $300 per taxpayer.

If you are older and you pay income tax, but you don't have payroll withdrawals or deductions, you still get the $300.

So the point of this amendment is let's do it now and help the economy now. Let's not have it said a year from now that the Senate and the Congress and the Government of the United States fiddled while the American economy was slowing down. One positive step we can take is to adopt this amendment, substitute for the House tax bill sent over here, get a $300 check from the Federal Government into the hands and wallets and pocketbooks of the 200 million Americans who pay payroll or income tax, and let them go out and move this economy out of the dip it is in now.

That is the vote we are casting. Don't hold short-term economic relief hostage to the much more complicated, long-term, controversial partisan debate going on about how to spend the surplus for the next 10 years. America needs help now. Let's do it. I yield the floor.

Mr. BENNETT. Mr. President, on my time, may I ask the Senator from Connecticut a quick question? I ask unanimous consent that that be allowed.

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

Mr. BENNETT. I ask the Senator from Connecticut why he did not address at all the impact of his amendment on the President's tax cut long term. As I said in my remarks, the amount in my amendment and the amount in the Democratic amendment for a short-term stimulus is exactly the same. But the effect of the Democratic amendment would be to cut the total amount of the Bush tax cut down to $746 billion. I ask the Senator from Connecticut why he did not comment on that effect, and if he has a comment now.

Mr. LIEBERMAN. I thank the Senator from Utah. I did not comment because, for me, the distinguishing factor in this amendment is the short-term economic stimulus and the particular method to achieve it, which is spelled out here, which is the substitute for the House tax bill. Those who framed the amendment consistently linked it with the long-term tax cut that, as you know, most Democrats propose because we think it is more fiscally responsible.

Mr. President, if I may return the question, is the Senator from Utah prepared to separate the short-term fiscal stimulus? Again, I think across the aisle we agree that $60 billion is the number. We may disagree about how to distribute it—to separate that from the longer term, 10-year discussion about how to divide the surplus.

Mr. NICKLES. Regular order, Mr. President.

Mr. BENNETT. Mr. President, I would be happy to discuss that with the Senator, but the Senator from Oklahoma is asking for the regular order.

The PRESIDING OFFICER. Under the regular order, the Senator from Oklahoma controls the time.

Mr. NICKLES. Mr. President, I urge my colleagues, Democrats and Republicans, to reject the Durbin amendment. The Durbin amendment reduces the overall size of the tax bill. It stands at $1.6 trillion. An amendment they offered last night reduced it by $448 billion. This amendment reduces it by another $418 billion. In other words, eliminating over half of President Bush's tax cut. If you want to make news, go ahead. You got a nice headline: ''Senate Democrats Cut Bush Tax Bill By a Third.'' My compliments. Now they want to go further and reduce the tax bill even below what the leaders recommend and adopt the Durbin amendment. If we adopt the Durbin amendment we will have a stimulus—I love my friend and colleague from Connecticut who says we want a stimulus. There is a little stimulus in the front, but there are a whole lot of tax increases in the back.

There is tax cut, in the Durbin amendment, in the first 2 years. My friend and colleague from Utah , wants to match those figures and give at least that much of a tax cut in the first 2 years. What you don't read in the rest of the amendment is that Democrats increase taxes all the way through for every other year. The net impact of it is to increase taxes from the underlying resolution by $418 billion.

Senate Democrats, and one or two of our colleagues voted yesterday to cut the President's tax bill by $448 billion. This amendment cuts it by another $418 billion. That is a net tax reduction that is less than what many people on the Democrat side said they would support. But they want to do it under the guise of moving it up a little bit more

in a few years without hardly any tax cuts later. Maybe that is the size of the tax reduction some people want.

They act as if they are writing a tax bill, which you cannot do on the floor of the Senate in the budget resolution. And their argument is that this is going to stimulate the economy. Why don't you just fly over a stadium and drop money out of an airplane? That will stimulate the economy as well. They want to turn a tax bill into a spending program, without regard to who paid the taxes, or a tax cut for taxpayers. We want to gut the President's tax bill. That is what this is really all about.

The tax bill they are proposing is fatally flawed and should not pass, but that will be discussed and dealt with in a bipartisan manner in the Finance Committee. I am absolutely certain the proposal they have made would never, should never, and will never pass Congress. Giving everybody $300—and now that has been raised to $450—is not going to happen.

The real purpose of the amendment is to reduce President Bush's tax cut. It was already reduced yesterday to $1.15 trillion over 10 years. Now they want to take another $418 billion out.

The net result would be a tax reduction over 10 years of $746 billion at a time when we have surpluses estimated to be $5.6 trillion. In other words, let us give President Bush less than half of what he asked for. That is what this amendment does.

The net impact of this amendment is to have a net tax cut over the 10 years of President Bush's proposal of $746 billion. That is basically 45 percent of what President Bush originally requested. We cannot and will not let this happen.

In the last couple of days, my friends on the Democratic side have offered five amendments to have higher taxes and higher spending. They won on one of them yesterday. I consider that a setback, and I hope to repair that damage before we are done by tomorrow night.

This amendment doubly complicates it. Yesterday we adopted the Harkin amendment and we increased taxes from the underlying budget resolution of $448 billion. This increases taxes an additional $418 billion on top of the Harkin amendment.

I urge my colleagues not to go down this road. This would be a serious mistake. The tax proposal that was outlined would be a very serious mistake. Let us work together and see if we cannot have a tax cut and do some positive things to stimulate the economy.

My friend from Utah, Senator BENNETT, has articulately stated that we will come up with more money in the upfront years. We want to do it. We have been trying to do it. Our budget resolution has $60 billion in 2001.

We only have a few months left in 2001. We can increase year 2002 by $31 billion. That is what the amendment of my colleague from Utah says. We will match that and also increase the level in 2003 by $11 billion. We will have that amount of additional tax relief in the upfront years.

What I disagree with in the Conrad amendment is, other than the first two lines which cut taxes, there are dozens of lines that increase taxes. Two lines cut taxes up front, but all the rest of the lines increase taxes to a net total of $418 billion.

They adopted an amendment yesterday to reduce the tax cut by $448 billion. If we adopt the Durbin amendment, we will also reduce the tax cut by another $418 billion. That is a total reduction of President Bush's underlying budget of $866 billion, and total tax increases they have adopted in the last 2 days. That would be a serious mistake, and I urge my colleagues, Democrats and Republicans, to say that is not enough. Taxpayers are paying enormous surpluses, and President Bush gives one-fourth of that back to taxpayers. The taxpayers are paying in the entire surplus, and we are saying taxpayers: We are going to let you keep a fourth of it. The Democrats are saying: No, no, maybe one-eighth; not quite an eighth; maybe the taxpayers get to keep one-eighth. Then they want to give it to people who filed a return, whether they paid taxes or not. I disagree with that totally and completely and urge my colleagues to vote no on the Durbin amendment and vote yes on Senator BENNETT's amendment. They will be voted on at some point later today.

Mr. President, I reserve the remainder of our time.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I yield myself 3 minutes off the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I will speak first about the broader perspective of what we have been doing on this resolution. The President of the United States put forth a budget and tax cut that basically said if you take Medicare and Social Security surpluses off the table, every penny of available on-budget surplus is used for a tax cut geared to the wealthiest Americans, hopefully trickling down.

We argue instead of doing that, we definitely need to protect Medicare and Social Security. Because the President uses all non-Medicare and Social Security money for his tax cut, he then spends Medicare; he moves all of the Medicare trust fund into spending.

We say, no, protect Medicare and Social Security and then let us do a balanced approach. Let us use a third of what is projected—hopefully it will happen—for a tax cut, and that is what this amendment does. It reserves a third for a tax cut, putting a stimulus on the front end so we can help the economy with money in people's pockets right now. Let us use a third for debt reduction, looking at long-term debt—and possibly if the surpluses do not materialize, that is our hedge so we do not go into further debt—and let us use a third for critical investments in our people—education, lowering the cost of prescription drugs.

My concern with the comments of my friend from Utah, as a member of the Budget Committee and talking about paying down the debt, is I have heard over and over, as the President has said, we cannot put more than $2 trillion into paying down the debt. We have to leave $1.2 trillion. It cannot be any lower than that.

In the Budget Committee, we heard from more than one speaker that $2.6 trillion will naturally, between now and 2011, become available. We will be able to redeem $2.6 trillion just by allowing it to come to maturity over the next 11 years.

That is very different than what we are hearing today. Chairman Greenspan came to the Budget Committee and indicated a difference of opinion with the President saying that we could, in fact, pay down more debt than what is in the President's budget. We support what Chairman Greenspan is talking about, with those who managed the money directly for the past administration. We support the position of allowing the $2.6 trillion to mature over the next 11 years. We can do a better job of paying down the debt.

We put money in people's pockets in three ways: We give them a tax cut, which I strongly support—not only an immediate stimulus, but a long-term tax cut—we pay down the debt, which puts money in people's pockets by lowering their mortgage payment, car payment, and college loan, and other costs people have, and finally, we stimulate the economy so people have a job, which is the most important way we put money in people's pockets.

I urge we support the Durbin amendment and oppose the amendment of my good friend from Utah.

The PRESIDING OFFICER. The time of the distinguished Senator from Michigan has expired.

The distinguished Senator from Utah is recognized.

Mr. BENNETT. How much time is available on our side?

The PRESIDING OFFICER. The Senator from Utah has 7 minutes 56 seconds.

Mr. BENNETT. I yield myself 3½ minutes and reserve the remainder of the time for the Senator from New Mexico.

Mr. President, the senior Senator from Texas has a great line. He says: Don't argue about facts; look them up. You can argue about opinions, but do not argue about facts.

The former senior Senator from New York, Mr. Moynihan, used to say: Everybody is entitled to his own opinions but not to his own facts. That is why I went to the Treasury Department to try to get the facts on the debt. I have heard people quote this, quote that. I

went to the people who manage the debt. They said to me, as they began the conversation: We have been managing debt for over 200 years. We know how to do it.

I have the numbers. I will be glad to discuss them with any Senator. Fundamentally, this is what it comes down to: The amount in the next 10 years of national debt that cannot be paid off without paying a premium, factually, is roughly $800 billion. Alan Greenspan, before the Budget Committee, talked about 70-something. I round up to $800 billion. The Treasury agrees with that number. However, they say we cannot go to that absolute number because we have to have some debt to help cash management.

If I can put it in the context of a family, you may have paid off all your mortgages and paid off all your debt, but the paycheck and the bills don't always correspond exactly in time, so you pay the bills with a credit card, which is debt. You may pay the credit card completely off every 30 days, but you have some debt to manage your cash situation, and the Treasury does. I said: How much money are we talking about? And these Treasury officials who have no political ax to grind said: We have to have about another $300 billion for cash management purposes on top of the amount of debt Alan Greenspan was talking about. If you add 800 to 300 you get $1.1 trillion, which is the number President Bush has been talking about.

Those are the facts. We can look them up. We can have differences of opinion on everything else, but let's not keep fudging those facts.

The President's proposal with respect to debt paydown is the responsible, proper proposal. It should not be factually challenged.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I think this has been an excellent discussion and debate this afternoon. I will summarize it my way.

If this amendment is adopted, the so-called stimulus package from the other side, then the tax cut proposed by our President would be reduced to $746 billion. Understand, just doing the arithmetic, we would have taken $854 billion of the President's tax cut and wiped it out. Imagine, in the name of an economic stimulus package, we reduce that which stimulates the economy by $854 billion.

I say to Senators on both sides, if you have been worrying about taking more and more away from the President's tax cut, you have a real humdinger on your platter. This, combined with others, will make the President's tax package $746 billion, which is $854 billion less than he asked for—and he thinks he is giving us a stimulus package. We are saying $60 billion up front and $1.6 trillion over time, with marginal rate deductions, marriage tax penalty, child care credits, and the other things. We say that is exactly what the American economy needs as a stimulus, short and long term. In the name of an economic stimulus package, the tax cuts to the American people are reduced by more than one-half, more than 50 percent.

Once again, Americans, if you have been sitting around thinking maybe Congress will do something right, maybe they will give us back some of our money, over half of it disappears. Between this amendment and a previous Democrat amendment they have taken more than half of what you might have expected. It is out the window. It is gone, gone at the altar of an alleged stimulus package. This is just following suit of almost every amendment offered: Baucus Medicare, higher taxes, $156 billion; Johnson agriculture, higher taxes, $88 billion; Harkin education, $448 billion, higher taxes; Landrieu, $93 billion more; Stabenow, $14 billion more. Adding them up, $798 billion is how much they tried thus far to reduce the tax cuts for the American people.

Only one passed, Harkin, but it is still under consideration, so I don't count it yet. Maybe it won't pass.

Having said that, if I have any remaining time, I yield it to Senator NICKLES.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my friend and leader.

I say to the American public, Senator DOMENICI has done outstanding work on a very difficult job. This is a tough process. He was right. I mentioned on the floor that the amendment that passed last night is being reconsidered. I don't want to be so presumptive as to say the $448 billion tax increase passed. It made a step towards passing, but it has not been finally passed. I appreciate your correcting me on that because the Senator is right.

The amendment Senator DURBIN offered would also increase taxes from the existing resolution, $418 billion. If you add the two together, it is $866 billion, well over half of the President's proposed tax reduction. I thank my friend and colleague. The Harkin amendment has not yet been adopted, but if it is, and a lot of people are working on the assumption that it is because it got an affirmative vote yesterday, the combined impact would be $866 billion, and 55 percent of President Bush's tax proposal just went out the door.

That is not the way to stimulate the economy. That is the point my colleague and friend from New Mexico and Utah were making. I thank them for that. I urge my colleagues to vote no on the Durbin amendment and vote in favor of Senator BENNETT's amendment.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Ms. STABENOW. On behalf of Senator CONRAD, I yield myself the remaining time on the amendment.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Ms. STABENOW. First, no one is talking about raising taxes. No one on either side is talking about raising taxes. We are talking about a budget for next year and conceivably for 10 years. What are the values and the priorities of the American people? That is what we are talking about in this discussion.

I suggest when we look at the President's proposal, if we lock up Social Security and Medicare, we have $2.5 trillion to make decisions about values and priorities of the American people. The President's tax cut, when added up, takes every penny. There is zero for education increases, zero for prescription drug coverage, and we all have heard why we need to be doing this.

Unfortunately, in the President's budget, in order to pay for spending, Medicare is used because there is nothing left after his tax cut. He takes Medicare out of the lockbox and spends it.

We are suggesting and addressing the need for long-term stimulus. It addresses the need to protect Social Security and Medicare, provide a tax cut, short-term stimulus. We all support a long-term tax cut. Pay down the debt to the maximum amount and make sure we have critical investments to allow the economy to proceed. That is the debate.

Yes, we have a fundamental difference. We are not willing to touch Medicare and Social Security. We say hands off Medicare, hands off Social Security completely. Let's make sure we are paying down the debt. Let's make sure we give tax cuts. Let's make sure we invest in the priorities of the American people.

We can do all of it if we do it the right way. As I said before, there is more than one way to put money in people's pockets. We can put it in their pockets through a tax cut, and the stimulus Senator DURBIN is talking about is exactly what is needed in order to stimulate this economy. Then we can focus on longer term tax cuts. It allows us to pay down maximum debt. That puts money in people's pockets because they can refinance that mortgage and that car payment. And it allows us to invest in critical needs without touching the Medicare trust fund.

That is what we are arguing. I strongly encourage my colleagues on both sides of the aisle to support the short-term economic stimulus that will allow us to protect the Medicare trust fund and that will allow us to pay down the maximum amount of debt. Then we will work together, no question about it, to continue to provide tax relief that is focused particularly on middle-class taxpayers, small businesses, family farmers. We want to work together to be able to do that and make sure we

are reflecting the true values and priorities of the American people.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to have printed in the RECORD a table that shows the tax reduction Senator DURBIN offers in the first 2 years and the tax increases he has in the years 2004 through 2011, which net a total tax increase, compared to the underlying resolution, of $418 billion for a net tax of $746, assuming the budget resolution was amended by Senator HARKIN. I want this to be in the RECORD so everyone can see the total evisceration of the Bush tax cut should this amendment be agreed to. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DURBIN AMENDMENT

	Conrad tax increase	Tax cuts (current status)	After Durbin
2001	—	0.2	0
2002	31	29.3	60
2003	11	50.5	61
2004	(12)	74.2	62
2005	(33)	97.5	64
2006	(57)	125.7	68
2007	(68)	141.5	74
2008	(73)	149.2	76
2009	(71)	154.8	84
2010	(80)	170.3	90
2011	(65)	170.5	106
Total	(418)	1,164	746

Mr. REID. Mr. President, I ask unanimous consent the document I have in my hand be printed in the RECORD immediately following the table Senator NICKLES placed in the RECORD regarding the Durbin amendment now before this body.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DURBIN AMENDMENT

	Conrad tax decrease	Tax cuts (current status)	After Durbin
2001		0.2	0
2002	31	29.3	60
2003	11	50.5	61
2004	(12)	74.2	62
2005	(33)	97.5	64
2006	(57)	125.7	68
2007	(68)	141.5	74
2008	(73)	149.2	76
2009	(71)	154.8	84
2010	(80)	170.3	90
2011	(65)	170.5	106
Total	(418)	1,164	746

Mr. REID. Mr. President, on behalf of Senator CONRAD, I yield to Senator STABENOW 1 minute off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I reiterate, we are in the process of determining the priorities for the country. No one is talking about a tax cut. This amendment would provide an immediate stimulus this year. President Bush's tax cut for the most part does not take effect for 6 years. We then want to take the next step and work together on a long-term tax package.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

Mr. CONRAD. Mr. President, I understand once again today there has been talk that somebody here is for a tax increase. Nobody is for a tax increase. All the proposals on both sides of the aisle are for significant tax cuts. The fundamental difference here is on the question of how much debt reduction we do.

On our side we think there ought to be more debt reduction than is being proposed on the other side. We have a total of $3.65 trillion of the $5.6 trillion projected surplus set aside for short-term and long-term debt reduction. President Bush is setting aside $2 trillion. So we have nearly twice as much set aside for debt reduction as does the President. He has a tax cut that is about twice as big as ours. That is the fundamental difference between the two sides.

I understand Senator BENNETT said you can't do more debt reduction than the President proposes. That is just not so. We had detailed testimony before the Senate Budget Committee by the man who ran the debt reduction program in the U.S. Treasury Department under the previous administration. He says you can reduce far more of the national debt than the Bush administration is calling for. In fact, President Bush says you can only reduce the publicly held debt by $2 trillion. Mr. Gensler, who was in charge of the debt reduction program in the previous administration, pointed out that $2.6 trillion of the debt actually comes due during this 10-year period. You can eliminate all of that. That is $2.6 trillion instead of the $2 trillion the President says is available for debt reduction. But even more than that, we did a detailed cashflow analysis.

I yield myself an additional minute off the resolution.

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

Mr. CONRAD. We did a detailed cashflow analysis of debt reduction. What we found is—this is the President's line, the green line. That saves $2 trillion—reduces the publicly held debt by $2 trillion.

The red line is our publicly held debt reduction line. It would reduce publicly held debt—publicly held debt is currently $3.4 trillion. It would reduce that debt by $2.9 trillion—$900 billion more than the President's plan.

This line shows the unredeemable debt line. What this chart reveals is there is absolutely no problem of cash buildup, even if you use $2.9 trillion to reduce publicly held debt.

I yield myself an additional 2 minutes.

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

Mr. CONRAD. Somebody watching me may be very quick with figures and say: Gee, Senator CONRAD is saying the Democrats believe you can reduce $2.9 trillion of the $3.4 trillion publicly held debt. But on his previous chart he showed the Democrats have reserved $3.65 trillion for debt reduction. How can both those things be true?

Simply, they are both accurate, they are both true, because we are dealing with short-term debt and long-term debt. The short-term debt is the publicly held debt, which is $3.4 trillion. We would pay that down by $2.9 trillion. But, in addition to that, we reserve $750 billion more for long-term debt reduction. The long term-debt that is building, that our Federal accounting system does not take account of because of the long-term unfunded liability for Social Security and Medicare, we set aside $750 billion for that purpose. The other side does not set aside a single penny—not a dime—for the long-term debt that is building for this country.

That is the fundamental difference between our two sides. We believe we ought to pay down more of the short-term and long-term debt and have less of a tax cut. It is still a substantial tax cut, one that would permit rate reductions, reform of the estate tax, and also address the marriage penalty.

That is the fundamental difference. I do not want to lose sight of it in the bric-a-brac and the back and forth. That is the best summary I can provide.

The PRESIDING OFFICER. The time of the distinguished Senator has expired.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH of Oregon. Parliamentary inquiry: It is part of the unanimous consent agreement that Senator WYDEN and I have 15 minutes equally divided?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 240

Mr. SMITH of Oregon. Mr. President, I have an amendment I send to the desk. It is an amendment proposed by myself, my colleague Senator WYDEN, Senator BAUCUS, Senator KENNEDY, Senator SNOWE, and Senator SANTORUM.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oregon [Mr. SMITH] for himself and Mr. WYDEN, Mr. BAUCUS, Mr. KENNEDY, Ms. SNOWE, and Mr. SANTORUM, proposes an amendment numbered 240.

Mr. SMITH of Oregon. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase mandatory spending in the Health function by $28,000,000,000 over Fiscal Year 2002, Fiscal Year 2003, and Fiscal Year 2004 for proposals that would expand health insurance coverage to the uninsured, targeting funding for those who need it most, combining public and private coverage options to efficiently target the uninsured, avoiding creating new bureaucracies, promoting state flexibility, protecting employer-based coverage systems, providing a meaningful, affordable health insurance benefit to the uninsured, emphasizing enrollment and not just eligibility, and without taking funding from the HI Trust Fund)

On page 4, line 2, increase the amount by $8,000,000,000.

On page 4, line 3, increase the amount by $10,000,000,000.

On page 4, line 4, increase the amount by $10,000,000,000.

On page 4, line 16, increase the amount by $8,000,000,000.

On page 4, line 17, increase the amount by $10,000,000,000.

On page 4, line 18, increase the amount by $10,000,000,000.

On page 5, line 7, decrease the amount by $8,000,000,000.

On page 5, line 8, decrease the amount by $10,000,000,000.

On page 5, line 9, decrease the amount by $10,000,000,000.

On page 28, line 23, increase the amount by $8,000,000,000.

On page 28, line 24, increase the amount by $8,000,000,000.

On page 29, line 2, increase the amount by $10,000,000,000.

On page 29, line 3, increase the amount by $10,000,000,000.

On page 29, line 6, increase the amount by $10,000,000,000.

On page 29, line 7, increase the amount by $10,000,000,000.

On page 5, line 20, increase the amount by $8,000,000,000.

On page 5, line 21, increase the amount by $18,000,000,000.

On page 5, line 22, increase the amount by $28,000,000,000.

On page 6, line 8, increase the amount by $8,000,000,000.

On page 6, line 9, increase the amount by $18,000,000,000.

On page 6, line 10, increase the amount by $28,000,000,000.

Mr. SMITH of Oregon. Mr. President, when I go home to Oregon I am often asked what is the biggest surprise I have had as a Senator. I often and without any hesitation answer that my biggest surprise is that one of my closest friendships in the Senate, and one of the most constructive relationships I have in the Senate, is with my former opponent, the senior Senator from Oregon, RON WYDEN. After I was elected to replace Mark Hatfield, he and I became more than colleagues; we became friends, confidants, and worked every year to try to establish an agenda that helps and serves the interests of our State as well as our country.

This year we have followed that tradition, announced a bipartisan agenda, toured our State with seven joint townhalls, and tried to listen to the people as to what they wanted. We heard many things. We heard, ''Tax cuts.'' I am for President Bush's tax cut. I make no apology for that.

I believe our economy needs that. I believe our country needs help. I believe we need to be reminded that we are a democratic free enterprise society and not a democratic socialist society.

But having said that, I believe, using the surpluses we are bountifully blessed with, there are things we can and should do.

In Oregon, we have a proud tradition of caring for the underprivileged and the uninsured. I was a State senator when we set about funding the Oregon Health Plan. We accomplished that, but the job is not done in helping the uninsured.

It seems to me appropriate that in a time when we are looking to cut substantial taxes from the paychecks of the American people that we should take time to help those who also work but who do not enjoy some of the basics of American living, which is health care.

There are 170 million Americans who enjoy the best health care in the world. They are Americans. But of our American citizens, there are 43 million who have no health insurance. Many of those folks are working Americans as well.

But Senator WYDEN and I propose, along with the bipartisan coalition, to provide in this budget $28 billion over 3 years to further narrow that gap of the uninsured.

Our plan will build on past actions to give 15 million to 20 million of these uninsured Americans access to affordable quality health insurance without creating huge new Government programs.

First, our plan will give businesses incentives to make quality health insurance more affordable to their low-income workers. Our plan will give businesses a tax credit if they chip in more to offer quality health care to their low-income employees. Many low-wage employees are working hard, but we are having trouble paying the full amount for health insurance.

Second, our plan will extend Medicaid coverage to more low-income Americans. Many low-income adults who cannot afford or are not offered private health insurance would now be eligible under this proposal for Medicaid coverage.

Finally, we will give the State the option to extend the highly successful CHIP program, or the SCHIP program, the State Children's Health Insurance Program. We will work to extend these benefits to the parents of these children.

We are trying to say in this great society that we can narrow this uninsured gap. I believe if we can't do it now, we will never be able to do it.

Senator WYDEN and I are bringing together an extraordinary coalition between liberals and conservatives. I am referring to the Families U.S.A., which is a group of folks who are trying to advance the cause of the uninsured.

Also, the Health Insurance Association of America, a very conservative group, has come together behind what Senator WYDEN and I are trying to give voice to.

I appreciate the chance to offer this amendment. I urge its adoption and, if not by unanimous consent, that it be overwhelmingly approved.

I believe it will be a very nice component of President Bush's effort to extend some passion and conservatism to the American people.

I yield the remainder of my time to my colleague, Senator WYDEN.

The PRESIDING OFFICER. The distinguished Senator from Oregon is recognized.

Mr. WYDEN. Thank you, Mr. President.

First, I commend my colleague and thank him for the opportunity to work with him on this bipartisan agenda. I commend him for a very fine statement this afternoon as well.

Each night more than 43 million Americans go to bed without basic health coverage knowing that a serious illness could wipe their family out. These are Americans who aren't old enough for Medicare. They aren't poor enough for Medicaid. Very often they work as small businesses. And yet in a country as strong and good as ours we have not made sure that they have access to basic health coverage.

In my view, for the Congress not to respond now at a time when there are layoffs, at a time when there is great fragility in our economy, for this Congress not to respond to the needs of the uninsured is, in my view, nothing short of government malpractice.

This amendment ensures, with the $28 billion that would be provided for mandatory spending, that the Senate Finance Committee could develop a program that would allow for public and private options. There are many in the business community who argue—and I think correctly so—that there are a variety of approaches with employer-based health care coverage that makes sense. This amendment would allow for that. There are advocates for the low income who argue—and I think correctly so—that we ought to be spending for important programs like my colleague mentioned, the CHIP program. Senator KENNEDY, for example, has done yeoman and exceptional work in trying to extend coverage for adults whose children are on Medicaid. And yet those adults, for example, who might work at a small business lack coverage. This proposal would make that possible. We would have a chance to cover those individuals who are part of what Senator KENNEDY has correctly termed ''family care.''

In my view, this proposal represents an opportunity for a major breakthrough on the health care issue which unfortunately to a great extent has been deadlocked since the downfall of the discussion over the Clinton health care plan.

In my view, with this amendment it will be possible to provide immediate relief to millions of our citizens through public and private options and

at the same time build a foundation for a longer term approach that, again, looks to both the private and the public sector to fill in these gaps in American health care.

I particularly want to thank Senator KENNEDY and Senator BAUCUS. They have been leaders in our party in the development of advocacy for these individuals.

Senator CONRAD and his staff have been exceptionally helpful as well in ensuring that this amendment was crafted so that it would not in any way allow for a raid of the health insurance trust fund.

I will tell you, Mr. President, since my days when I was codirector of the Gray Panthers, I dreamed that I could one day be part of a bipartisan effort to really fill in the gaps in the American health care system.

I thank my colleague, Senator SMITH, for the opportunity to work with him. These important breakthroughs for the uninsured can, in fact, only be accomplished if they are bipartisan. I thank him for the chance to work with him.

I yield the floor at this time.

The PRESIDING OFFICER. The distinguished Senator from Michigan.

Ms. STABENOW. Mr. President, how much time is remaining on the amendment?

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes 43 seconds; the other distinguished Senator from Oregon has 3 minutes 16 seconds.

Ms. STABENOW. I ask for a minute.

Mr. WYDEN. Mr. President, I am happy to yield time to my friend from Michigan, who has already shown that she is going to be a tremendous advocate for working families and seniors on health. I am happy to yield to her.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to commend my colleagues for their hard work. There is nothing more urgent in a family's life than the issue of health care. I often think that if we address this issue in as urgent a manner as a family does when someone has a health care problem, we would have acted much more quickly. When there is a health concern in a family, it seems that the world stops until you fix it or try to figure out how to help your child or your parent or yourself. We need to have that same sense of urgency about health care in this Chamber.

I commend my colleagues for their work.

Mr. WELLSTONE. Mr. President, I join with my colleagues in support of Mr. SMITH's amendment to increase funding in the Resolution by $28 billion over fiscal year 2002 through 2004 for the purpose of expanding health insurance coverage to the uninsured. Yesterday's New York Times reported that the President's proposed budget, details of which we will not see until next week, will suggest cuts of nearly 90 percent to programs that increase access to health care for the uninsured. That obviously is moving in exactly the wrong direction.

I oppose the administration's reported plan to ''phase out'' the Community Access Program. The program seeks to reduce the number of uninsured through integrated, comprehensive health care delivery systems. I also am troubled that the Administration seems to undervalue one of the most important components of any health care safety net—quality care. We need to continue to train health professionals to ensure that every patient receives the quality care he or she deserves. Moreover, we need to make sure we have enough health professionals in every part of this country so that no one is denied access to care because of where they live. According to New York Times, however, the White House position is that there is ''an oversupply of doctors.'' The truth is there are great disparities in the distribution of health professionals in this country. The majority of the country's counties experience shortages in health professionals and are medically underserved areas.

I support the Smith amendment. This funding will help. But we need to go further. We need quality care for all, which means universal health care coverage. I intend to introduce the Health Security for All Americans Act following this Easter recess. Every American should have quality health care coverage. Meanwhile, the Administration's proposals to cut the Community Access Program, flat-line funding for the care of people living with AIDS and HIV, and cut into funding for the training of our health professionals take us in the wrong direction. This amendment improves the Resolution.

Ms. SNOWE. Mr. President, I rise in support of this amendment that has a very simple purpose: to increase mandatory health spending by $28 billion to increase health insurance coverage.

This is a matter of great national urgency. Today, nearly 33 million adults and 10 million children go without health care coverage. That's 18 percent of all Americans. And despite record employment and a booming economy over the past decade, over eighty percent of the uninsured are in working families.

Quite simply, we cannot afford to be complacent. Both the nation and individuals pay a penalty for the lack of health insurance. Indeed, one of the most deeply disturbing is that health care costs more for the uninsured!

According to a recent New York Times article, because ''health insurance companies insist on hefty discounts'' for their patients, there can be ''extreme price disparities'' between what the uninsured are charged for medical care and what people with insurance are charged.

For example, one internal medicine specialist reported that the cost of his bills for ''routine exam[s]'' can vary by 45 percent, with ''the uninsured pay[ing] the most'' and those with insurance ''pay[ing] much less than their share.'' As a result of such arrangements, ''some uninsured people struggle for years to pay medical bills and others put off seeing a doctor until minor problems become major ones.''

How might these funds be spent to improve health insurance coverage? One very promising approach is legislation that will be introduced shortly to expand the SCHIP program to provide health insurance coverage of parents of children eligible for the program.

As I am sure many Members know, in 1997, under the leadership of Senators KENNEDY and ROCKEFELLER, Senators HATCH and the late John Chafee, Congress created the State Children's Health Insurance Program, or ''S–CHIP.'' Since SCHIP was launched just 3 short years ago, this Federal-State partnership has provided health insurance coverage to 3.3 million low-income children. My home State of Maine is justifiably proud of its Cub Care program, covering 9,500 low-income children.

What could be a greater priority of our Nation than the health and well-being of our children? What greater responsibility do we have as leaders and adults? The fact of the matter is, if we are to be stewards of the future, we must be protectors of our children. America's children cannot grow up strong if they do not grow up healthy.

But just as the early results are encouraging, we can and must do more. Despite a team effort to enroll all eligible children, one-third of the remaining 18,000 uninsured children in Maine are currently eligible for coverage under Medicaid or Cub Care, but aren't receiving the benefits. Nationwide, an estimated 6.3 million additional children who could be served by the program remain unenrolled. Like a letter mailed without an address, benefits that aren't delivered are benefits that might as well not exist.

We must reach our goal of covering all those who are eligible. The solution, or the ''key prescription'' as one Maine pediatrician said is health insurance coverage for their parents.

Here is some evidence. Three of the first States that provided coverage to parents under Medicaid saw their coverage of eligible children increase by 16 percent from 1990 to 1998, compared to 3 percent for States that didn't cover parents.

The bottom line is that parental coverage means that children are more likely to be enrolled in SCHIP; and that means better access to medical care.

Of course, there are many other possible avenues to improve health care coverage. Indeed, no one solution is the answer for all 43 million uninsured Americans. But none of the options is possible without funding.

I urge all Senators who believe as I do that we must improve health insurance coverage to vote for this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, it is my understanding that this may be agreed to unanimously. But in the event it is not, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Will the Senator withhold?

Mr. SMITH of Oregon. I withhold.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Is all time expired on the amendment?

The PRESIDING OFFICER. All time has not yet expired. The Senator from Oregon has 2 minutes 20 seconds; the Senator from Oregon has 2 minutes 34 seconds.

Mr. DOMENICI. I wonder if the Senators would be prepared to yield back their time.

Mr. SMITH of Oregon. Mr. President, I would be willing to yield back my time. I was just asking, if necessary, for the yeas and nays.

Mr. DOMENICI. I do not think it is necessary. I think we are prepared now to have a voice vote and accept the amendment.

Mr. SMITH of Oregon. That would be fine.

Mr. WYDEN. Mr. President, I was always under the impression you ought to quit while you are ahead. I yield my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 240.

The amendment (No. 240) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. SMITH of Oregon. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SMITH of Oregon. Mr. President, I suggest the absence of a quorum and ask unanimous consent it be charged equally against both sides.

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

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, this is a unanimous consent agreement that has been worked on by a wide variety of Senators representing leadership on both sides. I will propound it now.

I ask unanimous consent that time from 3:30 p.m. today until 6:30 p.m. be equally divided for the consideration of Senator DOMENICI's reconciliation instructions amendment; that all the time on the budget resolution expire at 6:30 p.m. this evening; that when the Senate votes in relation to the reconciliation amendment, all remaining amendments be limited to 30 minutes each.

I further ask unanimous consent that any votes ordered on remaining amendments to the budget resolution be stacked to occur following the vote on or in relation to Senator DOMENICI's reconciliation amendment at 6:30 p.m., with 2 minutes prior to each vote for explanation.

I further ask unanimous consent that the first-degree amendments to be offered by the minority and majority leaders be the last two amendments in order prior to the vote on the substitute and the vote on adoption of the concurrent resolution, that they be offered in the order listed above and they not be subject to any second-degree amendments.

I further ask that following the disposition of the amendments by the two leaders, the Senate proceed to vote on adoption of the substitute, to be followed immediately by a vote on adoption of the concurrent resolution, all without any intervening action, motion, or debate, if all amendments have been offered and disposed of.

Finally, I ask unanimous consent that disposition of the last two amendments by the two leaders and the final vote on the concurrent budget resolution occur no earlier than 2:30 p.m. on Friday, April 6.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Reserving the right to object, I think, as it was read, there may be some confusion in the first few lines. It might be helpful to restate it, I say to my colleague; because of changes that have occurred as we have negotiated this, I think it would be useful to restate the first few lines.

Mr. DOMENICI. I will be glad to. I think the Senator is correct.

I ask unanimous consent that the time from 3:30 p.m. until 6:30 p.m. be equally divided for consideration of Senator DOMENICI's reconciliation instructions amendment; that all time on the budget resolution expire at 6:30 p.m.; that when the Senate votes in relation to the reconciliation amendment, all remaining amendments be limited to 30 minutes each.

I further ask unanimous consent that any votes ordered on remaining amendments to the budget resolution be stacked to occur following the vote on or in relation to Senator DOMENICI's reconciliation amendment at 6:30 p.m. with 2 minutes prior to each vote for explanation. I think the rest of it was clearly audible. I propose the rest of it.

Mr. CONRAD. Mr. President, I want to be clear: All remaining amendments be limited to 30 minutes each is intended to apply to what occurs between now and 3:30 p.m.?

Mr. DOMENICI. That is correct.

Mr. CONRAD. And from 3:30 p.m. to 6:30 p.m. will be on reconciliation? That what occurs after that, the 30-minute limitation does not apply. The 30-minute limitation applies to what occurs between now and 3:30 p.m.; is that the understanding of the Senator?

Mr. DOMENICI. That is correct. That is what it says, but if it needs to be further clarified, I accept that clarification.

Mr. REID. Reserving the right to object, this does not preclude any points of order anyone might have during the course of the day?

Mr. DOMENICI. No, it does not.

The PRESIDING OFFICER. Is there objection? The Senator from West Virginia.

Mr. BYRD. Reserving the right to object, two things: First, is it clear that the vote on the Domenici reconciliation amendment will occur at the expiration of the 3 hours allotted to that amendment?

Mr. DOMENICI. The Senator is correct.

Mr. BYRD. Second, will the distinguished Senator from New Mexico read the final proviso which deals with the final vote at 2:30 p.m. tomorrow or circa 2:30 p.m.?

Mr. DOMENICI. Yes, I will. I ask unanimous consent that disposition of the last two amendments by the two leaders and final vote on the concurrent resolution occur no earlier than 2:30 p.m., Friday, April 6, 2001—tomorrow.

Mr. BYRD. That will mean then the vote-arama, which I do not like and I do not believe the distinguished Senator likes either, would occur. Whatever amendments there are, if Senators chose to call them up, they would have votes on them.

Mr. DOMENICI. That is correct.

Mr. BYRD. That is correct.

Mr. DOMENICI. Yes, it is. We hope to make some impression on our friends that we do not have to do them all. The Senator is correct.

Mr. BYRD. Fine. Is it clear that the majority leader will have an amendment and the minority leader? Is it clear, absolutely clear that they will have one amendment each?

Mr. DOMENICI. Yes, both the minority and majority have an opportunity at the end, in the order stated, in the order of minority, majority leader—in that sequence—but they both have that right.

Mr. BYRD. They both have that right.

Mr. DOMENICI. Wraparound right.

Mr. BYRD. They may choose not to offer such amendment.

Mr. DOMENICI. That is correct.

Mr. REID. Mr. President, I want the Senator from West Virginia to understand all amendments will be in order in the vote-arama if filed by 2 o'clock today, as under a previous agreement.

Mr. DOMENICI. I thank the Senator for reminding us of that. Senators should know that.

The PRESIDING OFFICER. Is there objection to the unanimous consent request by the distinguished Senator from New Mexico?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand the distinguished Senator from Delaware wants to speak for 5 minutes with the time coming off the resolution. That is all right with me.

Can we propose the following, not as a UC, but as a planning tool? We have done it before.

Senator FRIST on HIV and Senator CORZINE on energy; Senator BOND, Senator MIKULSKI, Senator DODD on child care; Senator VOINOVICH on process; Senator HOLLINGS on stimulus; Senator ALLEN and Senator BROWNBACK on process. That is what we are trying to accomplish.

Mr. CONRAD. Can we see the list?

The PRESIDING OFFICER. The distinguished Senator from Delaware is recognized.

Mr. CARPER. Mr. President, this is the week baseball season begins anew. I am in a little bit of a baseball mood this week, even this afternoon under bright, sunny skies in our Nation's Capital. We have been working on the budget resolution in the Senate Chamber for the better part of this week, and under the unanimous consent agreement we will wrap it up hopefully tomorrow afternoon.

Using a baseball analogy, this is like the seventh inning stretch. I want to take the opportunity to reflect on what we have agreed to, not agreed to, and maybe some thoughts we can keep in mind over the next 24 hours or so.

As we attempt to adopt, fashion, and agree on a blueprint for spending for our Nation, the thought that creeps into almost every aspect of our discussions is the economy, the shaky nature of the economy, the fragile nature of the economy, and to what extent tax cuts should play as we adopt this budget framework.

There are a number of ways to stimulate the economy, as we all know. One of the ways that is going forward right now is the aggressive monetary policy launched by the Federal Reserve over the last couple of months which will add to the gross domestic product of our country, I am told, somewhere close to half a percentage point this year by virtue of lower interest rates. The Federal Reserve is expected to come back and consider by May 15 whether more interest rate relief is called for. My hope is they will do so, and maybe even before that time.

Those interest rate reductions are already being felt in our economy as people refinance their homes, lower their mortgage rates, and take the moneys they are saving and spend it for other purposes.

Another obvious way to stimulate the economy is through tax policy. I remind my colleagues as we consider a stimulus policy, trying to put some kind of rebates in place now, rate reductions, child credits, or marriage penalty relief, the actual impact we will have through tax policy is de minimis.

Take $3 trillion out of the stock market, as we have seen over the last several months, and pump in $40 billion, $50 billion, $60 billion in tax policy and in reality it is not going to amount to too much.

I hope we will continue our efforts over the next 24 hours—frankly, over the weeks to come—to adopt the best stimulus of all. The best stimulus we could send, not just to the markets but the American people, would be for us to actually agree on a tax policy, not just 51 Republicans with the Vice President casting the tie-breaking vote but for a number of Democrats and Republicans to agree on an incremental approach where we would be able to lower marginal rates, broadly but not as deeply as the President wants, or double the child credit and make it retroactive to the beginning of this year, or we might eliminate the marriage penalty effective the beginning of this year, and do it in a way to provide stimulus to our economy but also some assurance that the taxpayers are going to see long-term rate reduction, long-term relief.

The President was in Delaware a couple days ago, and I talked with him about this. He said: My concern is, Tom, if we do not take a lot of money off the table now, we will spend the money. I reminded the President he plays an activist role in the appropriations process—signing and vetoing appropriations bills, signing and vetoing enhancements to entitlement programs.

In the end, while we are in the seventh inning stretch, the ball game is likely to go into extra innings, and the very best victory the American people can hope for is a bipartisan agreement for an incremental approach to tax cuts that includes restraint on spending and includes a consensus that one of the best things we can do is continue the good work we have begun on reducing our Nation's debt. I yield back my time.

The PRESIDING OFFICER (Mr. KYL). The Senator from New Mexico is recognized.

Mr. DOMENICI. I ask the ranking member, we read off seven names, you added an eighth; can we say the eighth is Senator WELLSTONE?

Mr. CONRAD. Senators WELLSTONE and JOHNSON, if I could add that additional name.

Mr. DOMENICI. Sure. We will try to accommodate all the Senators, saying no more than 15 minutes on each of the amendments.

I yield the floor.

AMENDMENT NO. 215

Mr. FRIST. Mr. President, I have an amendment at the desk, No. 215, on behalf of myself, Senators SMITH of Oregon, LEAHY, DURBIN, KERRY, and FEINGOLD, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for himself, Mr. SMITH of Oregon, Mr. LEAHY, Mr. DURBIN, Mr. KERRY and Mr. FEINGOLD, proposes amendment numbered 215.

Mr. FRIST. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, line 3, increase the amount by $500,000,000.

On page 4, line 17, increase the amount by $500,000,000.

On page 5, line 8, decrease the amount by $500,000,000.

On page 12, line 16, increase the amount by $200,000,000.

On page 12, line 17, increase the amount by $200,000,000.

On page 12, line 20, increase the amount by $500,000,000.

On page 12, line 21, increase the amount by $500,000,000.

On page 43, line 15, decrease the amount by $200,000,000.

On page 43, line 16, decrease the amount by $200,000,000.

On page 48, line 8, increase the amount by $200,000,000.

On page 48, line 9, increase the amount by $200,000,000.

Notwithstanding any other provision of this resolution, it is the sense of the Senate that:

(a) FINDINGS.—The Senate finds the following:

(1) HIV/AIDS, having already infected over 58 million people worldwide, is devastating the health, economies, and social structures in dozens of countries in Africa, and increasingly in Asia, the Caribbean and Eastern Europe.

(2) AIDS has wiped out decades of progress in improving the lives of families in the developing world. As the leading cause of death in Africa, AIDS has killed 17 million and will claim the lives of one quarter of the population, mostly productive adults, in the next decade. In addition, 13 million children have been orphaned by AIDS—a number that will rise to 40 million by 2010.

(3) The Agency for International Development, along with the Centers for Disease Control, Department of Labor, and Department of Defense have been at the forefront of the international battle to control HIV/AIDS, with global assistance totaling $330,000,000 from USAID and $136,000,000 from other agencies in fiscal year 2001, primarily focused on targeted prevention programs.

(4) While prevention is key, treatment and care for those affected by HIV/AIDS is an increasingly critical component of the global response. Improving health systems, providing home-based care, treating AIDS-associated diseases like tuberculosis, providing for family support and orphan care, and making anti-retroviral drugs against HIV available will reduce social and economic damage to families and communities.

(5) Pharmaceutical companies recently dramatically reduced the prices of anti-retroviral drugs to the poorest countries. With sufficient resources, it is now possible to improve treatment options in countries where health systems are able to deliver and monitor the medications.

(6) The UN AIDS program estimates it will cost at least $3,000,000,000 for basic AIDS prevention and care services in Sub-Saharan Africa alone, and at least $2,000,000,000 more if anti-retroviral drugs are provided widely. In Africa, only $500,000,000 is currently available from all donors, lending agencies and African governments themselves.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the spending levels in this budget resolution shall be increased by $200,000,000 in fiscal year 2002 and by $500,000,000 in 2003 and for each year thereafter for the purpose of helping the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated infectious diseases.

Mr. FRIST. Mr. President, the time is at hand for the United States to take

another act of leadership in confronting one of the most important moral, humanitarian, and foreign policy decisions of the new century: How to stop the ravages of HIV/AIDS in Africa and other developing countries.

History will indelibly record how the United States, along with other governments, other institutions, other foundations, and other civil societies, responds to the call. Inaction will be measured in millions of lives—lives lost, families destroyed, and economies ruined.

The statistics tell the story. They are chilling. Twenty-two million people have died of AIDS worldwide, more than 3 million last year alone. That is over 8,000 per day or nearly 6 deaths every minute. That number is growing. Thirty-six million people are currently infected with HIV, a staggering number that is increasing by 15,000 new infections every day, mostly in the world's poorest countries. By 2010, 80 million persons could be dead of AIDS. That is more deaths than we saw in military and civilian forces suffered during all of World War II.

In Africa, life expectancy has been reduced by nearly half in many countries. In the next decade, 40 million children will be orphaned by AIDS. That is a number equal to all children in this country living east of the Mississippi. The economic impact is devastating. An entire generation of workforce is being lost. Trained personnel in key sectors needed for economic growth and stability—teachers, health care personnel, law enforcement—are being decimated by the epidemic. In South Africa alone, a once growing economy is being devastated by HIV/AIDS. The projected GDP over the next 10 years will be reduced by 17 percent, or the equivalent of about $22 billion, because of this single virus.

Africa is not alone. The Caribbean region has the second highest rate of HIV infections. Russia has the largest increase of any in the world. The National Intelligence Council has said that Asia, especially India, is on the verge of a catastrophic epidemic. This is especially troubling for those concerned about regional security in the most populous part of the globe.

All Americans, indeed, can be proud of the international leadership in responding by the United States to this epidemic. We have pushed the G–8 to embrace debt relief in exchange for health programs. We have tripled our global commitment to AIDS programs over the last 2 years. But we are not doing enough. We are not alone. In all of sub-Saharan Africa, the combined national, UN, and donor contributions in the fight against AIDS total $500 million. Yet the United Nations estimates the basic prevention and care in Africa alone will cost $3 billion a year, increasing to $5 billion a year if treatment, including access to specific anti-AIDS drugs, is added.

The fundamental question we must ask today is this: If the United States is already doing more than anyone else, why should we do more right now? There are three reasons.

No. 1, the disease is not waiting. It is not waiting for the international community to mount a coordinated response. Just since I have been talking, 18 people have died and there have been 35 new infections. The problem is growing by the minute.

No. 2, a major new initiative by several pharmaceutical companies that has been rolled out over the last several weeks means AIDS treatment drugs for Africa are more affordable today than they have ever been.

No. 3, access to treatment enhances prevention efforts. Access to treatment enhances prevention, a basic underlying premise of public health.

For the first time in history, the drugs that have revolutionized AIDS care and treatment in the United States can become for the first time part of that comprehensive prevention, care, and treatment strategy even in the poorest countries of the world.

But how we supply these drugs where they are needed, given the fact that purchasing them at cost still puts them way beyond the means of infected individuals in poor countries, is a question we must address.

The answer is in the sort of public-private partnerships which we know have worked in the past and can increasingly work in the future. On the private side, U.S. companies took the lead in making drugs available, and now it is appropriate for the U.S. Government in this private partnership approach to take the lead in making these drugs part of a comprehensive plan, strategy, of prevention, care, and treatment in these poorest countries.

Currently, the United States is contributing close to $500 million to fight the scourge of HIV/AIDS in poor countries. The amendment my colleagues and I are putting forth today increases that amount by $200 million next year and by $500 million the following year, effectively doubling our current commitment over 2 years.

These funding resources from the United States will provide the leadership impetus for a powerful coalition of Government, of foundations, of the United Nations, of the pharmaceutical companies, of academic institutions, of the scientific institutions to help fill the gap between the available resources and the need for care and treatment.

Working with authorizing and appropriation committees, working with Secretaries Powell and Thompson, with USAID and other parties, we will be crafting legislation to ensure this new budget authority enhances and complements our bilateral aid programs and also, fundamentally important, creating a mechanism that both encourages participation by other donors and gives the program the appropriate accountability and oversight we all must require.

One possible model would be the strictly monitored fund similar to the successful global alliance on vaccines and immunization. That particular program has combined substantial contributions by the Gates Foundation, as well as that by governments, putting them together. It is managed by those who know how to deliver those programs, to hold them accountable and to make sure the services are delivered to those in greatest need.

In addition, work by community-based organizations, both religious and secular, will be the linchpin of success on the ground. It has to be made clear to the American people and to the world at large that the drugs alone are not enough. Delivery systems and health infrastructures are absolutely mandatory if programs are to be more than just talk or to make us feel good—programs that actually reach the people who are in so much desperate need for them.

Let's be clear about one thing: The new moneys will not be used to add to the coffers of those leaders who have not made AIDS a national priority and who have not yet committed to science-based national plans to address this challenge. There is no point in assisting governments that choose to avoid the hard realities. Let's also remember that until science and the tremendous resources we can provide in this country in terms of science and discovery produce a vaccine, prevention through sustained change in behavior is the first and most important means of AIDS control, and prevention must remain a primary focus of our development assistance.

However, we cannot spend our assistance dollars only on prevention activities. The major new initiative we have seen by the pharmaceutical companies recently gives us some hope for those already suffering from AIDS and their families. After all, how can families and communities and democracies survive when over a third of young adults are becoming infected and are expected to die by the age of 45, leaving millions of children with little support and even less hope. In extending the productive lives of those people affected, treatment can prolong the time that families are together, can provide that support and pass on their cultural tradition and values.

Beyond these humanitarian concerns, treatment makes prevention work. Without some expectation of hope or of care, people have no reason to be tested for AIDS, to go in and seek help. They become outcasts in their communities.

Make no mistake about the fact that much more needs to be done than we are proposing. Other nations absolutely must step up with their involvement as well. We will look to the administration to use expanded U.S. commitments to urge our trading partners to increase their participation.

By using such leverage, an increase of $200 million in U.S. aide should increase aide by others by several times that much. Americans have always been among the first to tackle the

most difficult challenges of the times. We must do no less when confronted with perhaps the worst international health crisis since the bubonic plague ravaged Europe over 600 years ago.

When our children and grandchildren asked what we did to help slow down this human tragedy, let us be proud of our answer.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). Who yields time? The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I rise today to join Senator FRIST to increase funding for International HIV/AIDS efforts. This amendment will increase by $200 million in fiscal year 2002 to help the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated diseases.

AIDS is one of the most recent and most devastating infectious diseases facing the world today. Since the virus was first identified about 20 years ago, more than 50 million people have been infected—and at the current rate of infection that number will top 100 million within 6 years.

Of those being infected with HIV, half are between the ages of 10 and 24. Five young people will contract HIV/AIDS as each minute passes as I stand here speaking to you on the Senate floor.

These numbers are beyond belief—these youth are the future of the world and yet that future is being endangered as surely as those lives are being endangered.

Last year many of us on the Senate Foreign Relations Committee joined forces to authorize a real boost in funding to fight HIV/AIDS abroad. Senator BOXER, FRIST, KERRY and I—and many others including Chairman HELMS—succeeded in authorizing increased funding to meet the challenges of HIV/AIDS infection.

We did this without care about party politics, ideology or conviction, working together to somehow find solutions to a horrible health problem. I note that last year our focus was basically on Africa.

This year our attention has unfortunately been turned to new continents and new countries that are being impacted by HIV/AIDS.

In the Far East—in Thailand for instance, in the Near East—threatening India and in some countries of Eastern Europe and in Russia, HIV/AIDS is spreading quickly. Asia will soon have more new HIV infections than any other region. In Russia more Russians are projected to be diagnosed with HIV/AIDS by the end of the year than all cases from previous years combined.

I could go on—HIV/AIDS will be responsible for the deaths of more men, women and children than all the soldiers killed in the major wars and conflicts of the 20th Century.

All these facts, again, cause the mind to numb and the imagination to stagger. Vocabulary fails to describe this. I simply ask my colleagues to join Senator FRIST and me in helping to fight HIV/AIDS abroad. Time and lives are wasting, even as we speak.

I yield the floor.

Mr. DASCHLE. Mr. President, I strongly support the amendment offered by Senators FRIST and FEINGOLD. It is a timely amendment that addresses not only a humanitarian crisis, but a key threat to U.S. national security. I commend the sponsors for drafting an amendment that will keep the United States in a leadership role on this critical issue.

HIV/AIDS is a public health crisis throughout Africa, Asia, and the Caribbean. There are more than 50 million people infected with HIV worldwide; more than 25 million of them are in Africa, where some countries experience infection rates between 10 and 20 percent of the population. In India, there are 3500 new cases of HIV daily, and the World Bank projects that India will have 35 million people with HIV by 2005. Although prevention is key to halting the spread of HIV, because of the high costs of drugs and the woeful medical infrastructure, many of those infected are shut out of any treatment or care.

This devastating impact on a large and growing segment of the world population threatens to produce an economic development crisis. It is striking down productive adults, impacting agricultural and economic output in many countries, and creating an estimated 13 million orphans, who face increased risk of malnutrition and reduced prospects for education. Some estimates suggest that the number of orphans will grow to 40 million in the next decade.

This amendment provides the United States with the resources it will need to confront this threat. The President's budget allowed for a 10 percent increase over last year's spending, but this challenge demands a more robust American response, and the Senate is responding here tonight.

This amendment is the first step, a very good first step, in that response. I am encouraged by a study released yesterday by Harvard University that this problem is, in fact, surmountable. It will, however, demand that we follow through on the next steps in this fight making drugs available at affordable prices and providing the medical infrastructure these countries need to meet this threat. It is a threat we can address, and I look forward to working with my colleagues to address it.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. FRIST. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. CONRAD. Is the Senator from New Jersey seeking time?

Mr. CORZINE. Mr. President, I call up amendment 257 at the desk.

The ACTING PRESIDENT pro tempore. There is still time remaining on the Frist amendment.

Mr. DOMENICI. Mr. President, if we had time on this amendment, we yield it back.

Mr. FRIST. Mr. President, there was 30 seconds. I yield that time back.

The ACTING PRESIDENT pro tempore. Time remains on the other side.

Mr. CONRAD. Mr. President, we yield back all time on this amendment and we yield 10 minutes to the Senator from New Jersey. Is the Senator from New Jersey seeking 7 minutes?

Mr. CORZINE. Mr. President, 10 minutes total, and I will yield time to other Senators.

Mr. CONRAD. At this time, I yield 7 minutes to the Senator from New Jersey.

The ACTING PRESIDENT pro tempore. The Senator will withhold for one moment. The time is all yielded back on the Frist amendment. The Senator from New Jersey is recognized to call up an amendment.

AMENDMENT NO. 257

Mr. CORZINE. Mr. President, I call up amendment No. 257, which is currently at the desk. I ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. CORZINE] offers an amendment numbered 257.

Mr. CORZINE. I ask unanimous consent further reading be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

The ACTING PRESIDENT pro tempore. The Senator is recognized for 7 minutes.

Mr. CORZINE. Mr. President, this amendment would restore $50 billion of cuts built into the Republican resolution to environment, natural resources, and energy conservation programs. This means that environmental programs would be increased 4 percent in 2002. But keep in mind, this is the total. We are merely maintaining funding at the increase the President has requested for overall growth in discretionary spending this year.

To offset these adjustments, the amendment would reduce administrative costs for fiscal year 2002 and reduce the size of the tax cuts in subsequent years.

Further, the amendment would set aside an additional $50 billion for debt reduction.

I believe protecting our environment deserves top priority. Yet in the past few months, we have seen the administration wage nothing less than an all-out attack on our environment.

Three weeks ago, the administration pulled a complete 180-degree turn on a clear campaign pledge to address global warming through the regulation of

carbon dioxide. They pushed back regulation designed to protect the public from arsenic in drinking water. They proposed drilling in the Arctic National Wildlife Refuge. And they refused to defend regulations designed to protect our national forests.

Unfortunately, the Bush budget and this budget resolution continue this attack on our environment. The President's ''Budget Blueprint'' proposed a 15-percent cut in environmental and natural resource programs—15 percent. These cuts are a dramatic step backwards and would reverse much of the progress we have made on cleaning our air and water and protecting our Nation's natural resources. These cuts would contribute to the Nation's growing concern about sprawl and would weaken efforts to hold polluters accountable.

These cuts have been especially serious in my State of New Jersey. I know I was sent here to fight to represent New Jersey's interests. Air quality in New Jersey is one of the worst—in six of our counties—in the Nation. We have 115 Superfund sites, 80 percent of our rivers and lakes and streams are unfishable and unswimmable.

Unfortunately, while the President has not revealed all the specific cuts that will be included in his budget, we know that they are coming. We know they will be severe. Just today there is a report in the Wall Street Journal outlining leaked information about these prospective cuts.

I ask unanimous consent this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUSH'S BUDGET PLAN TO FACE CRITICS' IRE OVER ENVIRONMENT

(By John D. McKinnon and Sarah Lueck)

WASHINGTON.—President Bush is likely to ignite more controversy over his environmental policies with the release next week of detailed budget plans including big cuts in conservation and energy-efficiency programs.

Democratic strategists say that environmental issues are fast becoming Mr. Bush's biggest political weak spot because of their popularity with middle-class voters. Democrats and their allies among environmental groups are planning to highlight the cuts next week and again on April 22, Earth Day.

''We expect the president's budget is going to be the next big attack on the environment,'' said Alyssondra Campaigne of the Natural Resources Defense Council.

Based on Mr. Bush's previously released budget outline, environmentalists now estimate that he will propose cutting environmental spending by 10%, including reductions at the Environmental Protection Agency, the Energy and Interior departments and the Army Corps of Engineers.

The Energy Department would endure the biggest cuts, expected to total as much as $120 million, from research programs that promote energy efficiency in manufacturing processes, appliances and building design. The budget plan also would cut as much as $150 million from the department's programs for creating fossil-fuel-production technologies, including some aimed at making oil wells and pipelines safer for the environment.

Much of the savings would be used to beef up other programs within the department, such as weatherization, home-heating aid for the poor and clean-coal research.

Still, activities call the administration's cuts in energy conservation perplexing, given that Mr. Bush has been proclaiming an energy crisis. ''The programs that will actually solve the problems, save consumers money and reduce pollution are getting slashed by this administration,'' said Anna Aurilio of U.S. PIRG, a consumer group.

An administration spokesman declined to provide details of the cuts but said the targeted programs aren't necessarily saving money. A White House official said the president's budget ''reflects his support for energy conservation, renewable energy and encouraging entrepreneurs to develop alternative sources,'' and noted that it proposes significant new tax incentives for energy production.

At the EPA, spending is being reduced by $500 million. Some congressional aides also expect reductions in core funds that pay for EPA enforcement activities, possibly as part of an increase in grants to help states pay for enforcement.

The environment isn't the only area in which Mr. Bush is taking some political heat. In health care, he is expected to propose cutting some programs favored by the Clinton administration, including a $125 million program that helps uninsured people get treatment and one aimed at preventing child abuse. But overall, programs designed to help abused children and the uninsured will receive more funding, officials at the Department of Health and Human Services said.

Mr. CORZINE. This uncertainty aside, we do know this undercuts a commitment the Congress made last year to support the Land and Water Conservation Fund. This blueprint cuts conservation initiatives by $2.7 billion. That is in the blueprint.

Potentially most damaging, the Bush budget would undermine enforcement of our environmental laws. It would require deep cuts in the operating functions of our environmental agencies: the EPA, Interior and the National Oceanic and Atmospheric Administration.

We just can't afford these cuts. If anything, we should be putting more resources into enforcement not less. Consider EPA's own data from just last month. They found that:

Twenty-six percent of industrial facilities were in significant noncompliance with their clean air permits; Nearly 10 percent of industrial facilities were in significant noncompliance with their clear water permits; And 7 percent of industrial facilities were in significant noncompliance with their hazardous waste permits.

When government lets polluters off the hook, all of us pay a price—particularly those least able to protect themselves—our kids and seniors.

The Bush administration has not been in office very long. But it has done a lot of damage and a lot of damage to our environmental laws. And it's time for them to reverse their course.

I hope my colleagues will support the amendment I am offering today. It is really a very limited amendment. It simply would allow us to barely maintain funding for environmental programs at today's levels. Frankly, I think we should do substantially more. But I hope my colleagues can support at least this, because it is protection of where we are today.

The message of this amendment is simple. It says that it's more important to keep our air and water clean than to give huge tax breaks to the very wealthiest Americans. And it's more important to address global warming than to give the top one percent of Americans a tax cut worth $55,000 a year.

I think environmental priorities reflect the values of the American people. I think they're the right priorities for our nation and world. And I hope my colleagues will support the amendment and those values.

I yield the floor and reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, does the Senator from Nevada or the Senator from California seek time?

Mrs. BOXER. I yield to my colleague, the Senator from Nevada.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from Nevada.

Mr. REID. Mr. President, I am the ranking member of the environment committee, and I want to express my appreciation to the Senator from New Jersey and the Senator from California who will soon speak on this amendment.

In our committee, every Member on the Democratic side has been extremely concerned about what has happened so far during the Bush administration and what they have done to violate what we have worked on for so long to take care of the environment, whether it is global warming, whether it is arsenic, whether it is lead, or whether it is drilling in ANWR. We need to understand that in our country—no matter if you are from New Jersey or California and all the States in between—people care about the environment. George Bush is a good man. He is simply not getting the word that he is making tremendous mistakes in how he is treating the environment.

The Senator from New Jersey has done an excellent job with this amendment in restoring financing in the budget so we can do something about the environment and to maintain the progress we have made.

Mr. CONRAD. Mr. President, I yield 2 minutes to the Senator from California.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Thank you very much. I thank my colleague from New Jersey, Senator CORZINE, and my ranking member, Senator REID.

I stand in strong support of Senator CORZINE's amendment. It isn't rocket science to know a few things about our life. If we can't breathe clean air, if we can't drink safe water, and if we can't count on the Government to protect us from events that we cannot protect

ourselves against, then what use are we as a Senate?

If you take a look at the Republican budget that is before us, it is a sad commentary on the value that they place on a clean and healthy environment for our people. They can say whatever they want, but they are at $52.5 billion, and they are going below the current level of services.

Again, this President likes arsenic in the water. I don't know. He will have to explain that to the American people. He took a move where he was going to say we are not even going to check for salmonella in the meat that goes to school lunches. Senator DURBIN caught him on that and now he backed off. He has also backed off on the right to know if there is lead in a product, or in the air we breathe. I have to say that is not a family value. That is not a value of a great nation.

Whether it is arsenic in our water or contaminants in our soil or air, this amendment should be supported. It doesn't do us any good to have a thousand dollars in our pocket if we are dying of cancer.

FOREST FIRE FUNDING

Mr. BINGAMAN. Mr. President, first, I commend my colleague, Senator CORZINE, for this amendment and indicate that I am very glad to be a cosponsor of it. It is an important amendment. Second, I would like to engage Senator CORZINE in a brief colloquy at this time.

Mr. CORZINE. Of course.

Mr. BINGAMAN. The spring and summer of 2000 will not soon be forgotten in my home state. A series of fires burned more than 65,000 acres in New Mexico, including the Cerro Grande fire that destroyed more than 400 homes. As a result of these fires and others that raged throughout the country, Congress took a step in the right direction last year by providing substantial funding for fire prevention efforts. In addition, Congress appropriated additional funds to implement the National Fire Plan. This plan, issued by the Secretary of Agriculture and the Secretary of the Interior, contains recommendations to reduce the impacts of wildland fires on rural communities and ensure sufficient firefighting resources in the future. I would like to clarify that it is the Senator's intent that this amendment maintains, at a minimum, current levels of funding for the National Fire Plan and base fire programs.

Mr. CORZINE. Yes, that is my intent.

Mr. BINGAMAN. It is important to ensure sufficient levels of funding for all programs related to the National Fire Plan. For example, Congress specifically instructed the agencies to target hazardous fuel reduction funds near communities that are at high risk from wildfire. In addition, the Rural Fire Assistance program strengthens the wildland fire protection capabilities of rural fire departments by providing technical assistance, training, and supplies. Moreover, economic action programs assist rural communities in developing and marketing products created from the little trees removed as part of fuels reduction efforts. Other cooperative fire protection programs, that provide assistance for complementary hazardous fuels reduction projects on non-Federal lands in the wildland/urban interface and educate homeowners about the proper way to fire proof their homes, are also essential elements of our cohesive efforts to diminish fire risks.

Mr. CORZINE. I agree with the Senator that a multi-faceted approach is necessary.

Mr. BINGAMAN. We need to sustain a commitment to all components of the National Fire Plan over a long enough period of time to make a difference, at least 15 years based on recommendations from the Forest Service and the Department of the Interior. Your amendment ensures that Congress is doing its part with respect to fire prevention without adversely affecting other important programs funded under Function 300. I thank the Senator for the clarification.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I know Senators BOND and MIKULSKI are ready to proceed under our previous arrangement. I say to Senator BOND that he is going to have 10 minutes on his amendment. I would like to take a couple of minutes now to explain something about the process, but I don't want to take away from anybody else's time.

Mr. BOND. Mr. President, if I could, I think Senator MIKULSKI and I each wanted 5, and I think Senator BINGAMAN wanted 2, if we could expand that to 12 minutes. Are there others?

Mr. DOMENICI. We will go 12. That is fine.

Mr. President, I want to make sure there is no misunderstanding. Just because we are not offering a second-degree amendment, we are not precluded from offering a second-degree amendment before we vote, from everything I understand. If anybody on the other side has a contrary reading, I wish they would raise that issue now.

Let me ask one simple question of the distinguished Senator from New Jersey. Does this amendment take $100 billion out of the tax cut and put $50 billion of it against the debt and $50 billion of it for increased spending in various environmental areas?

Mr. CORZINE. It is $93.75 billion.

Mr. DOMENICI. I don't want anybody to think we round out those big numbers. But sometimes we refer to $93.75 billion as a hundred.

Mr. CORZINE. We will check those numbers.

Mr. DOMENICI. We plan to have a second degree. We will have to work on it in due course. But we will have a second-degree amendment to that.

We don't have any formal agreement, excepting that a series of Senators are going to be recognized—bipartisan or otherwise—to send an amendment to the desk and talk about it and be limited to 15 minutes so we can have enough time to get them all in. We are going to yield 12 minutes for your team.

Is that satisfactory?

Mr. BOND. Mr. President, I thank the distinguished manager.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 211

Mr. BOND. Mr. President, I call up my amendment.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. ALLEN, and Mr. FRIST, proposes an amendment numbered 211.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 14, line 11, increase the amount by $1,441,000,000.

On page 14, line 12, increase the amount by $530,000,000.

On page 43, line 15, decrease the amount by $1,441,000,000.

On page 43, line 16, decrease the amount by $530,000,000.

On page 48, line 8, increase the amount by $1,441,000,000.

On page 48, line 9, increase the amount by $530,000,000.

Mr. BOND. Mr. President, the amendment I am offering with my colleagues, Senators MIKULSKI, ALLEN, LIEBERMAN, and BINGAMAN proposes to add $1.44 billion over the President's budget to the Function 250 general science account to boost spending in fiscal year 2002 for the National Science Foundation, Department of Energy, and National Aeronautics and Space Administration. Compared to the fiscal year 2001 enacted levels, this amendment would add $469 million to DOE's science accounts, $674 million to NSF, and $518 million to NASA. This amendment continues the Federal Government's strong commitment to the Nation's basic science research programs. Let us make no mistake, basic science means applied science, which is the foundation of this economy and will be the booster rocket for the future success of our economy and allow this Nation to lead the world in this century.

Of particular interest to me, this amendment maintains the momentum to double the budget of NSF over 5 years. Under this amendment, NSF would receive a 15.3 percent increase over last year's enacted level. As chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee, I began the doubling effort last year with my good friend and colleague on the appropriations subcommittee, Senator MIKULSKI. We are not alone and we have broad support for this funding. Last year, a bipartisan group of 41 Senators also supported this effort and I expect even

more direct and enthusiastic support this year. NSF plays an important and unique role in stimulating core disciplines of science, mathematics, and engineering and doubling the NSF budget will help ensure that the economic growth we have enjoyed over the past several years will continue.

I think we can all agree that research and development is a positive and critical investment for the economic and intellectual growth and well-being of our Nation. According to many economists, over the past half century, advances in science and engineering have stimulated at least half of the Nation's economic growth. Further, investment in scientific research has led to innovative developments in the high-tech industry—most notably the Internet and lasers. The investments have also spawned not only new products, but also entire industries, such as biotechnology, Internet providers, E-commerce, and geographic information systems.

Besides the economic benefits we have enjoyed from our investment in NSF's research programs, NSF has also played a crucial role in the biomedical area. Over the past half century, NSF-supported research has had monumental impact in the field of medical technologies and research. Let me make it clear that I am very supportive of the funding support we have provided to the National Institutes of Health. However, I am very concerned that the work that NIH is doing currently may be jeopardized if the underlying work from NSF research is not adequately supported. Medical technologies such as magnetic resonance imaging, ultrasound, digital mammography and genomic mapping could not have occurred, and cannot now improve to the next level of proficiency, without underlying knowledge from NSF-supported work in biology, physics, chemistry, mathematics, engineering, and computer sciences. Thus, the success of NIH to cure deadly diseases such as cancer depend upon the underpinning research supported by NSF. The connection between NSF and NIH has been recognized by leading medical experts such as former NIH Directors, Bernadine Healy and Harold Varmus. As Dr. Varmus wrote in a letter to me last June 26:

> Essential contributions to both genome sequencing and determination of protein structures have come from work supported by the NSF, and efforts to take advantage of this new information will require expanded activity in disciplines traditionally dependent on the NSF—including computer science, chemistry, physics, and engineering. Indeed, from the perspective of a medical scientist, there could be no more opportune time to guarantee the vitality of American science funded by the NSF.

Let me add on more voice, Dr. Kenneth Shine of the Institute of Medicine. Dr. Shine wrote:

> . . . it is important to note that advances in medicine are very dependent upon other fields of science that are mostly supported by the National Science Foundation . . . . doubling of the NSF budget will pay for itself many times over in terms of saving costs, and, more importantly, improving human health.

To be blunt, supporting NSF supports NIH.

Beyond just the biomedical field, the Senate should also be concerned about our Nation's supply of engineers and scientists. For the past several years, the number of graduates in the science and engineering fields has been declining. This decline has put our Nation's innovation capabilities at risk and at risk of falling behind other industrial nations. In the past decade, growth in the number of Asian and European students earning degrees in the natural sciences and engineering has gone up on average by four percent per year. During the same time, the rate for U.S. students declined on average by nearly one percent each year.

NSF plays a key role in funding the training of the nation's young researchers in university laboratories. Twenty thousand graduate students and nearly 30,000 undergraduates are directly involved in NSF programs and activities every year.

However, as many of my colleagues know, the Congress has had to raise the cap on H1–B visas for immigrant workers due to the shortage of technically-trained workers in this country. The high-tech industry has had to turn to foreign workers because our country is not producing enough scientists and engineers to meet demand. According to NSF, the demand for engineers and computer scientists is expected to grow by more than 50 percent by 2008. While NSF has been active in addressing this problem, it is obvious that it is not enough and we need to provide more support to our Nation's students. I hope my colleagues understand why this amendment is so critical. If we do not support NSF, this problem will continue and our Nation's long-term economic growth and research innovation will be significantly hampered.

The PRESIDING OFFICER. The Senator has used 4 minutes.

Mr. BOND. I thank the Chair.

I hope my colleagues will support this important amendment and our efforts to strengthen the country's research and development base. It is important to recognize that if we are to sustain our economic base and support the important work of NIH, we must support NSF.

Mr. President, I urge my colleagues to support this amendment.

I am going to use the last bit of my time to tell my colleagues that I have another amendment at the desk, No. 210, which we will be calling up in the vote-arama. It is cosponsored by Senators HOLLINGS and DEWINE.

Yesterday, the Senate voted overwhelmingly to add to the President's generous proposal for NIH research spending. I hope we get an overwhelming vote for this one, too. It does two things.

First, it adds to the President's proposal on community health centers. Like NIH, the Senate is on record supporting double funding over 5 years for health centers, and like the NIH amendment yesterday, my amendment would put us on track to double the funding for health centers.

Second, the amendment would make room in the budget to finally provide equitable treatment for children's hospitals when it comes to our support of physician training programs. They have not received enough money to train the pediatricians they need. This year, our goal is to end this inequity finally.

The amendment we will be calling up later will provide enough room in the budget to make these things happen. When that amendment comes up, I ask my colleagues to support that one as well.

I thank the Chair and my colleague. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from New Mexico.

Mr. DOMENICI. Before yielding to Senator MIKULSKI, may I ask the Senator a question?

Mr. BOND. Mr. President, I would be happy to respond to the distinguished manager.

Mr. DOMENICI. May we have order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOMENICI. May I ask the Senator: The other part of the Government that has basic science research is the Department of Energy. I understand that you included that in the triad. We have done NSF and the National Institutes of Health. You have added for the National Science Foundation and added $469 million for DOE basic research. Is that correct?

Mr. BOND. Mr. President, the total amount of funding goes into section 250. I say to the Senator, $1.44 billion goes into section 250. As I understand it, how that gets sliced up is probably beyond the ability of this particular budget debate to determine. It will ultimately come down, I believe, to a 302(b) allocation. But my recommendation is that the vitally important work of DOE be funded with an additional $469 million out of this function.

There is another function—I believe it is 270—that also funds science.

Mr. DOMENICI. I thank the Senator.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Will the Chair inform us how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Maryland has 5 minutes. Senator BINGAMAN has 2 minutes.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise as an original cosponsor of this amendment with my dear colleague, Senator BOND, to increase the function 250 for general science.

Our amendment seeks to increase funding for science by $1.4 billion by

doubling the funding for the National Science Foundation, increasing the NASA budget by $500 million, as well as the Department of Energy funds.

This has strong bipartisan support. We are joined by Senators LIEBERMAN and ROCKEFELLER on my side of the aisle.

Why is it this issue enjoys such strong bipartisan support?

Both sides of the aisle—Senator KIT BOND and Senator BARBARA MIKULSKI—want to make sure that America not only continues to win the Nobel Prizes but that we win the global markets. In order to do so, we need to invest in our Federal labs to create the new ideas that lead to the new products that lead to us winning those prizes and their markets. We are so proud of the fact we are on target to double the funding at NIH. But NIH is not the only place where we need to increase our funding for science and technology.

Our amendment pays for this increase through a $1.4 billion reduction in the proposed contingency fund. This offset does not cut any existing program or agency. Unfortunately, the President's budget cuts NSF research below last year's appropriated level. The President's budget also proposes similar cuts in real terms to NASA and the Department of Energy research programs. This is unacceptable. While we are on target to increase biomedical research at NIH, we must also increase funding in the core areas of science and engineering—the same disciplines that fuel the very biomedical enterprise we seek to strengthen. CAT Scans and MRI's were created by NSF research—not NIH research.

As the former head of NIH, Dr. Harold Varmus, said:

> Scientists can wage an effective war on disease only if we as a nation and as a scientific community harness the energies of many disciplines, not just biology and medicine. The allies must include mathematicians, physicists, engineers and computer and behavioral scientists.

Because it is at NSF, NASA, and also DOE that we are supporting basic science that saves lives and generates jobs today and jobs tomorrow. NASA and NSF made the major innovations in the Internet, satellites, and microelectronics. If it were not for federally funded research, none of this would exist today.

But supporting basic scientific research is not just about saving lives, it is also about creating the jobs of tomorrow. Federal funding for basic scientific research is absolutely necessary for economic growth and job creation. I couldn't even begin to list the technologies and inventions that were created through Federal research, but I will name just a few: the Internet, satellites, and microelectronics. If it weren't for federally funded research, none of this would exist today. The private sector will always be focused on near-term product development—that is what they have to do. But that allows the Government to focus on long-term basic research to provide industry with the foundation for future product development and future job creation for our country. Mr. President, we are on the verge of historic breakthroughs in science and technology that will revolutionize our economy. Nanotechnology is just one area that could transform our economy. Nanotechnology is the science of creating new materials and devices at the atomic and molecular levels, through the manipulation of individual atoms and molecules.

What does this mean? It means inventing new materials that are 10 times stronger than steel—at a fraction of the weight. It means supercomputers the size of a teardrop. It means new sensors that can detect cancer cells at the earliest stages of development. Unfortunately, we may not see the pay-off for 10 or 20 years. Industry on its own cannot support such high risk, long term research. That is why the Federal Government must support long term basic scientific research. For evidence, just look at recent history. The United States had led the world in patenting considered a critical measure of innovation. Entrepreneurial investment in new technologies and services created an estimated one-third of the 10 million new jobs between 1990 and 1997. Since 1995, growth in gross domestic product per capita reached its highest levels in 40 years.

We cannot afford to stop now. That is why this amendment is necessary. Not only do we need to increase funding for research, we need to rebuild our research infrastructure.

According to NSF, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push the frontiers of new technology if our laboratories aren't ready? We are seeing a decrease in the numbers of graduates in key science and engineering fields. This puts our future innovation capabilities at risk. We must work to expand the pool of U.S. scientists and engineers by increasing support for K–12 math and science education. We must increase support for the education and training at our 2 year colleges, undergraduate institutions and research universities. Our international competitors won't stand still, and neither can we. With all that is confronting us, now is precisely the wrong time to cut funding for scientific research.

I urge all my colleagues to join us by supporting this amendment as a necessary and critical investment in the future well being of the Nation.

Mr. President, yesterday I had a great talk with Dr. Sally Ride, the first woman to go into space. When she went into space, she took the hopes and dreams of so many of us. Dr. Ride holds degrees in both English literature as well as astrophysics. If Dr. Ride were here today to consult with the Senators, she would say she could do what she did because of the funding of the National Science Foundation that helped her get the background to be able to go on to be an astronaut. And look at what it has meant.

Our own National Science Foundation today is leading a breakthrough effort in a new field called nanotechnology. It could transform our economy. It is the science of creating new materials at the atomic and subatomic level.

But what does that mean to those of us who are scientifically literate but not scientists? It means a supercomputer the size of a teardrop, new materials that are 10 times stronger than steel at a fraction of the weight. Think what it means for new materials for our airplanes and our automobiles.

Unfortunately, we will not see this payoff for 10 or 20 years. Industry cannot be the venture capitalists in this area. Government needs to get into it. By getting involved in nanotechnology and infotech technology, we are really taking America to the future. We lead the world in patenting and innovation.

Since 1995, our gross domestic product has increased more. Why? Because of innovation that has led to new products and new productivity. So we really need to focus our research on what will generate this type of activity.

At the same time, while we are looking at the funding of research, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push these frontiers of new technology if our laboratories are not ready? This program will help with those laboratories.

I think all here know of my passion for bringing often left out constituencies into science and technology—women, people of color.

It is the National Science Foundation that reaches out to bring them into the field of science, mathematics, and engineering. The NSF has done a fantastic job reaching out to historically black colleges and to women. At the same time we see, particularly with some of the NIH money that doesn't necessarily come to States with large rural populations, EPSCoR, an excellent program at NSF that brings high-tech research opportunities to our smaller rural States, that enables them to come up with the new ideas and maybe even jump start efforts of the stodgy universities. This is the competition we love. It is the competition of ideas, the competition for new products.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from New Mexico has 2 minutes.

Mr. BINGAMAN. Mr. President, I thank the sponsors of the amendment for the opportunity to speak on its behalf. I am a cosponsor of the amendment. I believe very strongly that it is the right thing to do. Of course, it does not actually get the money appropriated for these very important purposes, but it does make it possible for us to do that later in this session of the Congress.

We have seen a commitment over several years now by the Congress to

adequately fund the National Institutes of Health. I have strongly supported that. But we have not seen the same level of commitment, the same level of appreciation for the importance of maintaining high levels of funding for research and development in the physical sciences area. That is what this amendment would do. It would try to bring funding for research and development in the physical sciences on a par with the funding for the research and development that is pursued in the life sciences through the National Institutes of Health.

This is an extremely important effort, particularly as it relates to the Department of Energy's Office of Science, their commitment to developing the necessary user facilities across the Nation in two critical areas. One is the nanosciences that have been mentioned by the Senator from Maryland. The second is in advanced scientific computers. In both of these areas, we need to be the world leader. There is no reason we cannot be. In both of these areas we need to commit funds in order to maintain that leadership position.

I strongly support the amendment. I commend the sponsors of the amendment for proposing it and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the distinguished Senator from New Mexico for his kind comments as well as the strong comments of the Senator from Maryland.

The PRESIDING OFFICER. All time has expired.

Mr. BOND. I ask unanimous consent that the distinguished chairman of the Budget Committee be identified as an original cosponsor. It was my mistake not to include him on that list.

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

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield the floor.

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

Mr. DOMENICI. Will the Senator withhold?

Mr. CONRAD. I am pleased to withhold for the Senator.

Mr. DOMENICI. While we are waiting, I yield myself 1 minute off the conglomeration of amendments. We won't exceed our time on those.

I take a minute to respond to the distinguished Senator from California who talked about our President and his environmental record. I want to make sure everybody out there in the hinterlands knows that the Senate had an opportunity to vote on whether it would ever enforce the so-called Kyoto accord. Not one single Senator voted that we would, indeed, enforce that accord. The vote was either 99–0 or 98–0, indicating forthrightly that the treaty would never see the light of day because the Senate said it wouldn't.

I believe we ought to be square with this President and be honest with the people. How can he be blamed for doing damage to the environment when the Senate clearly said, with not a single dissenting vote, that we would not enforce it? If we wouldn't enforce it, it would never be effective. It would have no efficacy on the environment of the world or America.

When our President announced that, somebody should have put a little scorecard up there that said: The President agrees with the Senate, which voted 98–0 that it would not enforce that accord.

On arsenic, which the Senator from California addressed, there are Democratic mayors across this land who have written to the Senator from New Mexico. I don't know very many who supported the old arsenic regulation because it was nonscientific and was not based on any real science. It wasn't only this President. Democratic mayors and councilmen joined by Republicans across the land said: Don't make us spend all this money when there is no benefit to the public health.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield 10 minutes to the Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished ranking member, Senator CONRAD, for his skill in managing our presentation from this side on the budget.

I rise to make some comments in general terms but directing my comments to the amendment I introduced today on behalf of myself and Senators NELSON, LANDRIEU, CARNAHAN, CHAFEE, LINCOLN, BAYH, TORRICELLI, and JEFFORDS. The amendment provides for a $1.25 trillion tax cut over the next 10 years for the enactment of marginal rate reductions and estate, marriage penalty, and alternative minimum tax relief, and reserves additional resources for other domestic priorities such as debt reduction, education, agriculture, defense, and prescription drugs. That is the essence of the amendment.

Let me suggest to my colleagues and, indeed, to the American public, that during the Presidential elections of last year, the most important thing President Bush was able to enunciate for the American people who contributed to his victory was not a number but a concept. The number he talked about in the campaign was a $1.3 trillion tax cut for all Americans. But more important than the number was the concept in which he told the American people that if he were to come to Washington, he wanted to change the culture of the way Washington worked or, rather, the way Washington did not work.

He said—I think correctly—that the American people were tired of class warfare. The American people were tired of the blame game. The American people were tired of seeing Democrats blame Republicans for failure. The American people were tired of Republicans blaming Democrats for failure. The American people were tired of the blame game and the essence in which we argued about failure and whose fault it was that nothing was getting done.

He said: If I get the chance to come to Washington, I will change that culture.

The election was not about a number. It was about changing fundamentally the way we do business in this city.

On this budget, we have the opportunity to show the American people that perhaps there is a glimmer of hope, that perhaps with a new President in Washington, if he truly believes, as I think he does, that he wants to change the culture, this is the first test of whether that will be done.

If you took to the American people a tax cut of over a trillion dollars for all Americans and you were able to put together a bipartisan coalition of 55, 60, 65 or more votes together in a package and say, we have worked together to accomplish this in a bipartisan fashion, we have fundamentally changed the way Washington works, that would be a victory for this President. It would be a victory for the Senate and, far more importantly, it would be a victory for the American public.

Let me assure my colleagues of one thing: This body is not the Super Bowl. This body is not the Final Four. In both of those endeavors there has to be a winner and there has to be a loser. I suggest that in the Congress of the United States that is not true. In the Congress of the United States it is far more important that we keep in mind that we should be trying to make the American people the real winners. It is not as important which party wins, but that both parties can work together in order to make a victory available to the people of this country.

I suggest we have an opportunity to do that, and unlike with the Super Bowl and the Final Four, everyone can be a winner and there can be no losers. It is time that we stop thinking that any number under $1.6 trillion is a loss for the President and a victory for the Democrats. That is simply not true. A number in between what Democrats have offered and what the Republicans have offered that is available to all Americans, that receives a substantial degree of support from both sides, is an incredible victory. It is an incredible victory not because it is a number but because we will have changed fundamentally the culture of this city.

It does not behoove any of us to try to pick one Republican off to join this side and for them to try to pick one Democrat off to join them on that side. If the American people see that that is the way Washington works in the year 2001, they will say the last Presidential election meant very little because of all the talk about change in the culture, and we ultimately get back to the

same old way of doing things. We pick up one, they pick up two; we pick up one, we get a 50–50 tie; and then we bring down the Vice President to break the tie and one side declares victory.

In essence, I think that is a short-term, shallow victory. In essence, I think it would be a serious defeat for all Americans who think we should change the culture of the way this institution works. We have offered something that I think could be a victory for everyone. We have offered a plan that should bring about serious negotiations, where we all sit together and not try to pick each other off, but we try to create a system that works for the benefit of all Americans.

What is not a victory is trying to pick each other off one at a time, with one more promise than the last group made, to try to say: Be with me for a short while so I can go to the winner's circle and be declared the victor.

We have an opportunity in this divided Congress—a President who won the electoral college but not the popular vote, a House of Representatives that is closer than it has been in decades, and a U.S. Senate that, for only the second time in our country's history, is absolutely deadlocked—that should not be a problem. That should be an opportunity. It should be the opportunity that this President talked about when he was running: ''If I am elected and I go to Washington, I will fundamentally change the culture of that city.''

This is the first test of whether we are going to change it. This is the first opportunity to show the American people that things will be done differently.

For all of my colleagues on both sides of the aisle who have joined with us in offering this, I think this is the answer to the deadlock in which we are involved. I thank them for their participation. I encourage all of my colleagues to work with us to ensure not just one party's victory but a victory for the American public.

I reserve the remainder of my time.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. NELSON of Nebraska. Mr. President, I rise today to speak in favor of the Breaux-Nelson-Jeffords, et al., bipartisan tax cut plan. This compromise is the result of careful consideration of the two philosophies dominating the tax cut debate today. The first was the belief that the $750 billion tax cut was not sufficient, considering the size of our projected surplus. Yet the second was that the $1.6 trillion tax cut could negatively impact programs in agriculture and defense, which are so important to the people of America and the people of Nebraska.

To put it another way, this legislation was written with one specific goal in mind: to cut taxes without cutting hope, and to do so in a bipartisan manner. We have worked deliberately toward that end, and I am pleased to stand here today and help introduce a tax cut package that will, in fact, achieve that goal.

In this plan we have included a $1.25 trillion tax cut proposal, and we put $350 billion back into the surplus so it can be used for increased debt reduction and the programs that are vital to the future of our industry, such as agriculture, defense, education, and a prescription drug benefit.

Acknowledging the discrepancy between the two plans offered today for consideration gives us the chance to negotiate our partisan differences on the tax cut. I believe quite strongly that the Breaux-Nelson-Jeffords, et al., plan is an excellent starting point for this discussion.

I have had the privilege of working with the President back in the days when I was Governor Nelson and he was Governor Bush. So I am familiar with the bipartisan efforts he undertook in the State of Texas. We both campaigned on the premise that we would reach across party lines to find sensible solutions to the Nation's most pressing issues. With this bipartisan proposal on the table, the President and the White House have the opportunity to demonstrate their negotiating skills and their desire to work together to achieve an ideological conclusion that is based not on partisanship, but is based on partnership.

Persuading one or two Democrats to vote with 48 or 49 Republicans doesn't, in my opinion, constitute bipartisanship. However, sitting down and working out our differences to establish a constructive alternative does, in fact, constitute bipartisanship.

On the surface, this legislation is about the tax cut, but it is also about much more than a tax cut. This bill is about changing the partisan tenor in Washington. And when we can successfully negotiate with the people at both ends of Pennsylvania Avenue, as well as with colleagues on either side of the table, we will be taking a step in the right direction. I am confident that if we work together, we will in fact reduce our differences, and we will also in fact reduce taxes; but we will not reduce our hopes and our dreams or those of others.

Mr. CONRAD. Mr. President, I compliment the Senator from Nebraska. He has been an exceptional addition to the Senate. He comes to us as a very distinguished former Governor, and he has made a great contribution to this debate in the Senate. I want to say that we welcome him, and we are so pleased that he has played this constructive role.

Mr. President, I yield 5 minutes to the Senator from New Jersey.

Mr. TORRICELLI. Mr. President, at some point, the division of this Senate on the issue of a tax reduction proposal must end. We must find some moment where there is a bipartisan approach that both protects our resources to deal with education and health care initiatives, but also has meaningful tax reduction. This can be that moment.

I join with Senator BREAUX because I believe we have found a reasonable compromise that is bipartisan—a $1.25 trillion tax reduction that lowers rates, offers real relief to middle-income families, but also protects enough resources to deal with our education, prescription drugs, and other family needs.

We have been told in recent months that there is a false choice. We can either deal with these problems or we can provide tax relief, but most assuredly we cannot do both. With this proposal, we achieve both by doing each modestly.

I have in the past indicated my belief that I could support a $1.6 trillion tax reduction as proposed by President Bush. Indeed, if required to do so, at some point I might vote for it, but surely this is the better path—not a tax reduction of 51 votes, no Vice President breaking a tie to decide upon a major national initiative that will decide the basic fiscal parameters of this Government for the next decade. This, a bipartisan plan that is affordable, protects the surplus and allows for a variety of other initiatives.

This is the most important part of the plan because while these are good times in America, they are not perfect times; and while the economy has been strong, it is now troubled.

In the last few years, we began an effort to hire 100,000 teachers; 50,000 remain to be hired to complete the program to reduce class size in America to 18 because we know it is the one variable that does the most to improve the quality of education.

Under the plan I offer with Senator BREAUX, this initiative can proceed. I am not certain it can with a larger tax cut program.

The Nation is living through a virtual revolution of technology with prescription medications prolonging life and helping the quality of life. Yet 15 million Americans have no access to prescription drugs. They are a vital part of their quality of life.

This plan leaves enough resources to write a realistic prescription drug program. Were it larger, I am not certain that would be possible.

I hope Members of the Senate will look carefully at what Senator BREAUX has offered today, our first chance at a bipartisan product to move toward meaningful tax reduction and a balanced program. I am sympathetic with the need to reduce taxes and reduce them substantially and immediately. I do not think a nation at peace, in relatively good economic times, should be taking 28 or 30 percent of the incomes of middle-income families. Indeed, 39 percent of the income of any American family should not be expected in peacetime and in relatively good times.

That is exactly what we are asking of the American people. The average per capita tax in America is $6,300. In my State of New Jersey, it is an astounding $9,400 per person. For a middle-income family, that is money the Federal Government should not expect because the Federal Government does not need

it. That is money that should be going to educate children, feed them, house them, to deal with family security and emergencies and savings. That is the better use of these resources.

I believe that meaningful tax reduction in an economy of this size, with these emerging surpluses, can allow for dramatic tax reduction on this scale.

Senator BREAUX has offered a meaningful beginning to writing that tax reduction and providing that relief. I am proud to join with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from New Jersey once again for a powerful and persuasive presentation.

Mr. President, I ask the Senator from Connecticut if he seeks time.

Mr. DODD. I do, Mr. President.

Mr. CONRAD. I yield 10 minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, my amendment is currently being crafted, and I have been in discussion with the distinguished chairman of the Budget Committee. I will explain what the amendment is and then I will offer it shortly.

I will be offering this amendment on behalf of myself and several of my colleagues: Senators WELLSTONE, CLINTON, BINGAMAN, CORZINE, MURRAY, LANDRIEU, LINCOLN, ROCKEFELLER, DAYTON, and DURBIN.

This amendment ensures that critical children's programs will be protected from harmful cuts. President Bush, as we all know, campaigned on the promise to leave no child behind. If we heard it once, we heard it a thousand times during the campaign. Those of us who took this President at his word were dismayed, to put it mildly, by the news 2 weeks ago that he intends to pay for the tax cut by cutting programs affecting children's health, children's hospitals, child care, and child abuse prevention treatment programs.

His actions certainly beg the question: When he pledged to leave no child behind, which children did he mean? Not abused and neglected children apparently because he would cut funding for child abuse by 18 percent.

Yesterday I attended a wonderful program sponsored by Child Help USA, a national group supporting programs to eliminate child abuse in this country. I was pleased to have the opportunity to participate in the program. The luncheon was co-hosted by the distinguished wife of our majority leader and my wife. We had speakers from the House and the Senate, as well as many experts from across the country who are involved in child abuse prevention. Groups like Child Help USA, serving the needs of abused and neglected children throughout the nation, deserve our utmost support. The amendment that I offer today is a step in the direction of providing that support.

What we are doing with this amendment is seeing to it that the level of funding for child abuse at the very least remains the same and we do not have an 18-percent cut in that program, as called for in President Bush's budget.

More than 800,000 children are the victims of child abuse each year. Certainly an 18-percent cut in that program can be devastating for these very worthwhile efforts.

Children's hospitals is a second issue addressed by this amendment. These hospitals train more than 25 percent of our Nation's pediatricians and more than 50 percent of the country's pediatric specialists. A $35 million cut in that program which trains pediatricians and pediatric specialists is surely a move in the wrong direction. The most critically ill children in our country are at these children's hospitals, and seeing to it they get the proper assistance and support is critically important.

The third issue addressed by my amendment is the restoration of the $20 million cut in the early learning programs contained in President Bush's budget. These early learning programs were sponsored by our colleague from Alaska, Senator STEVENS, and our colleague from Massachusetts, Senator KENNEDY. I believe the early learning program is certainly worthwhile, and it has to be restored. My amendment will restore this cut.

Lastly, as many of my colleagues know, child care is a very important program to our nation's children and families. Last year, this body, along with the other body, increased funding for child care. Under the President's proposal, child care would be cut by $200 million which is a major step in the wrong direction. Given the needs of children who are on waiting lists for child care and of working families who need help in paying for the cost of child care, child care funding is vitally important. Mr. President, in Texas, 41,000 children are on the waiting list for child care assistance, in Florida, 44,000; Mississippi, 15,000; 16,000 in Massachusetts; 14,000 in North Carolina. Yet if the proposed cuts went into place, 60,000 more families with young children and toddlers would be denied child care assistance under the child care development block grant that was authored by my colleague from Utah, Senator HATCH, and myself. We think the restoration to present levels of funding is the very least we can do as we enter the 21st century with the established need for well-trained pediatricians, good early learning programs, adequately dealing with child abuse, and providing at least the same level of funding for child care assistance in this country.

We are told all the reasons we need to have a tax cut of this size, but to do that, it seems to me, the cost of cutting into programs for the most needy people in our society—children in children's hospitals, children who are abused, children who need early learning programs—is too high a price to pay for tax relief. To say we cannot provide some reduction in that tax cut, where the bulk of it is still going to those who can afford these programs the most, to provide some assistance to these children and these families is something for which this body I believe does not want to be on record.

This is not an increase. I stress to my colleagues, I am not asking for that. I will, however, at some point. Today all I am asking for is the restoration of last year's funding levels. That is all—child abuse, child care, and pediatric care, along with early learning programs that Senator STEVENS and Senator Kennedy have championed, do not deserve these cuts. All I am asking for with this amendment is that we—at the very minimum—provide the same level of funding we provided just last year. While I surely support adding to these levels, and will work toward boosting funding as we move into the appropriation's process, the amendment I offer today simply restores cuts to these vital programs contained in President Bush's budget. Don't make cuts in these programs at the same time we are offering a substantial tax break for those I know who like it, but many of them would agree that their money could be better invested in programs that serve vulnerable children and families.

I ask my colleagues to support this amendment.

I yield 1 minute to my colleague from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Senator from Connecticut for his amendment. I thank him for his passion for children. I am very proud to be an original cosponsor of this amendment. I thank my colleagues on the other side of the aisle, if indeed they support this amendment. To cut funding for a program that would help with prevention of child abuse, to cut funding for child care, little children, to cut funding for training for doctors at some of our children's hospitals where you have some of the sickest children is no way to realize the goal of leaving no child behind.

This amendment restores funding. There will be a number of Senators fighting for more funding for investment in children, especially prekindergarten, little children. This is a good amendment. I thank my colleague from Connecticut. I am proud to be a supporter.

Mr. DODD. We are talking about a very modest amount of money. We Members have been talking about billions of dollars yesterday and today. This amendment does not even get near the $1 billion figure. While we regularly talk of billions and trillion of dollars around here as if they don't count much, they surely count if you have a child in a children's hospital needing help, if you are a parent trying to afford child care and you are working, if you have seen what happens to children that are abused. The millions of dollars that this amendment will restore, while not the billions we usually

talk about, can make a huge difference to a family with a sick child or in need of child care. Sixty thousand children could be positively affected by keeping the funding level for child care, not to mention the thousands of kids who need the help in our children's hospitals for pediatric care, and not to mention the abused and neglected children that would benefit from this amendment.

I hope that the request that I am making to my colleagues on the Budget Committee with this amendment will find some room in their hearts to at least keep the playing field level for children and families that need our help. If we reduce the tax cut by this tiny amount, it will not cause any great damage to other people. These programs are deserving. The American public believes that children who are sick and need care, abused kids, deserve to get help.

I urge adoption of this amendment.

Mr. DOMENICI. If the Senator will modify the amendment so the money is taken out of the contingency fund instead of the tax cut it will be passed. Otherwise, we will have to wait and see what we can do.

I will take a minute in response to the Senators who spoke for a tax number considerably lower than the President's. I heard the number was $1.25 trillion. I heard both of the Senators on the other side, led by Senator BREAUX, say we ought to have a bipartisan approach. The President came to town and they are quite sure this is what he would like because it is bipartisan.

I remind everybody what I am willing to do as chairman of the Budget Committee, to make sure the Senate understands—each and every Senator and those who report for them—we are asking for the President's proposal. I have heard him now more than 10 times clarify this. They ask him: What about $1.25 trillion, Mr. President? What about $1.4 trillion, Mr. President? Of course he is good-natured; he listens and he says: I think that is too low. I think that is too low. They ask for a higher amount because some want more than 1.6, and he says that is too high and 1.6 is just about right.

Those who are suggesting they are doing what the President is seeking when they are asking for $1.25 trillion instead of $1.6 trillion, that is their proposal. That is not the President's proposal. It may be they will prevail and we won't get the President's proposal.

I want everybody to know that is my brief response to the two or three speeches made on the other side of the aisle, led by the distinguished senior Senator from Louisiana, the junior Senator from Nebraska, and the senior Senator from New Jersey.

I yield the floor.

Mr. ROCKEFELLER. Mr. President, I rise today to join my colleagues in advocating passage of the Bond and Mikulski amendment on science and technology research funding. This amendment recognizes the critical importance of Federal science and technology funding in expanding the frontiers of science and laying the groundwork for economic success.

The Bond-Mikulski amendment will increase the funding for the National Science Foundation, the Department of Energy's R&D activities, and NASA. Importantly, the increase to NSF would return us to a path to double that agency's funding over the next five years. I have worked for many years with Senators FRIST, LIEBERMAN and others on the Federal Research Investment Act, which would double federal funding government-wide for science and technology research. That bill has passed the Senate twice, but has yet to become law. This year I hope that it will pass both Houses and become law. This amendment contributes to that larger overall effort by maintaining our funding trajectory for several agencies for the current budget. The Federal Research Investment Act is still necessary to reach our goal on the larger group of agencies that together represent our nation's overall commitment to federal science support, and to ensure that funding will be adequate over a longer time period.

Senators BOND, MIKULSKI, FRIST, LIEBERMAN, and I are not alone in our call for more substantial funding for science and technology research. The House Science Committee, CEOs of our high technology companies, Presidents of our leading universities, our top scientists and economists, and representatives of labor organizations have all made it clear that Congress must make significantly higher long-term investments in science and technology research. Congressional failure to appropriate more funding for science and technology research will threaten America's competitive advantage in information technology, biotechnology, health science, new materials, and other critical technology-intensive fields. As we all know, many of our best economic thinkers, including Alan Greenspan, MIT economist Lester Thurow, and Harvard Business School professor Michael Porter, have asserted that our country's leadership in these areas is a critical ingredient for future economic success.

This amendment gives us a chance to make an important investment in our country's future and to lay the groundwork for continued American high-tech leadership. I urge my colleagues to heed our high-tech, academic, and labor leaders' call to action on federal R&D support and work together to pass this important amendment.

Mr. LIEBERMAN. Mr. President, I am pleased to cosponsor this amendment offered by Senators BOND and MIKULSKI to increase funding authorization for Function 250. Studies have shown that roughly half of the economic growth in the past 50 years is a direct result of technological innovation; science, engineering, and technology play a central role in the creation of new goods and services, new jobs and new capital. Three of the greatest generators of innovative ideas, The National Science Foundation, NASA, and the Department of Energy, receive significant budget increases in this amendment, reaffirming our nation's commitment to achieving advances in science and technology.

This commitment to research and development is also imperative for training the next generation of scientists and engineers. Reductions in R&D translate to reductions in the number of students trained in technical disciplines. In short, strong support for federally-funded R&D is crucial to continued economic and technological success for our Nation.

Mr. DASCHLE. Mr. President, I want to indicate my strong support for the amendment offered by Senator BOND and Senator MIKULSKI that would increase the amount of funding available for scientific research at the National Science Foundation, NASA and the Department of Energy by $1.4 billion.

Our nation's capacity for groundbreaking scientific research is one of its greatest assets. Scientific research strengthens our economy, improves our international competitiveness and raises the quality of life for all of our citizens. President Bush's 2002 budget, however, will retard our nation's investment into such research. For example, it virtually freezes funding for the National Science Foundation, NSF, cutting facility project funding by $13 million, and providing no funding for new projects. Such cuts threaten to throw our country's research portfolio out of balance by not providing for needed advances in the physical sciences and engineering.

Science is a bipartisan issue. A recent Wall Street Journal article reported that to pay for his tax cut, ''President Bush is having to chop another Republican priority: increased government spending for science.'' D. Allen Bromley, a professor of nuclear physics at Yale and science and technology advisor to former President George H. W. Bush, recently wrote, ''the proposed cuts by the Bush Administration to scientific research are a self-defeating policy. Congress must increase the federal investment in science. No science, no surplus. It's that simple.'' Even Former House Speaker Newt Gingrich has been reported as calling the President's NSF budget ''a tragic mistake,'' stating it ''should be $11 billion'' instead of $4.5 billion.

Earlier this year, a blue-ribbon panel of physicists recommended a site in my state of South Dakota, the Homestake Gold Mine, as its preferred location for a world class underground physics lab. Last year, the Homestake Mining Company announced it will close its doors this December after more than 125 years of operation. The mine has been the economic mainstay of the Black Hills of South Dakota, and its closure

would have a devastating effect on the surrounding communities. Converting the mine into a world-class research facility holds great promise for the scientific community at large and would minimize the disruption the mine's closure will have on the region. With an underground laboratory, hundreds of new jobs would be created, business would expand, and new opportunities for growth and learning would abound.

If Homestake is selected as the site for a national underground science laboratory, it is imperative for the project to be funded this year. Unless construction begins this year, Homestake Mining Company will allow the mine shafts to flood when the mine closes, permanently foreclosing any chance of building the lab at Homestake. Moreover, the longer we delay, the more likely it is that the mine's workforce will leave, crippling our ability to construct the lab.

The Bond/Mikulski amendment will greatly enhance the prospects that valuable scientific ventures like the national underground physics laboratory will secure the government support needed to make them viable. I encourage my colleagues to support it.

AMENDMENT NO. 322

Mr. DODD. I call up amendment No. 322.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 322.

Mr. DODD. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $1,163,000,000.

On page 2, line 18, increase the amount by $1,498,000,000.

On page 3, line 13, decrease the amount by $1,163,000,000.

On page 27, line 3, increase the amount by $243,000,000.

On page 27, line 4, increase the amount by $243,000,000.

On page 28, line 22, increase the amount by $50,000,000.

On page 28, line 24, increase the amount by $50,000,000.

On page 32, line 15, increase the amount by $870,000,000.

On page 32, line 16, increase the amount by $870,000,000.

On page 43, line 15, decrease the amount by $1,163,000,000.

On page 43, line 16, decrease the amount by $1,163,000,000.

On page 48, line 8, increase the amount by $1,163,000,000.

On page 48, line 9, increase the amount by $1,163,000,000.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 288

Mr. VOINOVICH. Mr. President, on behalf of Senators GREGG and FEINGOLD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH], for himself, Mr. FEINGOLD and Mr. GREGG, proposes an amendment numbered 288.

Mr. VOINOVICH. I ask unanimous consent the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the fiscal discipline of the budget process)

At the appropriate place, insert the following:

SEC. . EMERGENCY DESIGNATION POINT OF ORDER IN THE SENATE.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In making a designation of a provision of legislation as an emergency requirement under section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the committee report and any statement of managers accompanying that legislation shall analyze whether a proposed emergency requirement meets all the criteria in paragraph (2).

(2) CRITERIA.—

(A) IN GENERAL.—The criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are—

(i) necessary, essential, or vital (not merely useful or beneficial);

(ii) sudden, quickly coming into being, and not building up over time;

(iii) an urgent, pressing, and compelling need requiring immediate action;

(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(v) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(3) JUSTIFICATION FOR FAILURE TO MEET CRITERIA.—If the proposed emergency requirement does not meet all the criteria set forth in paragraph (2), the committee report or the statement of managers, as the case may be, shall provide a written justification of why the requirement should be accorded emergency status.

(b) POINT OF ORDER.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, a point of order may be made by a Senator against an emergency designation in that measure and if the Presiding Officer sustains that point of order, the provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DEFINITION OF AN EMERGENCY REQUIREMENT.—A provision shall be considered an emergency designation if it designates any item an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(f) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(g) CONFORMING REPEAL.—Section 205 of H. Con. Res. 290 (106th Congress) is repealed.

SEC. . CLOSING BUDGET LOOPHOLES.

(a) CHANGING CAPS.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that changes the discretionary spending limits this resolution.

(b) WAIVING SEQUESTER.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that waives or suspends the enforcement of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) DIRECTED SCORING.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that directs the scorekeeping of any bill or resolution.

(d) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. VOINOVICH. Mr. President, when I came to the Senate in 1999, one of my goals was to bring fiscal responsibility to Congress and to our Nation.

In this regard, I have pursued my fiscal priorities, which are: pay down the debt, control spending, and, if possible, return to the taxpayers any of their money that is not needed to meet our most pressing obligations.

Over the last 2 years we have had the proverbial ''good news/bad news'' with respect to putting our fiscal house in order.

The good news is, we are not using the Social Security surplus or the Medicare Part A surplus to cover our spending, allowing them instead to be used as they were intended. In effect, we have managed to ''lock box'' Social Security since 1999, and Medicare since 2000. I think we need legislation to make sure we continue to do that.

In addition, because we haven't dipped into Social Security or Medicare surpluses, we have been able to allocate a total of $363 billion towards debt reduction in the last 2 years.

The bad news is, we have spent far too much money over the last 2 years. For fiscal year 2001, we increased nondefense discretionary spending 14.3 percent last year and we had an 8.6 percent increase the year before.

In the last half of last year, the 106th Congress increased spending over 10 years by $598 billion. Nearly $600 billion of the taxpayers' money gone—used up. That is disgraceful.

Therefore, to help avoid a repetition of this sad episode, I am proposing this amendment with my two colleagues, Senator FEINGOLD and Senator GREGG.

The amendment we are offering helps to refine the procedures in the budget

process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against emergency spending that does not meet the definition for emergency spending as laid out by OMB.

Under our amendment, Senators may raise a point of order against legislation designated as emergency spending that fails to meet certain criteria.

This provision would apply equally to both discretionary and military spending and would also establish a 60-vote waiver threshold.

I realize we will not completely stop the problem of Congress' over-spending here today, but it is a reasonable first step.

So what we are doing here with this amendment is closing budget loopholes by: Creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and creating a point of order against directed scoring in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits.

Any waiver of these measures will require 60 votes.

I want to reassure my colleagues that our amendment will not preclude the use of emergency spending to meet our true defense needs.

I have no doubt whatsoever that should this Nation face a crisis, there will be well over 60 Senators willing to vote to waive any possible use of this point of order.

I believe that it is important that we have this tool to eliminate the irrelevant spending that so often gets ''tacked on'' to our defense emergency supplemental appropriations bills.

For instance, in past defense supplementals, we have spent: $1 billion on ballistic missile defense enhancements; $200 million on defense health programs; and $42 million on defense counter-drug and drug interdiction activities.

I would question whether these defense ''emergencies'' could not have been handled in the normal appropriations process.

Total emergency supplemental defense spending in fiscal year 2000 amounted to $17.5 billion, and in fiscal year 1999, it totaled $16.8 billion.

Even for Washington, these are large sums of money.

I am sure that the vast majority of this spending is for legitimate emergencies.

However, I believe we need an added safeguard to help stop abuses of the emergency spending designation in an effort to circumvent our spending caps.

I believe this amendment is a sensible approach to achieving our goal of fiscal responsibility and it represents a good step toward improving the transparency of our budget process.

I urge my colleagues to support this amendment.

AMENDMENT NO. 322, AS MODIFIED

Mr. DODD. Mr. President, I send a modification of my earlier amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment, as modified, is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $270,700,000.

On page 3, line 13, decrease the amount by $270,700,000.

On page 27, line 3 increase the amount by $270,700,000.

On page 27, line 4 increase the amount by $243,000,000.

On page 28, line 22 increase the amount by $50,000,000.

On page 28, line 24 increase the amount by $50,000,000.

On page 32, line 15 increase the amount by $870,000,000.

On page 32, line 16 increase the amount by $870,000,000.

On page 4, line 2 increase the amount by $270,700,000.

On page 4, line 16 increase the amount by $270,700,000.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am pleased to join my colleagues, Senators VOINOVICH and GREGG, to offer this amendment to improve fiscal discipline.

Our amendment would strengthen enforcement tools. The amendment would restate the procedure on emergency spending from last year's budget resolution, with one change. It would put emergency defense spending on exactly the same footing as emergency domestic spending. All emergency designations would thus be subject to a 60-vote point of order.

As under current practice, if sustained, the point of order would strike the emergency designation, but leave the associated funding. If the funding, without the emergency designation attached, would push the total funding for the bill over its allocation, or over the total discretionary spending cap, another point of order could be raised.

Our amendment would also close several budget loopholes. It would make out of order three separate devices used to evade budget discipline: changing the discretionary spending caps, waiving a sequester, and directing scorekeeping. Under current law, doing any of these three things is out of order on any bill not reported by the Budget Committee. Our amendment would extend that prohibition to all bills.

This amendment will strengthen budget enforcement. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. I want to remind my colleagues of one thing. The direct scoring was used in the last two omnibus appropriation bills to, frankly, avoid busting the budget caps. That is why it is so important we have this point of order.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I am constrained to raise a point of order. The amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. VOINOVICH. Mr. President, I ask the point of order be waived and ask for the yeas and nays on the waiver of the point of order.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Had the Senator used all his time? How much time did he use?

The PRESIDING OFFICER. They used 7 minutes.

Mr. DOMENICI. Would the Senator like to speak a little longer on this amendment in case somebody is interested?

Mr. VOINOVICH. Not necessarily, unless somebody wants to speak against it. Then I will answer.

Mr. CONRAD. Does the Senator from South Carolina seek time?

Mr. HOLLINGS. Mr. President, I ask for 10 minutes from my distinguished chairman?

Mr. CONRAD. I yield to the Senator from South Carolina 10 minutes.

AMENDMENT NO. 225

Mr. HOLLINGS. Mr. President, I call up amendment No. 225 on behalf of myself, Senator BIDEN, Senator DASCHLE, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. HOLLINGS], for himself, Mr. BIDEN, and Mr. DASCHLE, proposes an amendment numbered 225.

Mr. HOLLINGS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a $85 billion tax rebate, and for other purposes)

On page 43, strike lines 10 through 12, and insert the following:

(A) New budget authority, $85,000,000,000.

(B) Outlays, $85,000,000,000.

(C) The Senate finds that

(i) given the apparent economic slowdown, the Congress should stimulate the economy by passing a 1-year true tax cut stimulus package that provides income tax and payroll tax relief;

(ii) for real economic stimulus the 1-year tax cut should equal approximately 1 percent of the gross domestic product, or $95,000,000,000;

(iii) a meaningful economic stimulus must reach as many taxpayers as possible, or at least 120 million people;

(iv) the broadest range of taxpayers can be reached by offering a direct rebate based on income tax liability or payroll tax liability; and

(v) the tax stimulus bill should be immediate and take effect on or before July 1, 2001.

(D) It is the sense of the Senate that the levels in this resolution assume that the Senate should as soon as practical consider and pass a stimulus tax package pursuant to this budget resolution that will result in a rebate of

(i) up to $500 per individual or $1,000 per couple for 95 million taxpayers who pay income tax; and

(ii) up to $500 for the 25 million taxpayers who pay payroll taxes but do not have income tax liability.

Mr. HOLLINGS. Mr. President, my appeal now is to all Democratic Senators, all Republican Senators—to the Senate as a body—to heed the distinguished majority leader's admonition to us last evening when he exclaimed: We are fiddling while Rome burns. What we should be doing is taking up a stimulus measure to get the economy moving, not, if you please, worrying about what is going to happen over the 10-year period—not for the elections next year, or education, or housing, or Patients' Bill of Rights, or health care, or any of these other things.

Distinguished members of the Concord Coalition, including the former Secretary of the Treasury, Secretary Rubin, and former Senators Warren Rudman and Sam Nunn, recently wrote an editorial to The Washington Post, ''On Taxes, One Step At A Time,'' saying what we really need:

We believe an immediate fiscal stimulus can be provided independently of the proposed 10-year tax cut.

That is exactly what my amendment is cut out to do. The previous amendment, the Durbin amendment, involves the tax cut. This has nothing to do with the tax cut. It responds to what Rubin and others have been saying, that is, to at least try to get 1 percent of a $10 trillion economy, around $85 billion or $95 billion, to extend to the greatest number of Americans—namely, the 95 million taxpayers and the 25 million payroll workers, some 120 million Americans—a $500 rebate, Senator Domenici, or $1,000.

You ask me where the money is? This is the most money we can utilize for stimulus without touching the Medicare and Social Security trust funds. I would have put in even more, if it was available. The $60 billion the distinguished Senator from New Mexico has in his bill was called, by Steve Forbes, ''an hors d'oeuvre.'' I call it half a haircut. I do not know whether the $85 billion in this particular measure is going to do the trick. I hope so. But we have the best authorities from all walks of economic life, and from the market itself, in agreement.

MIT professor Lester Thurow:

If President Bush were really interested in using taxes to stop the plunge in the economy, he would drop his 10-year tax cut and first go for a large 1-year temporary tax cut, a stimulus package that could be extended for another year if needed.

That is exactly what I have done. I am not involved in the budget arguments so as to divorce it from the politics of tax cuts; rather, get a true stimulus package.

Robert Kuttner, whose column appears in the Boston Globe: First, the tax cut should be smaller, quicker, and directed to people who need it.

The best idea proposed by Harvard's Richard Freeman and the Economic Policy Institute is a one-time dividend of $500 for every woman, man, and child. That would inject a lot of stimulus into the economy right now. The Treasury could send out the checks within a month.

We are all complaining about Alan Greenspan, but we have to do our part here. If you want to accept responsibility for the recession, just vote against this amendment, because this is not involved in the politics, tax, or the budget debate. This is involved in what everyone says—Republicans and Democrats, economists and market experts—that we need right now.

David Broder:

If they can, this country can reap the benefits of an immediate tax cut that will cushion the effects of the slowdown of the economy.

That is just last week. And this week's Business Week headline reads: America Needs That Tax Cut Right Now.

We made it a rebate because I am confident that our friends on the other side of the aisle will not support the Durbin amendment. Of course, the Durbin amendment is not an amendment with respect to the $60 billion amount, it is an endorsement of the same amount. I think it is inadequate on the one hand, but otherwise it gives that 10-year lower bracket of 15 percent down to 10 percent, which costs them $500 billion and goes right in the face of the Bush tax cut.

I do not want to get involved in that political argument. I want a true tax cut for which everybody can vote. That is it.

What we have been doing here has gotten all wound up with the rich, the poor, the high, the low; what are we going to do for medicine, what are we going to do for defense and everything in the next 10 years. But as the distinguished majority leader yesterday afternoon said: Rome is burning.

If you want it to continue to burn, vote the amendment down. If you want to revive the economy and the market so that there will be some surpluses here, then please help us with this particular amendment.

I retain the remainder of my time.

Mr. DOMENICI. Mr. President, may I ask a question of the Senator?

Mr. HOLLINGS. Yes, sir.

Mr. DOMENICI. I read the amendment. Let me see if I am correct. You don't do anything to the rest of the budget and the proposed tax cut.

Mr. HOLLINGS. No. I leave that alone.

Mr. DOMENICI. You just increase the 60 that we have.

Mr. HOLLINGS. Eighty-five, because I understand Senator GRASSLEY has used some emergency agricultural funds in his amendment. That is the only one that is touched for 2001. The Budget Committee staff has been keeping score. I had to cut it back to 85.

Mr. DOMENICI. I am certainly going to explore this with the Senator.

Mr. HOLLINGS. Please do. My goodness, with the smile on your face and with some help, we can really help the economy. That is the whole idea—not to be partisan, or, I am for Bush, or against Bush, or I am for the rich and you are for the poor, and all of that kind of stuff. Let's really get what the economy needs now.

Mr. DOMENICI. I am in fact smiling. My face is in such a big smile that I can't hardly talk. So just give me a moment. I don't want you to answer this. But if I consider your amendment, would you consider my budget?

Mr. HOLLINGS. Oh, yes. I consider your budget. In fact, if we had all of those surpluses, I promise to vote for Bush's budget. As Senator BYRD carries around the Constitution, I carry around the economy. The debt to the penny by the U.S. Treasury, from the Secretary of the Treasury, shows that the debt has gone up this fiscal year already by $102 billion, with a $42 billion increase in the debt owed by the public and $60 billion in debt owed by the Government itself.

We are not paying down the debt. But if you get those surpluses, you will have my help.

Mr. DOMENICI. Mr. President, I close by saying I don't want to ask another question, obviously, because your answer was one that I didn't expect. But I want to remind you that you made a deal with me once. You said as soon as we balance the budget—you and I—wouldn't you jump off of some building?

Mr. HOLLINGS. Off the dome. That is right. You had me looking for a parachute last fall. But now look at what we have going. We are spending money we don't have now on this particular measure.

I go back to Roosevelt's ''prime the pump,'' because I remember for about a 2- to 3-year period back in my hometown they were paying everybody in script. We didn't have the money.

That assumes we don't have the money. But if you want to get this economy moving again, let's vote for this particular amendment so we can do that and not be accused of bogging down in the political argument of tax cuts and budgets.

Mr. DOMENICI. I would have modified my suggestion, and would have said, Will the Senator try a bungee jump? You wouldn't have to jump for real.

I yield the floor.

Mr. HOLLINGS. I thank the distinguished chairman of the Budget Committee and the ranking member, Senator CONRAD. I yield the remainder of my time. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 201

Mr. ALLEN. Mr. President, I call up my amendment with Senator BROWNBACK and others, No. 201.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN], for himself and Mr. BROWNBACK, proposes an amendment numbered 201.

Mr. ALLEN. 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:

(Purpose: To provide for a tax cut accelerator)

At the appropriate place, insert the following:

SEC. ___. TAX CUT ACCELERATOR.

(a) REPORTING ADDITIONAL SURPLUSES.—If any report provided pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, estimates an on-budget surplus that exceeds the on-budget surplus set forth in such a report for the preceding year, the chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make adjustments in the resolution for the next fiscal year as provided in subsection (b).

(b) ADJUSTMENTS.—The chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make the following adjustments in an amount not to exceed the difference between the on-budget surpluses in the reports referred to in subsection (a):

(1) Reduce the on-budget revenue aggregate by that amount for the fiscal years included in such reports.

(2) Adjust the instruction to the Committee on Ways and Means and the Committee on Finance to increase the reduction in revenues by the sum of the amounts for the period of such fiscal years in such manner as to not produce an on-budget deficit in the next fiscal year, over the next 5 fiscal years, or over the next 10 fiscal years and to require a report of reconciliation legislation by the Committee on Ways and Means and the Committee on Finance not later than March 15.

(3) Adjust such other levels in such resolution, as appropriate, and the House of Representatives and the Senate pay-as-you-go scorecards.

(c) LEGISLATION.—It shall not be in order in the Senate to consider any bill that is reported by the Committee on Finance pursuant to the adjusted instructions described in subsection (b), unless the bill provides for expedited procedures for the consideration of the bill by the Senate no later than 60 days after the bill is reported by the Committee.

Mr. ALLEN. Mr. President, I bring forth this amendment on behalf of myself, Senator BROWNBACK, Senator CRAIG, and Senator HUTCHISON of Texas. This measure is the tax cut accelerator amendment which will help provide the assurance that we live up to our obligation to American families and make sure they receive the tax relief they deserve.

The way this works is if the Congressional Budget Office's January report projects higher than expected on-budget surpluses over the previous year, then this amendment would require the Budget Committee to make the appropriate budgetary adjustments by reducing the on-budget revenue aggregate by the same amount as previously unaccounted for—the unaccounted for on-budget surplus.

It instructs the Finance Committee to increase the amount of tax relief by the same amount, and the bottom line is it sends money back to the people and not to fund increased Government spending.

We hear many issues and ideas about triggers and brakes and circuit breakers designed to slow down tax relief and not enough about a tax cut accelerator in the case that on-budget surpluses are higher than expected.

If you look at the Congressional Budget Office projections over the years, they are generally very pessimistic about what revenues will be coming in and, therefore, surpluses will not be there. But, in fact, they are right about the deficits. They err on the side of caution. I understand that. That is probably a good way of looking at things.

However, if the economy is doing better, if the budget surpluses appear on a year-to-year basis, who ought to have the first claim on those surpluses? In my view, it ought to be the taxpayers.

The Finance Committee and Budget Committee may not want to use the entire surplus for tax cuts being accelerated. They may want to say they want to take care of priorities—let's say expenditures in health, or scientific research, or national defense. They will say: Well, we will use half this for these priorities and half for accelerated reductions in taxes.

The point is, that identified surplus is not spent—not rolled over—but it is determined as a definite, identifiable amount of money that the Budget Committee will act upon, that the Senate Finance Committee will act upon, and then this whole body will act upon and have that scrutiny.

I think it will, of course, in my view, help speed up tax relief to the people.

Because any view is more optimistic than the pessimistic views of the Congressional Budget Office. There is plenty of evidence, and other projections have been too low over the years because they use static estimates—not dynamic estimates.

It is understandable why in 1-year budgets you would use static analysis because you do not have the full impact of tax reductions or any measures until a few years or maybe more than a few years down the road. If you want to look at what the impact of static analysis has on underestimates in the revenue impact because of tax cuts, the Kennedy tax cut under President John F. Kennedy was 12.6 percent of Federal revenues. They reduced rates from 90 to 70 percent. The rate reduction resulted in a return of all expected revenue losses plus an additional 4 percent. The Reagan tax cut, at 18.7 percent of Federal revenues, reduced rates, tax rates from 70 to 50 percent. The static models predicted a revenue impact of a negative $330 billion. The actual fiscal impact on the Treasury was about $78 million—less than one-fourth of the expected impact.

These numbers, coupled with CBO's past inaccuracies, make it reasonable to believe that the on-budget surpluses will come in higher than projected.

I am convinced more than ever that we need a tax cut accelerator. Over the past few days, the Senate has chipped away on the on-budget surplus.

The Senate has reduced drastically the available money for tax relief. Hiding behind the arguments over process about how many reconciliation instructions per budget resolution is really to get in the way of real tax relief for American families.

Real people do not care about reconciliation. They think it is a domestic matter, if you ever bring up reconciliation. It means, at best, some sort of family squabble being resolved. They care about providing for their families. People in the real world care about their future.

This tax relief accelerator will hold Congress accountable to the American people, which I think is very good. This budget represents a promise to the people of America. It protects Social Security and Medicare. Tax cut accelerator does not affect Medicare or Social Security; it is only the on-budget surplus.

This budget helps pay off all available debt. It funds current Government obligations and programs. It provides a $26 billion increase, or 4 percent raise, over last year's budget for Government spending. It ensures for future contingencies. And this budget promises to provide the people of America with the tax relief they deserve.

I generally support this budgetary framework, and I strongly believe we should honor all of its promises. The tax cut accelerator provides the assurance that Washington will fulfill its promise to return excess on-budget surpluses to the people, to the taxpayers, instead of permitting their hard-earned dollars to be spent away by Government bureaucracies.

The accelerator does not—does not—touch Social Security or Medicare funds. It does not threaten funding for current programs. It allows for increases in funding for new and existing priorities, such as defense, education, science, and medical research. And it does not bring back deficit spending.

Today we have a choice. Our choice is, Do we keep our promises? Do we trust the American people and adopt this amendment which provides the necessary mechanism to ensure the return of unexpected on-budget surpluses back to our families and businesses or do we allow Government to keep this money from them?

I say we ought to let the people decide how to best spend their hard-

earned dollars. Families must be better able to save and spend for their children's education, to make a downpayment on a new home, to invest in their business, or to prepare for their retirement years. It is my view that we ought to trust people in our free enterprise system. People, better than Government, know how best to allocate their own dollars.

When there is excess money here in Washington, and in an on-budget surplus—money that has not been appropriated; it is not promised, it is just coming in at a greater rate than anticipated—the first claim on that, the first lien, so to speak, the first mortgage, ought to be to the taxpayers of this country with accelerated tax reduction.

So with that, I see my friend from Kansas has risen.

Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Seven minutes.

Mr. ALLEN. OK. I will yield the floor and allow the opposition to make any statements they so desire.

Mr. CONRAD. We do not intend to use time on the amendment. So it would be appropriate for the Senator from Kansas to use the time. It is, unfortunately, the only way we can stay on schedule with what we agreed to on both sides.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. I ask unanimous consent that I be allotted 5 minutes to speak on behalf of the amendment.

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

Mr. BROWNBACK. Thank you very much, Mr. President.

I thank my colleague from Virginia for his sponsorship in putting forward this amendment. I think this is a key amendment.

We have been talking a lot about reducing the tax cut because we are not sure that the money may come in. What this amendment says is, if the money does come in, then let's require that there be a vote that we have a larger tax cut. That seems to me to be the symmetrical discussion that should be taking place.

We hear concern about: OK, what if the resources do not come in? What if this does not quite work out? Should we lock ourselves into this size tax cut? What we are saying is, once this money comes in—I am confident it is going to come in; I am confident that it will happen—if it does come in, then tax cuts of a larger scale should be voted upon.

Yesterday the step was taken by the Senate to make a smaller tax cut. I think that was a wrong step. I think it is a bad step for our economy. That sends a signal to people that there is going to be less money in their pocket. Less consumer confidence will result and that is going to be a more difficult situation for our economy and for our people.

What we are trying to do is send a different signal, saying that if this economy continues to put these sorts of receipts in the Federal Government—which I am confident that it will—then we are going to return more of that to the American taxpayers. That will create an economic climate that allows individuals to make informed savings and investment decisions. It is the best path for sound, responsible fiscal policy.

If individuals are not confident that the economic decisions they make today will be respected in the Tax Code tomorrow, they will be less likely to take the kind of risks that make our economy one of the most productive and fastest growing in the world. That level of predictability and the assurance is important.

This is why offering taxpayers a one-time rebate, in my estimation, as has been proposed by some of my colleagues, is bad economic policy. The problem is, it gives the veneer of economic growth while only providing really a Band-Aid to the larger underlying problems of sluggish growth and a slowing economy.

The goal of our economic policy should be to encourage savings and investments at the margins, not promoting policies that artificially might prop up the economy through consumption incentives that do nothing to solve long-run economic problems.

Mr. President, because I know our time is short, I want to make an additional point; that is, for people who are also concerned that we are not paying down the debt sufficiently with the policies we put forward, what this says is that if we have more coming in, we will vote on a larger scale tax cut. We are going to continue to pay the debt down. We will pay down all the available debt over a period of 10 years. This has nothing to do with that. We will continue to honor that debt paydown provision that is in the overall budget and is a part of our overall proposal. I want to make sure we set that one off to the side so people are not concerned about that particular issue as well.

With those caveats, and for those reasons, I urge my colleagues to vote for this triggering mechanism that would go into place if—if—the dollars are forthcoming. There really should be no reason to vote against this amendment. That is why I urge my colleagues to support this amendment and vote for it.

With that, Mr. President, I reserve the remainder of our time and yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to be made a cosponsor of the amendment.

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

Mr. WARNER. I believe the Senator has allocated me a few minutes.

Mr. ALLEN. Yes.

Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Two minutes 39 seconds.

Mr. WARNER. Might I inquire of the Chair as to the amount of time remaining for the Senator from New Mexico?

The PRESIDING OFFICER. There is no time for the Senator from New Mexico.

Mr. ALLEN. I would like to have just a final closing comment, and then I will yield to the senior Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Let me say in a few seconds—and I want to yield the remainder of the time to the senior Senator from Virginia—the Senator from Kansas has it exactly right. We want to have an insurance policy for the people of this country, the taxpayers. We understand their budgets are strained.

If there is a surplus—and we are optimistic there will be because we think reducing taxes helps create jobs, improve our economy, and has a dynamic, positive impact on our country. So if you want to make sure the taxpayers of this country get any of the excess money they have the first claim on, then you should support this amendment because it supports the people of America and will help strengthen our economy.

I yield the remainder of my time to the senior Senator from Virginia, Mr. WARNER.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank my colleague.

Mr. President, I would like to call up amendment No. 265, and ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, what was the request?

The PRESIDING OFFICER. There was a request to call up an amendment.

Mr. REID. I object. There is an amendment pending.

The PRESIDING OFFICER. Objection is heard.

Mr. WARNER. I have it filed at the desk.

Mr. REID. We have a UC that is now in order. There is a unanimous consent agreement in order, and the only amendment in order now is one to be offered by Senator WELLSTONE, after this one is completed.

Mr. WARNER. I had consulted with the Senator from New Mexico. I was told I could have a minute. Obviously, I am in error. I apologize to my distinguished colleague, and I withdraw my comments.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Twenty-nine seconds.

Mr. BROWNBACK. How much?

The PRESIDING OFFICER. Twenty-six seconds now.

Mr. BROWNBACK. Mr. President, CBO, in January of 1999, said that the 2-year forecast showed a total budget surplus of $2.3 trillion. The surplus announced this year is $5.6 trillion. In that 2-year time period, they more than doubled the size of it. What we are saying is, if that happens again, as is likely, let us vote on a bigger tax cut.

The PRESIDING OFFICER. All time has expired.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

I yield back the remainder of our time on the amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, under section 904 of the Budget Act, I move to waive section 305 of the Budget Act for the consideration of this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Minnesota. We only have 10 minutes remaining, I advise the Senator—actually less than that. We have agreed to provide the other time to the Senator from West Virginia.

Mr. WELLSTONE. That is fine.

Mr. GREGG. Will the Senator from North Dakota yield for a question?

Mr. CONRAD. No, the Senator from North Dakota can't yield at this point for a question because we are rapidly running out of time.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 269

Mr. WELLSTONE. Mr. President, I call up amendment No. 269.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. JOHNSON, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, MR. KERRY, Mr. FEINGOLD, Ms. LANDRIEU, Mr. DURBIN, Mr. DASCHLE, and Mr. REID, proposes an amendment numbered 269.

Mr. WELLSTONE. 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:

(Purpose: To increase discretionary funding for veterans medical care by $1.718 billion in 2002 and each year thereafter to ensure that veterans have access to quality medical care)

On page 2, line 17, increase the amount by $1,546,000,000.

On page 2, line 18, increase the amount by $1,689,000,000.

On page 3, line 1, increase the amount by $1,703,000,000.

On page 3, line 2, increase the amount by $1,709,000,000.

On page 3, line 3, increase the amount by $1,718,000,000.

On page 3, line 4, increase the amount by $1,718,000,000.

On page 3, line 5, increase the amount by $1,718,000,000.

On page 3, line 6, increase the amount by $1,718,000,000.

On page 3, line 7, increase the amount by $1,718,000,000.

On page 3, line 8, increase the amount by $1,718,000,000.

On page 3, line 13, decrease the amount by $1,546,000,000.

On page 3, line 14, decrease the amount by $1,689,000,000.

On page 3, line 15, decrease the amount by $1,703,000,000.

On page 3, line 16, decrease the amount by $1,709,000,000.

On page 3, line 17, decrease the amount by $1,718,000,000.

On page 3, line 18, decrease the amount by $1,718,000,000.

On page 3, line 19, decrease the amount by $1,718,000,000.

On page 3, line 20, decrease the amount by $1,718,000,000.

On page 3, line 21, decrease the amount by $1,718,000,000.

On page 3, line 22, decrease the amount by $1,718,000,000.

On page 36, line 6, increase the amount by $1,718,000,000.

On page 36, line 7, increase the amount by $1,546,000,000.

On page 36, line 10, increase the amount by $1,718,000,000.

On page 36, line 11, increase the amount by $1,689,000,000.

On page 36, line 14, increase the amount by $1,718,000,000.

On page 36, line 15, increase the amount by $1,703,000,000.

On page 36, line 18, increase the amount by $1,718,000,000.

On page 36, line 19, increase the amount by $1,709,000,000.

On page 36, line 22, increase the amount by $1,718,000,000.

On page 36, line 23, increase the amount by $1,718,000,000.

On page 37, line 2, increase the amount by $1,718,000,000.

On page 37, line 3, increase the amount by $1,718,000,000.

On page 37, line 6, increase the amount by $1,718,000,000.

On page 37, line 7, increase the amount by $1,718,000,000.

On page 37, line 10, increase the amount by $1,718,000,000.

On page 37, line 11, increase the amount by $1,718,000,000.

On page 37, line 14, increase the amount by $1,718,000,000.

On page 37, line 15, increase the amount by $1,718,000,000.

On page 37, line 18, increase the amount by $1,718,000,000.

On page 37, line 19, increase the amount by $1,718,000,000.

On page 43, line 15, decrease the amount by $1,718,000,000.

On page 43, line 16, decrease the amount by $1,546,000,000.

On page 48, line 8, increase the amount by $1,718,000,000.

On page 48, line 9, increase the amount by $1,546,000,000.

On page 4, line 3, increase the amount by $1,718,000,000.

On page 4, line 4, increase the amount by $1,718,000,000.

On page 4, line 5, increase the amount by $1,718,000,000.

On page 4, line 6, increase the amount by $1,718,000,000.

On page 4, line 7, increase the amount by $1,718,000,000.

On page 4, line 8, increase the amount by $1,718,000,000.

On page 4, line 9, increase the amount by $1,718,000,000.

On page 4, line 10, increase the amount by $1,718,000,000.

On page 4, line 11, increase the amount by $1,718,000,000.

On page 4, line 17, increase the amount by $1,689,000,000.

On page 4, line 18, increase the amount by $1,703,000,000.

On page 4, line 19, increase the amount by $1,709,000,000.

On page 4, line 20, increase the amount by $1,718,000,000.

On page 4, line 21, increase the amount by $1,718,000,000.

On page 4, line 22, increase the amount by $1,718,000,000.

On page 4, line 23, increase the amount by $1,718,000,000.

On page 5, line 1, increase the amount by $1,718,000,000.

On page 5, line 2, increase the amount by $1,718,000,000.

Mr. WELLSTONE. Mr. President, I introduce this amendment on behalf of myself and Senators JOHNSON, BINGAMAN, DORGAN, MURRAY, MIKULSKI, KERRY, FEINGOLD, and LANDRIEU. I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.

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

Mr. WELLSTONE. Mr. President, the problem with the President's budget request and this budget resolution is it provides a $1 billion increase over fiscal year 2001 for all of the VA discretionary programs. That is no way to say thank you to veterans. Secretary Principi, who is a great Secretary, testified before the veterans committee last month. I believe he will be a great advocate for veterans, but he had a tough time with the following question: How does a $1 billion increase over fiscal year 2001 do the job for America's veterans when we are going to see a $900 million increase this year in medical inflation alone?

Then if we get beyond the $900 million and add to that our commitment to treating people with hepatitis C, our commitment to emergency medical services for veterans who have no coverage, our commitment to the millennium program for older veterans, our commitment to mental health services for veterans, we get way above $1 billion.

Mr. President, there are huge gaps in the veterans health care system. We can do much better. This amendment would increase the veterans health care budget, contained in this budget resolution, by $1.7 billion annually. The independent budget, which was produced by Amvets, VFW, DAV, the Disabled American Veterans, and Paralyzed Veterans, talked about $2.6 billion. This amendment gets us to that level.

Here is the point: $1 billion for all discretionary programs for the Veterans' Administration is pathetic. It doesn't come close to meeting the needs.

I am joined by Senator ROCKEFELLER, who is the ranking minority member on the veterans committee. He will be speaking in just 1 minute.

The arithmetic is compelling, just on veterans health care: $900 million in inflation, emergency room services for veterans who don't have any coverage, hepatitis C coverage we have committed to, the millennium program, which is so important when we are saying to veterans who are 65 years of age and over, we are going to begin to address your long-term care needs.

When I am in the medical center in Minneapolis and I am talking to a spouse of a World War II veteran, and this happens over and over and over again, she doesn't have a clue what she is going to do when her husband gets home. Where is going to be the care for her? Where will be the supportive services for him? Not to mention all the long waits of veterans for health care.

The county veterans service officers are the best of the best of the best. They do the work down in the trenches. I get my education from them. Even though they are not within the VA system, they talk about the long waits and the gaps.

This amendment is all about living up to our commitment to veterans. We need to provide full funding for veterans health care. This amendment should receive Democratic support and Republican support. The amendment offset by transferring $1.7 billion out of these Robin-Hood-in-reverse tax cuts, of which over 40 percent of the benefits going to the top 1 percent. We surely can transfer $1.7 billion to veterans health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that I be added as a cosponsor of the Wellstone amendment.

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

Mr. ROCKEFELLER. Let's be very clear. The Senator from Minnesota is correct. For the Department of Veterans Affairs, under the budget resolution which is proposed, there will be tremendous damage to the Veterans' Administration and to the veterans of our country. It is axiomatic that the increase that is contemplated in the budget resolution simply will not work. It does not come close.

If there is anything which is an immutable fact, it is that the cost of health care and the cost of paying those who deliver it goes up by more than a billion dollars a year, just for health care alone. That is across America, and that is true for the veterans.

Beyond that, we have a very difficult problem of disability claims. We need $132 million for staffing and technology. My veterans in West Virginia are being told they are going to have to wait for a full year even for a preliminary examination of their disability claims.

Lastly, we cannot forget our commitment to the final resting places of honor for our veterans. Our Nation's veterans cemeteries are falling apart in many cases. Graves are sinking. Tombstones are breaking. That may seem incidental to some. It does not seem incidental to any veteran's family.

I urge all to remember our promise to our veterans and support the Wellstone amendment.

I thank the Chair and yield the floor.

Mr. JOHNSON. Mr. President, I would like to first commend Senate Budget Committee Chairman DOMENICI for including an increase in his budget mark for veterans' health care. This funding level is in line with what the Administration proposed in its budget request and shows a renewed commitment to veterans' health care.

While I am pleased that this budget includes an increase in outlays, I am disappointed that it falls short of the funding level proposed in the authoritative Independent Budget endorsed by 40 veterans groups and medical societies, including AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the VFW.

That is why I join Senator WELLSTONE in offering an amendment today that would increase appropriations for veterans health care by $1.718 billion over the Budget Committee's level. With our amendment, the Senate budget resolution would include an increase in appropriations of $2.6 billion for veterans health care over last year's funding level.

Our amendment pays for this increase in health care for our nation's veterans with a modest decrease in the $1.6 trillion in tax cuts proposed by the President.

For a number of years, the VA had to contend with a flat-line appropriation for veterans' health care as the cost of health care far outpaced the rate of inflation. As a result, the VA experienced deep cuts at a time when it should have been addressing the growing need for medical care for this country's veterans.

For the past 2 years, I have offered amendments in the Budget Committee and on the Senate floor to increase veterans funding to allow the VA to continue giving quality care to veterans. With the help of the chairman, we were able to increase VA health care funding by $1.7 billion for fiscal year 2000 and $1.4 billion for fiscal year 2001. These were good steps in restoring budget equity to veterans' health care.

We must continue this process by increasing funding for veterans' health care to the level recommended in the Independent Budget. It is critical that we increase veterans health care funding over and above the Chairman's mark in order to compensate for previous underfunded VA budgets and to allow the VA to meet the growing health care needs of our veterans.

Veterans from South Dakota visited my office recently with stories of understaffed VA hospitals, long waits for appointments, and reductions or cuts in vital services. These situations are not unique to my state and affect every VA hospital and clinic in the country.

With adoption of our amendment, we will have a VA veterans' health care budget that can adequately offset the higher costs of medical care caused by consumer inflation, medical care inflation, wage increases, and legislation passed by Congress.

Without a total increase of $2.6 billion above last year's appropriation in veterans health care, the VA will likely be unable to address the treatment of Hepatitis C, emergency medical services, increased costs due to medical inflation, and long-term care initiatives.

The Independent Budget highlights the need to increase funding in a number of important health care initiatives including: an additional $523 million for mental health care; an additional $848 million for long-term care; an additional $25 million to restore the Spinal Cord Injury program; an additional $75 million to help homeless veterans.

Our efforts over the past 2 years to increase VA veterans' health care have helped to reverse the damaging effects of years of flat-lined VA budgets. We have an opportunity to continue this progress by adopting our amendment to increase funding for VA veterans' health care by $1.718 billion over the Chairman's level in the budget resolution. With our amendment, we will fund veterans' health care at the level requested in the Independent Budget.

I urge my colleagues to support the Johnson-Wellstone amendment on veterans' health care. At this time, I ask unanimous consent to have printed in the RECORD letters of support for our amendment from veterans organizations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE INDEPENDENT BUDGET,
A BUDGET FOR VETERANS BY VETERANS,
April 3, 2001.

To All Members of the Senate:

On behalf of the co-authors of The Independent Budget, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Veterans of Foreign Wars, we are writing to urge you to support the Johnson-Wellstone Amendment that would increase Department of Veterans Affairs (VA) health care funding to the level we recommended for FY 2002.

The President's ''Budget Blueprint,'' and the Domenici substitute to H. Con. Res. 83 provides a discretionary spending increase of $1 billion. This recommended amount would not even cover the costs of mandated salary increases and the effects of inflation. The Independent Budget has identified an increase for VA health care of $2.6 billion over the amount provided in FY 2001. This recommended increase would provide the resources necessary for the VA to meet the needs of the men and women who have

served our Nation, and rely upon the VA for the health care they need.

Again, we ask for your support of the Johnson-Wellstone Amendment that would increase the amount available for VA health care up to the level we have recommended in The Independent Budget.

Sincerely,

DAVID E. WOODBURY,
Executive Director, AMVETS.
KEITH W. WINGFIELD,
Executive Director, Paralyzed Veterans of America.
ROBERT E. WALLACE,
Executive Director, Veterans of Foreign War.
DAVID W. GORMAN,
Executive Director, Disabled American Veterans.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, DC, April 3, 2001.

To All Member of the United Stats Senate:

On behalf of the 2.7 million men and women of the Veterans of Foreign Wars of the United States and our Ladies Auxiliary, we urge you to support the Johnson-Wellstone Amendment to increase the Department of Veterans Affairs' (VA) health care funding by $1.8 billion over the chairman's mark for a total of $2.6 billion for fiscal year 2002.

We and our colleagues of the Independent Budget have identified the need to increase VA health care funding by $2.6 billion over the amount provided in FY 2001. This recommended increase would provide the resources necessary for VA to meet the needs of the men and women who have served our Nation and rely upon VA for health care.

Again, we urge your support of the Johnson-Wellstone Amendment to increase the amount available for VA health care to the level necessary to properly and compassionately provide for veterans' health care needs.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

PVA,
NORTH CENTRAL CHAPTER,
Sioux Falls, SD, April 3, 2001.

Senator TIM JOHNSON,
Hart Senate Office Bldg.,
Washington, DC.

DEAR TIM, the North Central Chapter PVA would like to thank you for the recent correspondence you and Senator Wellstone presented to your fellow Senator's concerning the VA budget. These letters (dated March 12, 2001 and April 2, 2001) highlight the budgetary shortfalls as demonstrated in the Independence Budget and bring attention to this vitally important issue.

As you indicate in your letters, the VA health care system must have adequate funding in order to provide the services our Veterans need and deserve. Anything less than the Independent Budgets' recommended 2.6 billion dollar increase will mean a cut in health care services. We must not and can not return to the days of inadequate health care because of the lack of funding.

Once again, on behalf of all the members of North Central Chapter PVA, we commend you for all your efforts on Veterans' health care issues. If at any time we can be of assistance, please do not hesitate to contact our office or myself and we'll happy to help.

Respectfully,

JOEL NIEMEYER,
Government Relations Director, North Central Chapter PVA.

Mr. ROCKEFELLER. Mr. President, as the Ranking Member of the Committee on Veterans' Affairs, I ask my colleagues to support an amendment offered by Senators WELLSTONE and JOHNSON to S. Con. Res. 20, the concurrent resolution on the fiscal year 2002 Budget. The budget resolution provides for an increase of $1 billion for all veterans funding from the fiscal year 2001 amount. The Wellstone-Johnson amendment goes further and provides for an overall increase of $2.6 billion for veterans' health care.

If the Department of Veterans Affairs is funded at the level that the Budget Resolution provides, a $1 billion increase over the fiscal year 2001 appropriation, which might appear generous at first glance, we can expect VA to eliminate staff, delay providing health care and benefits, and slash vital programs.

While some may describe the funding included in this resolution as a major increase, I must disagree. Much, if not all, of this proposed increase would be consumed in merely overcoming inflation in the costs of providing medical care. After spending vast sums for a tax cut for the wealthiest Americans, there simply isn't enough money to meet VA's needs in the next fiscal year.

The alliance of veterans service organizations that authors the Independent Budget for Fiscal Year 2002—AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the Veterans of Foreign Wars, rightly concluded that ''more must be done to meet the increasing needs of an aging veteran population, adapt to the rising cost of health care, enhance and facilitate benefits delivery, and maintain the continuity of funding for VA programs as a whole.''

The budget resolution before us would not allow us to fulfill those obligations. We must ensure VA a level of funding that will minimize the impact of inflation, fund existing initiatives, and allow the system to move forward in the ways we all expect.

Urgent demands on the VA health care system make increased funding essential. The landmark Veterans Millennium Health Care and Benefits Act of 1999 significantly expanded VA noninstitutional long-term care, which for the first time is available to all veterans enrolled with the VA health care system. As we contend with the dilemma of developing long-term care for all Americans, VA will begin this effort with our Nation's veterans. The Congressional Budget Office estimates that the VA noninstitutional extended care program will cost more than $400 million a year. We must supply adequate funds to fulfill this legislative mandate.

The Millennium Act also ensures emergency care coverage for veterans with no other health insurance options. Necessity demands this costly provision: nearly 1 million veterans enrolled with the VA are uninsured and in poorer health than the general population. Although this new benefit has not yet been either implemented or publicized, claims are already mounting.

Medical inflation and wage increases, factors beyond VA's control, have been estimated to devour nearly $1 billion of VA's budget annually. At the same time, more and more veterans are turning to the VA for health care. In my own state of West Virginia, the number of veterans seeking care from VA has increased, despite a declining total number of veterans statewide. As an example, the Martinsburg VAMC saw its new enrollees increase by 24.7 percent over the last 2 years. Rapidly expanding enrollment at all four West Virginia VA medical centers has jeopardized their ability to provide high quality care in a timely fashion. Unfortunately, similar examples can be found throughout the Nation.

Between new initiatives—long-term care and emergency care coverage, and simply maintaining current services, we must secure an increase of $1.8 billion for health care alone.

Unfortunately, maintaining current services will not be enough to ensure that VA can meet veterans' health care needs. The aging veterans population faces chronic illnesses and newly recognized challenges, such as the disproportionate burden of hepatitis C, that will further strain VA facilities. We must anticipate the difficulties of treating complex diseases and ensure that we do not neglect the needs of veterans with multiple, coincident medical problems.

If we simply maintain current services, can we expect VA to restore the capacity for PTSD and spinal cord injury treatment to the 1996 legislatively mandated level? In West Virginia, many veterans not only wait months for specialty care, they have to travel hundreds of miles to get it. We can depend on community outpatient clinics to increase veterans' access to primary health care, but we must also ensure that the many veterans who require more intensive, specialized services can turn to adequately funded inpatient programs.

VA research not only contributes to our national battle against disease, but enhances the quality of care for veterans by attracting the best and brightest physicians. The Budget Resolution allows, at best, for a stagnant research budget. Not only will this slow the search for new and better medical treatments, but it could weaken efforts to protect human subjects in VA-sponsored studies. An increase of $47.1 million will be required merely to offset the costs of inflation and to monitor compliance with increasingly stringent research guidelines.

The $2.6 billion increase proposed by Senators WELLSTONE and JOHNSON in the amendment before us will ensure that VA has the resources required to provide veterans with the high quality health care that they need.

Savings may be gained through more resourceful management of VA hospitals and clinics, a possibility that VA is pursuing through its Capital Asset Realignment and Enhancement Studies, CARES. In the meantime, efficiencies should not come at the expense of veterans who turn to the VA health care system for needed treatment, nor should VA neglect essential repairs and maintenance of its infrastructure while awaiting the outcome of the CARES process. Accommodating the backlog of urgently needed construction projects will require an increase of $280 million. A shortsighted focus on immediate gains, by delaying essential projects or neglecting existing facilities, may compromise patient safety and prove even more costly to VA and veterans in the long run.

The Veterans Benefits Administration also faces challenges that require additional funding for staffing. One of these challenges results from an aging workforce. Projections suggest that 25 percent of current VBA decisionmakers will retire by 2004. These losses would be in addition to the staff that has already left service. It takes 2–3 years to fully train a new decisionmaker. Therefore, it is critical that VBA hire new employees now to fully train them before the experienced trainers and mentors have retired.

In addition to this looming succession crisis, extensive new legislation enacted in 2000 will severely affect VBA's workload. Sweeping enhancements to the Montgomery GI Bill are expected to double VA's education claims work. New legislation reestablishing the ''duty to assist'' veterans in developing their claims, regulations presumptively connecting diabetes to Agent Orange exposure in Vietnam veterans, and new software systems intended to improve the quality of decisionmaking have severely affected VBA's workload and slowed output. West Virginia veterans are already receiving letters from the VA regional office warning them to expect a 9–12 month delay for even initial consideration of their new claims.

If VBA is unable to hire new staff, the increasing backlog of claims—which is already unacceptable—would reach abominable levels. Without an increase in staffing, the backlog of claims is expected to grow from the current 400,000 claims (up from 309,000 in September 2000) to 600,000 by March 2002. VBA will need a minimum increase of $132 million to acquire the tools, staffing and technology, to avert this escalating disaster.

The mission of the National Cemetery Administration, NCA, providing an honorable resting place for our Nation's veterans—is becoming more difficult as we face the solemn task of memorializing an increasing number of World War II and Korean War veterans. It is estimated that 574,000 veterans died last year. The aging of the veterans population is placing additional demands on NCA in interments, maintenance, and other operations. VA has attempted to meet this demand by opening four cemeteries over the last 2 years and planning construction of the six new cemeteries authorized by Congress in 1999. It is estimated that an increase of $21 million will be required to develop these cemeteries.

Increases are also required to maintain the VA's National Shrine Commitment. We must preserve our national cemeteries so that they do not dishonor those who died serving their country. Sunken graves and damaged headstones cannot be tolerated. We applaud VA's commitment to this initiative and encourage VA to continue the project. In order to rise to this task and operate its current facilities, NCA will require an increase of at least $13 million for a total appropriation of $123 million.

If we fail to amend the Budget Resolution before us, we tacitly place the needs of affluent Americans before our obligations to our veterans.

While we consider the best way to cut taxes responsibly, we mustn't lose sight of our obligations. We all need to agree on how much should go to tax cuts and how much should be saved to strengthen Medicare, invest in education, and fully address the needs of the men and women who have served our country. I urge you all to support this amendment so that we can fulfill our Nation's promise to our veterans.

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

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mr. CONRAD. Mr. President, we should observe for our colleagues that we set a goal of going to the debate on reconciliation at 3:30. Wonder of wonders, we have accomplished that goal.

I thank all of our colleagues who have worked together to help make this happen. I single out, of course, the chairman of the Senate Budget Committee, Mr. DOMENICI, who, along with his staff, has worked so diligently to bring us to this point.

I also want to thank on our side, Senator REID, the whip, who has really worked night and day to try to expedite the consideration of this budget resolution. I think working together we have managed to get the trains to run on time, which is not always the case in the Senate.

Again, I thank very much my colleague, the chairman of the Budget Committee along with his very able staff, including the director, Mr. Hoagland, for the very hard work they have done.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, somehow I feel that we are not yet finished, that we have a long way to go. I think I am right. Nonetheless, we ought to stop over and pat ourselves on the back this afternoon because we didn't really have this afternoon all planned out with any unanimous consent agreements. We had 2 hours. I think we have made the best of it. I think from that side four different amendments have been considered with various Senators speaking, and we have had time for others to give speeches on matters of importance. We have taken some on our side. They are all subject to amendment, unless we accept them. We have looked at them to see if we can dispose of them.

I thank Senator CONRAD and his staff because we got a long way today toward accommodating Senators who felt very strongly that they had to give a speech along with their amendment. Nobody is limited in the future, but the vote-arama will take a very long time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 345

Mr. DOMENICI. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes an amendment numbered 345.

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

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

The amendment reads as follows:

(Purpose: To provide for tax relief)

At the end of title I, insert the following:

SEC. . RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

The Committee on Finance of the Senate shall report to the Senate a reconciliation bill—

(1) not later than May 18, 2001: and

(2) not later than September 14, 2001

that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues for the period of fiscal years 2001 through 2011 by not more than the sum of the totals set out in Section 101(1)(B) of this resolution and increase the total level of outlays by not more than $60,000,000,000 for the period of fiscal years 2001 through 2011.

Mr. DOMENICI. Mr. President, as I understand it, we have 3 hours to debate this reconciliation instruction, one-half hour for the distinguished Senator BYRD, or his designee, and one-half hour for the Senator from New Mexico, or his designee; is that right?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, since Senator GRAMM wants to speak in the

way that addresses a matter brought up with reference to tax cuts earlier, I will yield on our side 10 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank the distinguished chairman of the Budget Committee. This has been a long, hard process and we are only part way through it. Senator DOMENICI and I don't always agree at every single moment, but my admiration for him constantly grows as the years pass and I have an opportunity to work with him more.

We are getting ready to have a serious debate, and I don't want to in any way infringe on it by getting into any kind of partisan bickering, but I did want to respond to one point that was made earlier when we didn't have time to respond. I can be brief about it.

Some of our colleagues lamented the lack of bipartisanship on the budget. I want to respond, with all due respect, that bipartisanship is a two-way street. Since we started considering the budget, we have had amendments offered by Democrat Members of the Senate to spend another $697 billion over the next 10 years. This is coming on top of the last 6 months of last year, where we added $561 billion to the underlying spending projections of the Federal Government over the next 10 years. I just want to say that never in that short a period in American history, to my knowledge, have we ever had a Congress or a Senate propose more spending in a shorter period of time. I guess I would say that you can't have it both ways. You can't have the bipartisanship you seek and, at the same time, propose that level of spending.

Having gotten all that out of my system, let me turn to the issue before us. I thank Senator BYRD for his willingness to talk to Senator DOMENICI, to me, and to others, in trying to find a way out of this conflict. When you serve in the Senate, when you have competing visions for America's future, when you believe in what you are doing, it is easy to get into conflicts that are unavoidable. But when they are avoidable and you don't avoid them, it is not only poor legislative strategy, but I don't think you are living up to the high standards of this great institution.

So when Senator BYRD raised a concern about using reconciliation on the tax bill, even though we feel as strong on our side, based on the precedents that have been used, including the tax increase when President Clinton was President, and the tax cut that was part of reconciliation in 1997, we decided that any time you can accommodate the concerns of another Member without undoing your ability to have a chance to achieve what you want to do, that you ought to do it.

So we undertook what I call a fairly extensive negotiation. We met three or four times off and on. We submitted a proposal in writing. Just to refresh my colleagues' memory, we have about four or five people who work with this law every day. Senator Byrd wrote most of it. But to most Members, and almost everybody else in America, it is all gibberish.

Basically, under reconciliation, we have a very powerful tool that allows you to have special privilege in implementing your budget. You are going to hear a lot of debate about that and what it was intended to do today.

The point is, it does exist. It is part of the law. Under that procedure, it would mean that the tax bill we bring to the Senate would be subject to these special procedures: There would be 20 hours of debate equally divided. The majority could yield back its 10 hours. So we could end up with 10 hours of debate. We have a strict germaneness rule on amendments. When the debate is over, we have an up-or-down vote.

In naming conferees, we have a time limit on debate. We have an up-or-down vote. That is the procedure that exists in the budget process.

What we had sought to do in trying to work out an accommodation—and I am sorry it did not work, as I know Senator BYRD is. I want people to understand there was a good-faith effort to work this out. We proposed that rather than having 20 hours, we have 50 hours equally divided.

We proposed on first-degree amendments there would be no more than 2 hours, unless the managers yielded more time, that is, if there was real debate, and on second-degree amendments, only 1 hour; that all first- and second-degree amendments be germane; that at the end of the process, we have an up-or-down vote; that on naming conferees, we have a time limit on debate and then have an up-or-down vote; and the same procedure would apply to the conference report.

Some concern was raised that even with this agreement, we could come back and use reconciliation again. It was clear from our intent at the time that if we agreed to a unanimous consent agreement, there would be no need to use reconciliation.

In any case, with the best of intentions, we got together. Differences existed at the end of the process, and no agreement was reached. So we are here basically in a debate and with a vote coming that no one wanted, but here it is.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRAMM. Mr. President, I want to give a very brief synopsis of my argument for the use of reconciliation. We have had an extensive debate on the floor of the Senate. We are going to adopt a budget at some point. I hope it will be to my liking, but we are going to adopt one whether it is to my liking or not. We are going to go to conference. I hope to be a conferee, and I am confident the conference report will be more to my liking if this bill is not.

In any case, we want to be sure we have an opportunity to have an up-or-down vote on the President's tax cut or something very close to it. Obviously, there is no way we can make people vote for it, but we want to be sure that a new President with a new agenda gets an opportunity to have his program voted on.

We obviously are at an impasse as a Senate on naming conferees. When we worked out this powersharing agreement—an extraordinary agreement, in my opinion, and a very generous agreement from the majority leader, in my opinion—one of the things that was not worked out is what do we do about conferences.

We believe if we pass a tax bill in the Senate and it requires a conference, we do not want to get into a position where we simply try to pass the House bill. It may not be the final product we want. That does not make for good law to do something like that. We ought to be able to name conferees, and on a tax bill we adopt, obviously we believe we should have a majority on the conference committee.

Unfortunately, since we could not work out a unanimous consent agreement, the only way we can be assured that we have this opportunity to make the case and have an up-or-down vote is through reconciliation.

When reconciliation was used to raise taxes in President Clinton's first year in office, not one Republican voted for that tax increase, but no one challenged the right of our colleagues who were in the majority then to use reconciliation. No one challenged that right. It was used.

In 1997, in the budget when reconciliation was used to adopt a bipartisan tax cut, that was a hammered out agreement between the Republican majority then in both Houses and President Clinton. No one challenged our right to use reconciliation for that process.

Now we have a situation where we are trying to do for our new President what President Clinton did. We are trying to follow a procedure that we followed in 1997 when no objection was made. We understand strong feelings. We are sorry we could not work this out, but in the end, we believe the process is the right process, and given our inability to work out an agreement, we want to use it. That is why I urge my colleagues to vote to allow us to use the same process that has been used over and over since the budget process first started.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank Senator GRAMM for his succinct summary of where we are and what we are about.

The reason this is a serious debate is because it did not take me 28 years being a Senator to learn—in fact, probably in the early years, I learned from my opponent who has been in the Senate 43 years—there are some things

very special about the Senate that everybody should know. It has a couple of qualities that are rather incredible for parliamentary bodies.

One of those is freedom to debate. Sometimes people call that the right to filibuster. Filibuster does not sound so good, so of late we call it freedom to debate. That really means if you want to delay things or if you want to get your way or you want to make some changes your colleagues do not want to make in the Senate, you can get the floor and can talk as long as you can talk and nobody can stop you until you stop yourself. It even means more than that.

Essentially, it is the right to debate as long as you want and as long as you can.

The second quality that makes this a very different institution is the right to offer amendments. It takes some people a while to know what that really means.

I can recall during the Vietnam war there was a Senator from the west coast who used to sit at one of the desks in the back. I am going to be as plain and honest about it as I can. Come 8 o'clock at night, it was 5 o'clock in the Senator's State. At about that time in the afternoon, regardless of what we were debating, that Senator would try to get the floor and try to offer either an amendment or resolution regarding the Vietnam war because he was becoming known as an anti-Vietnam war Senator.

Of course, at 8 o'clock in the Senate, it was 5 o'clock in the State on the west coast. If one does that every 5 or 6 days, you get to be known as the anti-Vietnam Senator. A Senator can also offer that to any kind of bill. It can be offered to an appropriations bill. It can be offered to an authorizing bill unless there is an agreement to the contrary. It is a Senator's right.

Those are the two qualities that are most significant about the Senate. I learned them rather quickly. I do not think I appreciated them in terms of the institution for maybe about 10 years.

I soon found, once I became a member of the Budget Committee —in fact, through a quirk of things, I got on very early and I did not choose to ever get off because I could see myself moving up, never thinking I would ever be chairman. I could see myself moving up and being ranking member. All of a sudden, the Republicans took over the Senate, and I got a call from Senator Baker who said: Hi, Mr. Chairman, you are chairing the Budget Committee. If I was not in that position, I was in the position of lead Republican.

I found out very quickly those two qualities—the right to filibuster or debate as long as you want and the right to amend —were changed by a law that changed the rules of the Senate. I am holding it up.

This is the law. It was adopted 25 years ago. It changed, for as long as this law is operative, the rules of the Senate because if you have a reconciliation instruction under this Budget Act, which changes the rules of the Senate, that reconciliation instruction no longer carries with it on the floor of the Senate those two cherished privileges.

It has a limited debate because this law says the debate is limited. It says only 50 hours of debate on a resolution and only 20 hours of debate on a bill that comes forward from this document and a resolution called reconciliation.

Guess what else it did. You do not have a right to amend a bill that is a creature of a reconciliation instruction which is a creature of this law. You don't have that right. Laws on amendments are very narrowly construed.

I know my good friend, Senator BYRD, is going to attempt to draw a distinction between what we are doing in this budget resolution because we have a surplus and what we did other times—either by increasing the taxes, as we did for President Clinton in a reconciliation instruction, which meant 20 hours of debate and, for all intents and purposes, no amendments. We were in the minority, and every single Democrat voted to give the Finance Committee that authority, and then every Democrat voted to pass the bill that was the creature of that reconciliation—split exactly down party lines. But taxes were increased under the process created by this act, in derogation of the normal rules of the Senate.

I happened to have been here through almost every reconciliation, and my friend from West Virginia frequently calls it ''re-conciliation,'' and we have agreed that both pronunciations are correct.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I am happy to yield.

Mr. BYRD. The pronunciation by the distinguished Senator from New Mexico is the correct one. I have just gotten into a habit for a long time of saying ''re-conciliation.'' I think it is reconciliation. I am liable to stay in the same old habit.

Mr. DOMENICI. Mr. President, I believe the budget resolution before the Senate today is like other budget resolutions. And I have been a party to every single one. If somebody wants to write the history of what has happened that is most significant to the Senate in the past 25 years, they can start off with this bill. This has caused the most significant changes that the Senate has had imposed upon it by virtue of a reconciliation instruction that has, on some occasions, reduced spending. On other occasions, it has increased taxes. On other occasions—and if we get around to the details I will list them for everyone—we have used it to cut taxes or reduce taxes.

Those who will write the history of the past 25 years will probably say that no other document has caused more changes in the tax laws up and down, in the changing of entitlements up and down, without full debate and without the right to amend, than this document over this 25 years.

I was thinking I would come to the floor and tell the Senate every reconciliation bill of which I have been a part. But the list is too long. It is very long. There have been many. You can tell if you read statutes of the U.S. Congress and you find something that says Omnibus Budget Reconciliation Act of 1976 or 1981, almost without exception they are the creature of a reconciliation instruction done on the floor of both Houses ultimately to their respective committees.

Frankly, I don't see any difference between what we have done in the past and what we have done here. As a matter of fact, there was an occasion in 1996 when the other side of the aisle challenged a proposal in a budget resolution to reduce taxes. They actually raised the point of order that it wasn't right, it wasn't permitted under this act. The Parliamentarian agreed that it was. We had a vote where the other side challenged that and sought to appeal the ruling of the Chair. The Chair was sustained. The Chair was sustained by a partisan vote. We had the majority by three then. We had 53 Senators then. The Senate decided you could use reconciliation to reduce taxes, as they were in 1976. I might suggest they were done again in 1997 and 1999 and no challenge was made to them.

In two instances we did it, and the President vetoed the bills anyway. So you don't find an omnibus reconciliation tax bill for those years. But one did pass the Congress, both Houses.

All I have sought in the budget resolution and all I seek here is to use the same process we have been using since this Budget Act was adopted. It had many experts, but in order to become what it has become, because it still works, it had to have some knowledgeable input when it was written.

What did they need to do? They needed to make sure that nothing stood in the way of getting a budget resolution, No. 1, including that rules of the Senate could not stand in the way of the budget resolution. It had a limited amount of time. And it had to get passed.

Then they didn't want reconciliation to be held up. In particular, section 310 of the act, on page 25 of the act, states: Inclusion of reconciliation directives in a concurrent resolution on the budget—a concurrent resolution on the budget for any fiscal year to the extent necessary to effectuate the provisions and requirements of such a resolution.

That is precisely what we are trying to do with our request that this procedure be made available.

Frankly, some have asked: Senator DOMENICI, how can you keep on doing these year after year? I don't know. I think it is because the reconciliation process provides an opportunity to get something done. If there wasn't something significant happening because we stood here on the floor and produced a budget resolution, I say to my good

friend Senator BYRD, I don't think I would have been staying on the Budget Committee, doing budget resolutions, if we just admonished committees and then they didn't have to do it. In fact, I stayed on because we had to tell committees what the parameters were and they did it. We always told them, if they didn't do it, something might happen. They misconstrued us sometimes, and they thought we would write their law. We didn't know what would happen. The leadership would have to find a way to enforce it if the committees didn't.

The point is it has been exciting because we have done 12, 14, maybe 15 reconciliation bills that have literally caused change that would not have happened. Senator GRAHAM you didn't like some of the changes. Some of the changes I didn't like. To tell you the truth, I didn't like many of them. But I don't believe we should deny ourselves an opportunity for this new President to have us use a reconciliation instruction bound and borne by this Budget Act which changes the rules of the Senate for as long as this law exists.

I didn't think we should say: We have used it, but you can't use it now. We thought our President's proposals for 4 percent growth in the expenditures of government in the ordinary and regular appropriation process and a $1.6 trillion tax cut over 10 years out of a surplus of $5.6 trillion seemed to be more than justified by the new President's proposals for sound fiscal policy and, indeed, for sound tax policy for our people.

With that as my introductory remarks and my concern, I offer today an instruction, an instruction that we would ask the Senate to vote on soon, sometime this evening, that essentially says we can use the process called reconciliation to accomplish the tax consequences of this budget resolution in its final form, whatever that is.

I am quite sure that I have not made this interesting for those out there listening; it is pretty hard to make this interesting. But neither do I hope that I appear anything but serious.

A little while ago one of my good friends asked me to smile. I smiled in response, so big that I couldn't talk. Then I said I have to either quit smiling or I can't talk anymore.

In any event, it is serious. I think we should all try very hard to make the average person listening to this understand it is important to their business. The public's business is really affected by the rules and the rights of Senators. But they are also affected by the rules and rights created by this Budget Impoundment Act of 1975. I did not help write it. I voted for it. I think it passed overwhelmingly. I don't know if there were even any negative votes for it. I remember Senators such as Chuck Percy from Government Operations playing a part in it, coming to the floor, saying it was the biggest change we will ever effect.

It took me 5 or 6 years to understand it really was a big change. All we want to do now on our budget is make sure the changes permitted by this law be carried over to this President's tax proposals so we can get a start, as he would say, toward letting the people of this country get back some of their money and also to create a kind of tax policy that will be good for the future.

I am going to read this. I will not go into any detail. I would say reconciliation has been used by the Senate—with reference, Senator GRAMM, to tax law changes—not 1 time, not 5 times, 15 times—one-five times it has been used—10 times to increase taxes and all became law, 5 times to cut taxes, 2 became law, 2 were vetoed, and 1 did not find its way beyond the Halls of Congress. It was what was seen to be a rather useless chore, to send it down to be vetoed. But the Congress did it. So I repeat, over 25 years no wonder the Senator from New Mexico wanted to stay on this. We were changing things dramatically, 15 times—10 to increase taxes, all of which happened; 5 to cut taxes, all of which happened.

With that history I very much appreciate Senator BYRD wanting this matter to be thoroughly discussed. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is a critically important debate. This is not fundamentally a question of the issue of the President's proposal for a tax cut. This is a far bigger issue than that. This is the fundamental question of the role of the Senate in our Government.

Our Founding Fathers had a genius. They created this structure of government to protect the rights of the American people. They built a House of Representatives that they wanted to respond to the immediate feelings of the people, a body elected every 2 years. They wanted them to respond to the will of the people and the immediate passions of the moment.

They created the Senate with Senators having 6-year terms for a very different reason. They wanted the Senate to be the cooling saucer in our Government. They wanted the Senate to be able to debate and amend and to coolly reflect on what the policies should be for our country. That is the role of the Senate, and this debate is consequential because it would dramatically change the role of the Senate.

Reconciliation means no less than Senators giving up their fundamental right to extended debate and amendment. Those are the things that distinguish this body from parliamentary bodies the world around. It is what has made this Chamber the greatest parliamentary body in the world. All of that is at stake in the next 3 hours, because at the end of that time we are going to vote, and how we vote will help determine the future role of this body.

Reconciliation was established in 1974 to allow Congress to make last-minute spending or revenue changes. It was not intended to be used to enact major new spending proposals or major tax cuts or substantive policy changes. It was a device to make small changes. It was in that context that Senators were willing to limit their right to debate and offer amendments, because it was so narrowly to be applied.

By the early 1980s, reconciliation had evolved into a mechanism for deficit reduction. For example, in 1981, Congress used reconciliation to enact the spending cuts that President Reagan called for. It was not used for the tax cuts that President Reagan proposed and that were passed precisely for the reasons I have given. It was for deficit reduction, not for spending, not for tax cuts.

In 1985, Congress passed the Gramm-Rudman-Hollings Balanced Budget Emergency Deficit Control Act and, in separate legislation, the Byrd rule. Both proposals served to limit the focus of reconciliation solely to deficit reduction.

What is being proposed now is precisely the opposite, a $1.6 trillion tax cut with limited debate, limited time for amendment, the rights of each Senator sharply curtailed. That was never the intention of the Founding Fathers of our Nation—never.

There have been attempts in recent years to dramatically alter reconciliation to implement major tax cuts instead of to achieve deficit reduction, but not once have those changes been enacted. No reconciliation package that did not reduce the deficit has ever been enacted—not one.

The Senator from Texas referred to 1993 and President Clinton's budget that included reconciliation. Precisely so, because that was a deficit reduction package.

In example after example that has been given by my colleagues on the other side, they have neglected to point out that when reconciliation actually was used and law was enacted, those were deficit reduction packages.

Every one that involved a tax cut was never enacted—not once.

That is why this debate is so consequential, so profound, and will set a very important precedent.

In 1981, a colloquy occurred during consideration of the reconciliation bill. Majority leader Howard Baker, the Republican leader, and the Democratic leader, Senator BYRD, underscored the belief that the intent of reconciliation was limited to deficit reduction.

According to Senator Howard Baker, the revered Republican leader:

> Reconciliation was never meant to be a vehicle for an omnibus authorization bill. To permit it as such is to break faith with the Senate's historical uniqueness as a forum for the exercise of minority and individual rights. In 1985, Congress passed the Gramm-Rudman-Hollings Balanced Budget Emergency Deficit Control Act in order to reduce the growing budget deficit. The 1985 act provided that no amendments to a reconciliation bill would be in order if the amendment did not have the result of reducing the

deficit. That was the purpose of reconciliation, to reduce deficits, to either increase taxes or to cut spending but to reduce deficits. It was not designed to either allow or permit an increase in spending, or cuts in taxes. That is precisely the opposite of what was intended.

I call my colleagues' attention to something the chairman of the Senate Budget Committee said back in 1985. He said:

Frankly, as chairman of the Budget Committee, I am aware of how beneficial reconciliation can be to deficit reduction. But I am also totally aware of what can happen when we choose to use this kind of process to basically get around the Rules of the Senate as to limiting debate. Clearly, unlimited debate is the prerogative of the Senate that is greatly modified under this process. I have grown to understand that this institution, while it has a lot of shortcomings, has some qualities that are rather exceptional. One of those is the fact that it is an extremely free institution, that we are free to offer amendments, that we are free to take as much time as this Senate will let us to debate and have those issues thoroughly understood both here and across the country.

The Senator from New Mexico, our budget chairman, was right when he said that in 1985.

He said in 1989:

There are few things about the United States Senate that people understand to be very, very, significant. One is that you have the right, a rather broad right, the most significant right, among all parliamentary bodies in the world to amend freely on the floor. The other is the right to debate and to filibuster. When the Budget Act was drafted, the reconciliation procedure was crafted very carefully. It was intended to be used rather carefully because, in essence, Mr. President, it vitiated those two significant characteristics of this place that many have grown to respect and admire. Some think it is a marvelous institution of democracy, and if you lose those two qualities, you just about turn this U.S. Senate into the United States House of Representatives, our other parliamentary body.

That is what this debate is about. Are we going to have a Senate that functions as our forefathers intended, as the Framers of the Constitution intended, or are we going to turn this body into a second House of Representatives?

That would be a profound mistake—a mistake for our country, a mistake for this Chamber, and a mistake for the future.

I hope very much that cooler heads will prevail, that we will vote to reject reconciliation for this purpose, and that we will reserve it for deficit reduction.

This is a profoundly important decision. We have just a few hours before it will be resolved. I hope very much that we understand and appreciate that we can consider tax cuts in this Chamber without using the reconciliation process that limits the rights of Senators and that changes the role of the Senate.

Massive tax cuts were considered without reconciliation in 1981. They can be considered without reconciliation in the year 2001.

That is what we should do. That is what we must do.

I thank the Chair. I yield the floor. I ask my colleague from West Virginia to proceed.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, Herodotus, the Father of History, instructs us that on his way to Salamis, Xerxes the Great, the Persian monarch, ascended a hill because he had a longing to behold his mighty army, which was probably the largest army that was ever assembled in the history of the world. And arriving there, he paused to look upon all of his mighty hosts.

As there was a throne of white marble, which had been prepared beforehand at his bidding, Xerxes the Great, son of Darius and grandson of Cyrus the Great, took his seat upon it, and he gazed thence upon the shore below, beheld at one view, all of his mighty land forces and all of his ships, which he had assembled for this great battle, which would soon occur in the Sea of Aegina, and which is recalled to us as the battle of Salamis in 480 B.C.

As he looked and saw the whole Hellespont covered with the vessels of his fleet, all the shores and every plain about him as full as possible of men, Xerxes congratulated himself on his great power and his great fortune, but after a little while, he wept.

Then, Artabanus, the King's uncle, when he saw Xerxes in tears, said to Xerxes: ''How different, Sire, is what thou art now doing from what thou didst a little while ago? Then thou didst congratulate thyself; now, behold, thou weepest.''

Replied Xerxes: ''There came upon me a sudden pity when I thought of the shortness of man's life, and considered that all of this mighty host, which has gathered from the many provinces under my control as King of Persia, so numerous as it is, not one —not one— will be alive 100 years from today.''

So, Mr. President, as I stand today and gaze upon this Chamber, I, like Xerxes, consider that of the 100 Senators—when I came here there were 96; and there were 100 Senators in the original Roman Senate—of the 100 Senators who will cast their votes today, not one will be alive when 100 years are gone by. But just as we who live today revere the names and the works of our illustrious forebears who framed the Constitution 214 years ago, so will our posterity—our children, our children's children, and our children's children's children—look back upon us and our works. And may our children, oh, God, have cause to bless the memory of their fathers, as we have cause to bless the memory of ours.

Posterity will see fit to look back upon us, whether it be 100 years from today or whether it be 10 years from now, and will have reason to judge us, in considerable measure, by whether we, in our time, so serve as to perpetuate the blessings that have come down to us from our forbears, the greatest blessing of all being the Constitution of the United States—I hold it in my hand—and the perpetuation of the rights of men and women, the perpetuation of the constitutional principles laid down in that document, the perpetuation of the principles of freedom to debate and amend that have been handed down to us as Senators by our forefathers.

Will our posterity thank us for perpetuating a Senate founded upon the bedrock principles of freedom of debate and amendment? Will they remember us as having so acted as to hand down to them unblemished, untarnished, and unstained the right and freedom to speak, to debate, and to amend? The rights of Senators to debate and amend at length are being denied. And such a denial is a denial of due process—due process. And that denial is not only a denial of our rights to amend and to speak freely in this Chamber at length, but a denial to our constituents who send us here.

These rights go back hundreds of years. They did not originate in 1787 in Philadelphia. They did not originate there. They were recognized centuries ago. And their roots are buried deep in the mists of antiquity.

I will read just a few words from the Magna Carta, which was signed at Runnymede, in the meadow at Runnymede, on June 15, 1215, when the King was compelled by his subjects to sign that great document. Let me read briefly therefrom. Chapter 12:

No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom. . . .

What was an aid? An aid was a revenue, a kind of revenue that vassals of the King were compelled to pay him.

No scutage nor aid shall be imposed in our kingdom, unless by common counsel of our kingdom. . . .

That means everybody.

Chapter 14:

And for obtaining the common counsel of the kingdom anent the assessing of an aid (except in the three cases aforesaid) or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, severally by our letters [under seal]; and we will moreover cause to be summoned generally, through our sheriffs and bailiffs, all others who hold of us in chief, for a fixed date, namely, after the expiry of at least forty days, and at a fixed place; and in all letters of such summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come.

Now what was King John saying? He was saying: No tax, no aid, no revenue will be imposed upon my vassals, my people, except by the common consent of the kingdom, not just by the common consent of a few. And he indicated in writing, by the way he defined the various groups of people—meaning all of his people would be represented: the archbishops, the bishops, the earls, and so on—that they would gather and that they would pass upon the revenues that he requested.

So as we deal with the matter before us, which involves revenue, let us remember that our rights, our people's rights to be represented by us in full, the roots of those rights go back centuries and centuries ago.

At Runnymede, at Runnymede,
What say the reeds at Runnymede?
At Runnymede, at Runnymede,
Your rights were won at Runnymede!
No freeman shall be fined or bound,
Or dispossessed of freehold ground,
Except by lawful judgment found
And passed upon him by his peers!
Forget not, after all these years,
The Charter signed at Runnymede.

Today we are finding, over the experience of the last few days, that those rights, the roots of which go back to Runnymede and beyond, are being short-circuited. They are being trampled upon.

We are in very uncharted waters with this budget. It is a 10-year budget. This is the first time in my long tenure of nearly 49 years on Capitol Hill that the Congress has ever tried to enact a 10-year budget. No one is very sure of any of the assumptions and estimates underlying this 10-year budget plan—nobody. Even those witnesses who appeared before our committee, the Budget Committee, indicated they couldn't be sure of their estimates. Yet, some in this body are perfectly willing to roll the dice and let the devil take the consequences.

I am amazed that this tactic is even being attempted. We have an equally divided Senate, 50 Republicans, 50 Democrats. The Presidential election was virtually a tie in the popular vote. There is no clear mandate for this President. Mr. Bush is President. He took the oath of office. There is no question regarding his being the President of the United States—no question—no question whatsoever as to his legitimacy in holding this office—none. But there is no clear mandate. We have not heard the voices of the people clamoring for this economic plan. Yet, the majority side is using this procedural straitjacket called reconciliation to keep free-flowing debate, for which our forefathers fought and died, from happening, free-flowing debate and amendment on the forthcoming tax cut. There is no mandate for that tax cut, with 50/50 in the Senate and the membership in the other body being likewise very close insofar as the number of Republicans and number of Democrats are concerned.

This President has said over and over and over again that he wants to change things in Washington. This President has said he wants bipartisanship. Yet we are very far from any attempt at bipartisanship when we resort to heavy-handed tactics to shut out one side of the aisle.

We wanted a markup in the Budget Committee. We asked for a markup in the Budget Committee. We pleaded for a markup in the Budget Committee. We were entitled to have a markup in the Budget Committee. But didn't get it. The Budget Committee is split 11 to 11. In fact, instead of bipartisanship, then, what we have here is gamesmanship—gamesmanship of the worst sort.

There are those in this town who are so polarized, so intent upon winning that nothing else matters but to win. They don't care what they win as long as they win. They don't care what the cost is to this body, the central balance wheel of the Constitution, this body, the master stroke of the Framers, the jewel of the Constitution—the Senate. They don't care what the cost may be to the country. Winning is everything. They have to win.

We are tied here 50/50, and it doesn't matter so much how we attain the end, how we win; the important thing is that we win. At the time of the enactment of the Congressional Budget and Impoundment Control Act of 1974, it was thought that Congress would pass its first budget resolution at the beginning of each session, and this would be followed by the annual Appropriations Bills and any other spending measures. Then, Congress would issue any reconciliation instructions that might be necessary to bring the spending and revenues into line with the Budget Resolution, and that process was to involve the passage of a second Budget Resolution.

Reconciliation involves a two-stage process, in which reconciliation instructions are included in the Concurrent Resolution on the Budget—that is what is before the Senate—to direct appropriate Committees to achieve the desired budgetary results, and then to incorporate those results into an omnibus bill which is considered under expedited procedures in the House and in the Senate.

Fast track procedures were included in the Congressional Budget Act to help Congress quickly to enact necessary changes in spending or revenues so as to insure the integrity of the Budget Resolution targets. The fast track procedures limit Senate debate on reconciliation bills to 20 hours and allow only germane amendments. Time on reconciliation bills may be further limited by non-debatable motion. The managers of a reconciliation bill may yield back their time, which can further cut the time for consideration.

Unfortunately, reconciliation bills have proved to be almost irresistible vehicles for Senators to use to move all manner of legislation because of these fast-track procedures, and, in recent times, the misuse has been gross.

Fast track procedures take away from Senators—the elected representatives of the people in this Chamber—the opportunity to offer their amendments and to fully debate them. Reconciliation, therefore, is a non-filibusterable ''bear trap'' that should be used very sparingly and only for purposes of fiscal restraint.

In other words, reconciliation should be used only—hear me now—reconciliation should be used only for reducing deficits. I know my good friend from New Mexico says otherwise, but hear me. To trample upon the rights of men and women in this body, to take away from them the right to freely debate and amend measures, is a very serious thing.

We passed that act in 1974 saying, yes, we will, for a very narrow purpose, under certain narrow circumstances, take away for a brief time and for a brief purpose those rights, the right to debate and to amend. The Senate is the foremost upper body in the world today. Why is it so unique? Why? Because in this Chamber, men and women who are elected by the people back home have the right, the constitutional right, to freely debate and amend.

Augustus, the first great Roman Emperor, from 27 B.C. to 14 A.D., didn't like to hear senators argue and debate. So he was critical of senators who had the nerve to debate. And their answer was: ''Don't senators have the right to debate, to speak, to criticize the commonwealth?''

Reconciliation was established only for reducing deficits. In 1999, the reconciliation process was used by the Republican leadership to allow for a $792 billion tax cut to be brought to the Senate using fast-track procedures, taking away the right to debate fully and amend that tax cut bill. I believe this was the first time—or at least one of the rare times—that reconciliation instructions were issued that mandated a worsening of fiscal discipline for the Federal Government. Unlike the fiscal year 1997 budget resolution, I do not believe that the budget reconciliation instructions in 1999 resulted in improving the fiscal status of the Federal budget. Again, in the year 2000, the reconciliation process was used to allow for major tax cuts to be brought before the Senate in reconciliation bills. In short, we have, in my view—and I think my view is based upon facts. I am not interested in who wins, whether it is Democrats or Republicans, as far as that is concerned; I am interested in maintaining unblemished, untarnished, and unstained the fundamental principles on which this Senate rests, and they are involved here. In short, we have, in my view, abused and distorted beyond all recognition the original, very limited purpose of the reconciliation procedure.

Now let those who wish to contest that do so. It is obvious that the Republican majority will, for the third straight year, attempt ultimately to fashion a budget resolution that will contain reconciliation instructions to the Senate Finance Committee and House Ways and Means Committee, directing them to bring forth the Bush administration's $1.6 trillion tax cut bill.

Taking advantage of the reconciliation procedures in this way would be the latest in what has become a steady degradation of the congressional budget process. Reconciliation, which was created to make it easier to impose budget discipline, is instead being used

to make it easier to get around the Senate's rights to debate and amend. Reconciliation, therefore, is being turned on its head.

Hear me. ''O, that my tongue were in the thunder's mouth, then with a passion would I shake the world!'' There is no reason whatsoever to consider the President's tax cut proposal as a reconciliation bill. The Senate should take up this massive tax cut proposal as a freestanding bill. That is the way we have always done it. It is a tax cut bill. It should be fully debated and amended. That is what was done in 1981 when President Reagan sent to Congress his tax cut proposal. On that occasion, Congress used the reconciliation process to accomplish the spending cuts in the Omnibus Budget Reconciliation Act, but the Reagan tax cuts were brought before the Senate as a freestanding bill and were fully debated, without depending on reconciliation fast-track procedures. More than 100 amendments were disposed of, and the Reagan tax cut bill was debated for 12 days prior to its passage. The Senate Republican leadership in that instance chose to do the right thing by bringing the Reagan tax cut bill to the Senate as a freestanding measure rather than use fast-track reconciliation procedures. It was thoroughly aired.

Taking the easy way and doing the expedient thing rarely requires much leadership. The former Republican leader, Howard Baker, who was the majority leader—I was the minority leader —did the right thing for the Senate, for the President, and for the country.

In 1993, my own Democratic leadership—now, listen to this. In 1993, my own Democratic leadership pleaded with me. How many of my friends on the Republican side today would stand as firm as the Rock of Gibraltar as I did on that occasion? The Democratic leadership pleaded with me at length to agree to support the idea that the Clinton health care bill should be included in that year's reconciliation package. They came to my office on the floor below. Not only did Majority Leader George Mitchell and others of my colleagues attempt to persuade me to go along and not raise a point of order under the Byrd rule, which would require 60 votes to waive, President Clinton got on the phone and called me also and pressed me to allow his massive health care bill to be insulated by reconciliation's protection. He called me on the telephone. Here is the President of the United States calling this lowly former coal town boy and asking me to let his huge health bill come before the Senate on that fast track. I could not, in good conscience, however, look the other way and not make that point of order and allow what would clearly have been an abuse of congressional intent to occur.

How many others would do that today on that side of the aisle, stand against their President. Well, perhaps that is not too important.

I felt that changes as dramatic as the Clinton health care package, which would affect every man, woman, and child in the United States, should be subject to scrutiny. I said: Mr. President, I cannot in good conscience turn my face the other way. That is why we have a Senate—to amend and to debate freely—and that health bill, important as it is, is so complex, so far reaching that the people of this country need to know what is in it and, moreover, Mr. President, we Senators need to know what is in it.

He accepted that. He accepted that, thanked me, and we said goodbye.

I could not, I would not, and I did not allow that package to be handled in such a cavalier manner. It was the threat of the use of the Byrd rule—and my how that Byrd rule has been maligned and excoriated and criticized by many Members of the other body who should be thanking the Senate for it. It was the threat of the use of the Byrd rule that bolstered my position. My view prevailed then; my view is the same today. It is time for the abuse of the reconciliation process to cease. We should not be using tight, expedited procedures to take up measures that worsen the fiscal situation of the Nation and that have far reaching, profound impacts on the people. Reconciliation was never, never, never intended to be a shield, to be used as a shield for controversial legislation by depriving Senators of their rights and their duty to debate and to amend.

I want the Senate to have an opportunity to work its will and to apply its considered judgment to the massive tax cut that is being proposed by the Bush administration. I strenuously object to having such a far-reaching, critical matter swathed in the protective bandages of a reconciliation process and ramrodded through this body like a self-propelled missile. Nobody who has listened to the testimony of witnesses before the Budget Committee could possibly claim that the right choices are clear. There is vast uncertainty and disagreement about nearly every aspect of the Bush tax cut.

The President's proposal is not an edict, and the Senate is not a quivering body of humble subjects who must obey.

> Come one, come all! this rock shall fly
> From its firm base as soon as I.

This is the Senate. Reliance on reconciliation as the torpedo with which to deliver a knock-out punch for the President is a tactic that ought to be abandoned. It is not a fair course. It is not a wise course. It is not right to enforce this reconciliation gag rule upon the Senate. It is wrong. We must not shackle the intellects of 100 Members of the Senate in this way. We should not fear the wisdom of open and free-ranging debate about a proposal which is, at best, risky business. Now is no time to circle the wagons. Now is the time to hear all of the voices on both sides of the aisle. Now is the time to build consensus among ourselves and among the people we represent.

There will be no victory if we make the wrong choices and plunge this Nation back into a deficit status. There will be no victory. We will have plenty of time to regret and to weep.

The President has said that he wants bipartisanship. He has said that he has faith in his plan. I believe, therefore, that there is no need to hide behind the iron wall of reconciliation. This would be a hollow victory, indeed, for the President, and for the majority leadership in this body.

As to the tax cut itself, the Bush proposal is pretty stale bread. It probably came from last year's campaign wars that blew up in the snows of winter in New Hampshire. If it ever was a good idea, it probably is not now. The economic picture has changed since then and changed radically. The type and size of the tax cut proposed in the President's budget—and we have not seen his budget. Why haven't we seen his budget? It was promised to us for Monday of this week, but now we know that it will be Monday of next week before the budget comes here.

I have been among those who have urged that we just wait a little bit and, before we cross that railroad crossing where the lights are flashing, have the budget before us. We can have it by Monday. It is within 3 blocks of the Capitol right now being printed. So it is around. Why can't we have it?

The economic picture has changed, as I say, and it has changed radically. The type and size of the tax cut proposed in the President's budget obviously bears rethinking. The size of the proposed surplus has already been diminished by the stock market plunge.

Even the staunchest supporters of the President's $1.6 trillion tax cut idea would have to admit that the ground has shifted and that the President's plan might need some adjustment. Only an extremely doctrinaire mind would continue to claim that this tax cut is still a perfect fit for the present economy or the projected surpluses that go out to the far end of 10 years. That would be like claiming that your size 42 pants still fit fine after you have dropped 25 pounds. The economy has lost some weight since the President's plan was created.

I can understand the desire to win one for the new President. I can understand my good friend from Texas, of whom I am very fond and whom I consider a friend. I live with him here 5 days a week, 4 days a week in many of the weeks of the year. I live with the chairman of the Budget Committee who is an extremely able chairman. He is of the true Roman stock, and I admire him. I admire him. I am sorry that on this occasion we have to disagree. We will disagree, but disagreement, as far as I am concerned, lasts only for a day and then it is all in the past.

On the other hand, it is always well to remember that the Senate is an equal branch, with Members having decades—decades—of experience which is their duty, their responsibility to apply. The Senate should not behave

like some eager puppy taking slippers to its master for a good word and a pat on the head.

We do this new President no favors to let him have exactly his way if that way is flawed. He will be blamed. President Bush will be blamed if this budget turns out to be a disaster for the American people. And we might be able to avoid some mistakes if the Senate is given a chance to debate and amend the tax proposal in a separate and freestanding bill.

The President would still get the credit if the amount was cut, but why would it not be better if it were handed to him after a freestanding debate?

What is a Republic? Madison in the Federalists No. 14 answered this question:

> In a democracy, the people meet and exercise the government in person; in a Republic, they assemble and administer it by their Representatives and agents.

Madison answered that question. Consequently, to whatever degree that Senators, the elected representatives of the people, are prevented from debating and amending the legislation of that Congress or the Senate, to that same degree the people are denied their rights to be heard and to make decisions through their elected representatives in the Senate.

Benjamin Franklin was asked by a lady following the Constitutional Convention's close on September 17, 1787: Dr. Franklin, what have you given us? The answer: A republic, madam, if you can keep it.

Now, in this regard, let's listen to one of the complaints enunciated in the Declaration of Independence against King George III of England. In this little book is contained the Constitution and the Declaration of Independence. At the beginning of the Declaration of Independence, Thomas Jefferson enunciated the complaints that the people had against King George III and the reasons why the colonialists were going to sever those bonds forever. Listen to this:

> He [meaning King George III] has refused to pass any laws for the accommodations of large districts of people, unless those people would relinquish the Right of Representation in the legislature, a Right inestimable to them, and formidable to tyrants only. He has dissolved representative houses repeatedly.

One of their major complaints was that the King had refused to pass laws unless the people would give up something, would give up their right of representation in the legislature.

That really, in essence, is what is happening here. A budget plan for 10 years is about to be passed and, as a result of that budget, unless the Senate votes otherwise today and/or tomorrow, the people, through their elected representatives, will be relinquishing their rights to have full freedom of debate and amendment when it comes to the Bush tax cut.

I say to Senators, the ranking member of the Budget Committee said only a little while ago that this is the most important legislation the Senate will act upon in this session. Why? Not only because it will involve a huge tax cut, the ramifications of which we cannot clearly see because we have no budget before us, but also because it goes to the root, the very marrow of the bone of Senators' constitutional rights on behalf of their constituents to fully debate and amend.

I say to Senators, our ancestors fought a war with England because of the denial of representation in the legislature where taxation was concerned. When the reconciliation process is employed to curtail debate and amendments on bills making huge tax cuts, the people are being denied true representation in the Senate because their elected representatives here, who happen to be in the minority, are being gagged by the fast-track procedures of the reconciliation process.

When a minority of Senators—and keep in mind, this is the largest minority that it is possible to have in this Chamber; there are 100 Members in the Chamber, 100 Members have been sworn and the breakdown is 50/50, so the minority is as large a minority as the Senate could possibly have. A minority of Senators are being denied by the reconciliation process the right to debate at length and the right to freely amend. The people of the United States, who are represented by that minority in the Senate, are, in essence, being forced to relinquish the right of representation in the legislature.

How much time remains?

The PRESIDING OFFICER. The time remaining is 26½ minutes.

Mr. BYRD. Let me briefly respond to the distinguished chairman of the Budget Committee. A chairman of any committee could be no more distinguished than the chairman of the Budget Committee. Anent the chairman's statement that what we are doing today is fully in accord with the intent of the Budget Act, I am saying that it absolutely is not.

Mr. CONRAD. Will the Senator yield?

Mr. BYRD. Yes.

Mr. CONRAD. I inquire as to the time remaining on our side and the time remaining on the Republican side.

The PRESIDING OFFICER. The minority has 25½ minutes and the majority has 61½ minutes.

Mr. CONRAD. I ask the Senator if he could wrap up fairly quickly so we can turn to the other side so we will have some time remaining for requests of other Senators.

Mr. BYRD. Absolutely. I will be glad to do that. I will postpone what I was going to say in response to the chairman's claim that this Budget Act can be in conformity with the act's intent and be used to cut taxes.

I challenge that. I am ready to do so. I will not do so at the moment.

On the other hand, I think I should. Section 310 of the Congressional Budget Act, as enacted in 1974, was arguably neutral in its purpose. The provision merely authorized reconciliation instructions to change laws or bills within a committee's jurisdiction. However, several amendments to the Congressional Budget Act have made it quite clear that the purpose of reconciliation was for deficit reduction.

Section 310 of the act was amended by the Balanced Budget and Emergency Deficit Control Act of 1985, Gramm-Rudman-Hollings, to prohibit amendments to reconciliation bills that reduced revenues, if the amendment caused a committee to fail to meet its reconciliation instruction. This prohibition would make no sense if committees could be instructed to reduce net revenues. It only makes sense if a committee could be instructed to increase revenues. Furthermore, the Byrd rule was added as section 313 of the Budget Act. It prohibits as extraneous any provision reported by a committee that reduces revenues if that committee failed to meet its reconciliation instructions. The Byrd rule also prohibits as extraneous a provision that results in net revenue losses in the years beyond the budget resolution, the outyears, unless those losses are compensated for by outlay reductions.

Again, these provisions make no sense if committees could be given a reconciliation instruction to reduce net revenues. They only make sense if committees could only be instructed to increase revenue.

It should also be noted that section 310 was amended in 1990 to specifically authorize a reconciliation instruction ''to achieve deficit reduction''. Thus, there is explicit and there is implicit language standing for the principle that the purpose of reconciliation is for deficit reduction. There is nothing in the Congressional Budget Act stating that reconciliation can be used to reduce revenues. The only conclusion that can be drawn is that this process is for deficit reduction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I inquire of the chairman of the Budget Committee if he would prefer to go at this point.

Mr. DOMENICI. I understand the distinguished Senator wanted to speak for 4 minutes. I am delighted to have him do that, if it is all right with Senator CONRAD.

Mr. CONRAD. I am delighted to yield 4 minutes to the Senator from Florida.

Let me say to my colleagues, we have very little time left on this side. It is our intention, after the Senator from Florida has spoken, to allow those on the other side of the aisle to take an extended period of time to express their view before we come back to our side.

With that, I yield 4 minutes to the Senator from Florida.

Mr. DOMENICI. Mr. President, I am happy to hear the Senator's intention, but I do not know what the intention is

on our side. We are going to do our very best to be fair. We had to sit through a very lengthy discussion that I thought was very powerful. We would like a little bit of time to make our rebuttal.

I am suggesting you can go another 4 minutes if that is all right with you all.

Mr. CONRAD. Yes. We thought we would go to the Senator from Florida and yield 4 minutes to him.

Mr. DOMENICI. I failed to mention that we have a whole series of votes on amendment, I might say to Senator REID, that might occur tonight after the 6:30 commencement of the vote on the Domenici reconciliation amendment. I hope Senators do not run off after this next vote. I think there could be 3 hours' worth of votes tonight just on what we have already agreed to do.

Mr. REID. I say to my friend, if he will yield, the staff is working to see if any of those eight amendments can be accepted. But whatever, there is going to be a lot of voting starting at 6:30.

Mr. DOMENICI. That is correct. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I am moved to speak because of the eloquence of the Senator from West Virginia and what he has taught us today by his statements as the author of the Byrd rule, as the author of the reconciliation act, and how he has woven the importance of this body being able to freely debate and freely amend into the course of history.

He talked about Runnymede. He talked about Xerxes. As he was speaking so eloquently, it recalled to my mind Athens in the fifth century before Christ, one of the greatest golden times in the age of civilization of planet Earth. But Athens had a problem in a bald-headed, bandy-legged little man by the name of Socrates who liked to ask all kinds of questions and who liked to challenge the established order of things Athenian.

In the process of that experience with democracy and free speech, the special interests of the day urged the crowd so that the pack became in full cry to shut up the man who dared to ask the questions—Mr. Socrates. Ultimately they offered him the cup and said: Have a drink, Mr. Socrates.

Socrates was such a part of that Athenian society that rather than break the rules, he drank from the cup. He showed by so doing that he adhered to the highest principles of Athenian society while they were muzzling and shackling and clamping his mouth shut.

It is because of that, as a part of the lessons of history, added to the great lessons of history that the distinguished Senator from West Virginia has shared with us today, that ultimately led to that brilliant band of political thinkers who all came together to fashion this thing we know as the Constitution of the United States, that we do not want to limit debate or limit amendment, especially, as the Senator has so eloquently explained to us, on something as enormous and effective on these United States as a tax bill that will take prevail for 10 years.

I thank the Senator from West Virginia for the history lesson he has given us. I thank him for what he represents as the true historian of this Senate, who can put this debate in perspective and give us another reason we should not have this reconciliation instruction that will muzzle this Senate on something so important to the discourse of the day, an enormous tax bill.

I thank the Senator from West Virginia.

The PRESIDING OFFICER. Who yields time?

The Senator from New Mexico.

Mr. DOMENICI. From our side of the aisle I want to say Senator GRASSLEY is here ready to speak. I understood there were a couple of other Senators, including Senator GREGG, who wanted to speak. I cannot assure you as soon as you walk on the floor that you will be able to speak because time is back and forth and Senator BYRD was entitled to speak. In a few moments I will yield to my colleague. I understand he has some very responsive remarks. I want to hear them myself.

Let me say to Senator BYRD, I have heard often—and perhaps I should say oftentimes—from you of your humble beginnings. I do not in any way want to suggest that I had humble beginnings. I am not sure my humble beginnings are relevant. I am sure yours are.

But just so we will know, my father came all the way from Italy, when he was 14, to the city of Albuquerque. He never learned how to write English. He could not read well, but he could speak three languages. He did all right with a small grocery business. He took care of five children; it looks like all of them went to college; it looks like he left enough for his wife, to take care of her; and that is all he worried about.

But I, too, have been challenged by a President. You were challenged by one. I will explain about that challenge in just a moment. I was challenged by Ronald Reagan. You weren't on the Budget Committee then. I wish you would have been. We were marking up after an Easter recess, having asked the President's Defense Secretary to negotiate with us for 2 months on two different occasions. This Senator from humble beginnings, son of the Italian immigrants, was called by the President, called out from a committee meeting to an office, and he said: Adjourn the meeting. I need to discuss things with you.

Let me tell you that we marked up the bill that afternoon. We finished because I had my job to do and he had his job to do. We gave him more defense money. He ended up getting more when Congress was finished, which is interesting, too.

Let me suggest to the President, and to those who are quite impressed tonight by the remarks given by the senior Senator from West Virginia—and I remind everyone that he has had 43 years to learn about this Senate; I have only had 28. I feel very strongly about the Senate, just as he does, except I don't have any history to quote. That is just because I am not a history person, be it ancient, modern. Whatever the history, I am just not very good at it.

But I can tell you that Senator BYRD's argument tonight is 27 years too late. In fact, he should have made that argument before we adopted the Senate Budget and Impoundment Act. He helped write it. I didn't help write it. I voted for it. But my recollection is that not a single Senator voted against it. Let me tell you that Senator BYRD should have made an argument then. This bill was filled with all the risks he talks about to change forever what the Senate stands for. If that wasn't the case, Senator BYRD should have objected and should have come and given this speech the 15 times that we have used reconciliation—10 times to raise taxes and 5 times to reduce taxes. He did object to one of those. He lost on a reduction of taxes. But that is when the argument tonight, ever so eloquent, should have been made.

For those enraptured about the qualities of the Senate as discussed tonight, let me remind everyone that we changed them. We changed them under the authorship of the distinguished senior Senator from West Virginia who argued tonight about what a serious impact of a negative type this reconciliation instruction is going to impose on the Senate.

I remind everyone. I see the tax-writing staff is here. Some of them have been through all of these. They can probably come over here and help me. They didn't like it when they were told to do a tax increase. That is probably what they liked the least.

We did it. You know what happened on those instructions? The Senate did not have a chance to filibuster them. On not a single one of them did they have a chance to filibuster. Why? Because this act prevailed.

Let me remind you that they did not have a chance to filibuster them or amend them significantly, whether they increased taxes or diminished taxes.

On the argument that this Budget Act is not policy neutral, which the distinguished Senator from West Virginia challenges, let me just say I was part of the whole thing. I think it remains neutral. The only thing it permits us to do of a multiyear nature is to look forward to what will certain policies do in the future. That is what it permits us to do. It doesn't say in this Budget Act that you can do that only if you are reducing deficits. It just doesn't say it. The Senator interprets it that way. I don't interpret it that way.

Let me also talk a minute with the Senate about the event. You know the

event, when President Clinton almost got us to vote on a health care plan. I don't say any of this in a contentious manner toward any Senator. But I have already heard two Democratic Senators submit to the Senate, including my friend from West Virginia, that we were responsible for us not considering the plan, which is sometimes called the Hillary Clinton Health Care Plan. They were responsible for its failure—President Clinton's big health care plan.

Let me tell you. The truth is, 3 years before we considered that, my good friend had prevailed in the Senate with a statute—not a ruling, a statute—that created the Byrd budget rule carrying his distinguished name. We did it around here for 3 years before that. And we finally said: You are right. Let's pass the Byrd rule.

Guess what the Byrd rule would have done if they would have brought President Clinton's health care bill to the floor. Any Senator could have raised a point of order under that rule, the Byrd rule. Any Senator would have gotten a ruling from the Chair that it was subject to a point of order.

Guess what next. It would require 60 votes to pass.

So let's be honest and realistic. Senator BYRD has been part of helping fix this up for a number of years, but he has never been able to fix it up to deny its efficacy as changing forever the rules of the Senate so long as this Budget Act exists.

Having said that, I want to comment on something else.

Mr. SARBANES. Will the Senator yield?

Mr. DOMENICI. I haven't had much time. Let me finish. Am I doing something wrong that you would like to correct me on?

Mr. SARBANES. I think you are misstating Senator BYRD's position.

Mr. DOMENICI. I don't believe so. I was here for the whole speech. You can speak on your own time.

Mr. BYRD. Mr. President, will the Chair enforce the rule that Senators must address each other through the Chair and in the third person.

The PRESIDING OFFICER. The Chair will enforce the rule.

Mr. DOMENICI. I understand. I will try to do that.

I want to talk a minute about Leader Baker's role in determining all of this, if you will permit me for a moment.

First, let me put Senator Baker's comments in context. Maybe it would be best to do this. Senator Baker's comments were made, to the recollection of the Senator from New Mexico, with reference to a Commerce Committee bill. The Commerce Committee was then under the chairmanship of Robert Packwood. Senator Packwood took a little, tiny instruction that told that committee to change a fee—something that you are charging. He wrote a whole reauthorization of the telecom bill with a little, tiny instruction for a few hundred thousand dollars. Senator Baker said: You shouldn't do that.

That was the beginning of the Byrd rule. That was the beginning of a rule which said amendments have to be fiscally related and germane.

We are very pleased that the distinguished Senator from West Virginia did that. We are very pleased that rule governs even today. But it doesn't govern with reference to a tax reconciliation bill because, as a matter of fact, we have done that 15 times since the adoption of this bill.

Let me tell you a little bit about the origins of reconciliation. I remember very vividly because we were in the minority. The other side was in the majority by quite a healthy margin. The chairman of the Budget Committee was Senator Ed Muskie when the first reconciliation was used. The other side of the aisle was getting close to election time. There was a concern about a deficit. So a reconciliation instruction was used—$8 billion for all intents and purposes, something we almost round off these days.

Guess what one of the committees was that was reconciled in that instance to raise a few dollars. I know it sounds not right, but it is right. The Agriculture Committee was reconciled to change the School Lunch Program costs to impose an extra 5 cents on the school lunches across America. How do I know that? Because this man right here, the chief of staff on the majority side, was then at the Department of Agriculture. He was asked to enforce that after it was passed. I believe the reason he is with the Senate is because they made him the scapegoat over there for passing the measure that was reconciled by the Congress to them.

Mr. GREGG. Mr. President, will the Senator from New Mexico yield for a question?

Mr. DOMENICI. I am pleased to yield for a question.

Mr. GREGG. In listening to the presentation of the Senator from West Virginia, as I understood it, the Senator from West Virginia was essentially saying you could use the reconciliation for the purposes of raising taxes in order to reduce the deficit but you cannot use it for the purposes of cutting taxes that do not involve addressing a deficit.

Mr. DOMENICI. Yes.

Mr. GREGG. At the same time, the Senator from West Virginia argued reconciliation was an inherently inappropriate concept because it cut off debate here in the Senate and therefore it was inappropriate in the sense that it limited the ability of this Senate to exercise its due privileges on an issue.

Aren't those two arguments inconsistent: To say that reconciliation could be used in one instance, no matter what the instance is, but, on the other side, it is inappropriate to use reconciliation at any time because of the nature of the Senate and its need to have debates?

Mr. DOMENICI. Senator, let me say, I think they are. But I believe implicit in the Senator's argument is that he does not think so. But maybe he should answer that.

Mr. GREGG. Will the Senator yield for a question?

Mr. DOMENICI. Maybe the Senator from West Virginia would like to answer that. I am not asking now. I was trying to follow the admonition not to say ''he'' but ''the Senator from West Virginia.'' I try very hard. I slip sometimes.

Mr. GREGG. Will the Senator yield for another question?

Mr. DOMENICI. Yes.

Mr. GREGG. In reviewing the RECORD of the Senate, I noted that when the ruling was made in 1996, the question asked by Senator DASCHLE to the Chair was:

> Is it the opinion of the Chair that this resolution would continue to be a budget resolution if it directed the creation of that third reconciliation bill—the one that solely worsens the deficit—

And I underline and emphasize those words, ''the one that solely worsens the deficit''—

Even under circumstances when the Congress had failed to enact the prior two reconciliation bills.

And the Chair ruled:

> If the Senator's question is, can the budget resolution direct the creation of a reconciliation bill which lowers revenues, the answer is yes.

Can this language be any clearer, I would ask the chairman of the Budget Committee, that the Chair has ruled that reconciliation can be used to reduce taxes even if it worsens a deficit and therefore is not a deficit issue?

Mr. DOMENICI. No question about it, I say to the Senator. As a matter of fact, you might know that the Senator from New Mexico, in preparing the budget resolution, had that in mind. And it was so clear to me that I put the reconciliation in the budget bill because it seemed to me we already decided that—the Chair had already decided it. And unbeknownst to me, even though that is what you read, and that is what it says, and that is what I think it says, we had to go around and do what we are doing tonight, even with that interpretation because there was a parliamentary understanding that was somewhat different from that. So that is the case.

I think you are right. But I think you should understand that we asked for that ruling, and we would have been involved in not getting a debate on the budget resolution. It would have been freely debatable if we had tried that.

Mr. GREGG. I understand that. I guess my question is, Hasn't the Chair, in fact, ruled on this issue? Is it not the precedent of the Senate, as defined by this language at least, which is fairly clear?

Mr. DOMENICI. I do not think there is any question. That is my interpretation. I thank you for it. I do not think there is any doubt whatsoever.

Mr. SARBANES. Will the Senator yield for a question?

The PRESIDING OFFICER (Mr. HUTCHINSON). Does the Senator from New Mexico yield?

Mr. DOMENICI. I say to the Senator, I am not one who is fearful of questions, but I really want you to know I very much would like to answer a few more thoughts because I paid very close attention, and I don't think the Senator from Maryland, in all deference, was even here when I listened to most of this distinguished Senator's remarks. I would like to finish my remarks.

Mr. SARBANES. If the Senator would yield on that point.

Mr. DOMENICI. I will be happy to.

Mr. SARBANES. I was here for a good part of it.

Mr. DOMENICI. Yes, sir.

Mr. SARBANES. I think the Senator from New Mexico was here for all of it.

Mr. DOMENICI. That is correct.

Mr. SARBANES. I cannot claim that. And I respect the Senator from New Mexico for that. But I was here for a good part of the time. Does that qualify me to ask the Senator a question?

Mr. DOMENICI. It does, I say to the Senator. I am glad to answer a question. It qualifies. You do not have to make that statement. You are qualified.

The PRESIDING OFFICER. Does the Senator from New Mexico yield?

Mr. SARBANES. It seems to me what Senator BYRD is underscoring is that the Senate, when they first passed the Budget Act, made a great exception to the process of unlimited debate in order to try to bring the deficit under control. The guiding rationale for making that exception was limited to accomplishing deficit reduction. No one, in their wildest dreams, ever imagined we were going to be out here trying to deal with reconciliation instructions which would lower the surplus or potentially increase the deficit.

Mr. DOMENICI. I say to the Senator, I believe if you are going to make a speech, it ought to be charged to their time.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. SARBANES. Does the Senator disagree with the initial purpose of the Budget Act?

Mr. DOMENICI. I am very glad to answer. I totally disagree. I do not think that was the initial purpose. The Budget Act simply allows us to use reconciliation to carry out the fiscal policies outlined in the budget.

Now if Congress wanted to run deficits with policies it enacted, they could decide to do so with the laws it passed and that were outlined in its budget. In other words, if Congress wants to run surpluses, it could do so under the act. Also under the Act, it could also reduce them. So that is my interpretation. And I want to finish my remarks.

Now, Mr. President, I note the presence of Senator GRASSLEY who I really want to speak on taxes. But I do want to say, underlying a very large quantity of the arguments here tonight is inherently an anti-give-the-people-back-their-money attitude—to wit, tax cuts.

The truth is, there are some who just do not want to have tax cuts. I understand that. I do understand that very clearly. There are Senators who would rather spend the money than give it back. I am not saying every Senator—some Senators.

Frankly, I do not believe those feelings ought to enter this debate. But if a Senator wants to have those feelings, then he ought to be right on this debate because it does not have anything to do with those feelings. It has to do with the Budget Act—a Budget Act that, I repeat, changed the rules of the Senate for so long as we apply that Budget Act.

I want to repeat, we have used that act for small and large tax increases. How do you think the Senators on the Republican side feel who want to do tax cuts? I am standing up here telling them it is somebody's interpretation that you can surely increase taxes with reconciliation, I say to Senator GRASSLEY, chairman of the committee, but you cannot decrease taxes. You cannot reduce taxes. I believe you would have to have a strong, absolute determination in this act that that was the case, or the Senator from Iowa would claim it was discriminatory against whom? The taxpayers, the average person. You can surely get them for increases, but you cannot give them a decrease, right? At least not under this act, if you are going to interpret it as some choose to interpret it tonight.

So I know this is a historic argument. And I don't know if I appreciated its historical significance when we started tonight, but I have been reminded of it.

So if there was any lesser thought on my part, I am right there. It is an historic argument, except that it isn't a very new argument. It isn't a very new use of reconciliation that is being argued tonight; it is a very old use of reconciliation.

With that, how much time does the Senator desire? I ask Senator GRASSLEY.

Mr. GRASSLEY. I would like to have 25 minutes.

Mr. DOMENICI. I yield 25 minutes to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. The Federal Government is collecting too much in taxes. That is what is at the basis of the tax reduction package we hope to get through the Senate in a couple months. The Federal Government will accumulate over $3.1 trillion in excess tax collections over the next 10 years. Federal tax receipts are at one of their highest levels in our Nation's history. The bulk of these excess collections comes from the individual taxpayer, mostly the individual income-tax payer. Individual income tax collections are currently near an all-time high, even higher than they were at some levels imposed during World War II.

So I have a series of charts I would like to have my colleagues review with me to illustrate our present situation.

The first chart shows total Federal tax receipts as a percentage of gross domestic product over the last 40 years. Tax receipts have fluctuated frequently since 1960, but the most shocking spike in tax receipts began in 1993.

The Congressional Budget Office's January 2001 report to Congress shows that in 1992, total tax receipts were around 17.2 percent of GDP. By the year 2000, Federal receipts had exploded to an astronomical 2.6 percent of gross domestic product. The significance of this percentage can only be appreciated by its historical comparison.

In 1944, at the height of World War II, taxes as a percentage of GDP were 20.9 percent, only one-half percent higher than they are this very day. By 1945, those taxes had dropped to 20.4 percent of GDP, which is actually lower than collection levels today.

It is unbelievable that in a time of unprecedented peace and prosperity, the Federal Government should rake in taxes at a wartime level. The sorriest part of this whole story is that this huge increase in taxes has been borne almost exclusively by the individual American taxpayer.

As this next chart shows, over the past decade, tax collection levels for payroll taxes, corporate taxes, and all other taxes have been relatively stable. We can see that corporate taxes during the past 10 years have increased very little, from 1.6 percent of GDP to 2.1 percent, and estate taxes have remained essentially unchanged. Collections of individual income taxes, however, have soared.

As this chart shows, in 1992, tax collections from individual income taxes were 7.7 percent of gross domestic product. That percentage has risen steadily each year and, as of the year 2000, was an astounding 10.2 percent of GDP. Individual income taxes now take up the largest share of GDP in history. Even during World War II, collections from individuals were 9.4 percent of GDP, nearly a full percentage point below the current levels.

As we can see, the source of the current and future surpluses is from the huge runups in a single tax, the individual tax collections. These excess collections are attributable to the tax increases forced through by President Clinton in 1993. Since 1992, total personal income has grown an average of 5.6 percent per year. Federal income tax collections, however, have grown an average of 9.1 percent a year, outstripping the rate of personal income tax growth by 64 percent.

The Joint Committee on Taxation, at the request of their parent committee, estimated that just repealing the revenue-raising provisions of President Clinton's 1993 tax hike would yield tax relief of more than $1 trillion over the 10 years. Democrats and Republicans

alike can agree that individual taxpayers deserve relief from the Federal Government's overtaxation.

President Bush has offered a plan to reduce individual income taxes across all tax rates, all brackets, and to reduce the number of brackets as well. This benefits taxpayers all across America.

Now we hear, however, a hue and cry from some on the other side of the aisle that not all taxpayers should receive rate reductions. They say the President's plan disproportionately benefits upper income-tax payers and does not provide enough relief at the lower end of the income scale. There is some good news out there for those who believe that: None of those allegations are true.

We need to first understand the current distribution of the tax burden in America. We have a highly progressive income tax system. According to the Congressional Budget Office, the top 20 percent of income earners pay over 75 percent of all individual income taxes. By contrast, households in the bottom three-fifths of the income distribution pay 7 percent of all individual taxes. The President's plan not only preserves this progressive system but—surprise—actually makes those top income people pay more of the percentage of income coming into the Federal Treasury, if the President's plan is adopted.

To all those who are trying to engage in class warfare over the President's tax proposals, I invite them to pay attention to the next two charts. As the first of these two charts demonstrates, the President's marginal rate reductions, when combined with his increase in the child credit, the additional deduction for the lower earning spouse, and his refundable tax credit for individual health insurance, provides the greatest reduction in tax burden for lower income-tax payers.

Look at the levels of reduction in tax burden shown on this chart. The upper income-tax payers receive an 8.7-percent reduction in their burden. Those at the lower end of the income scale, however, receive a 136.2 percent reduction in their taxes. This is because 4 million taxpayers will be taken off the income tax rolls. A four-person family earning $35,000 a year will no longer have any income tax burden.

As this chart also shows, a large reduction of tax burden is targeted towards taxpayers making between $30,000 and $75,000 a year. These taxpayers will experience relief ranging from 20.8 percent to 38.3 percent of their current tax burden.

Now, I also said the President's plan, when passed, actually makes our tax system more progressive. Look at the next chart to get the proof of that. This is a very important chart for those who will demagogue the President's proposal on the basis of income differences.

As this chart demonstrates, under the President's proposal, the overall tax burden goes down for all taxpayers earning below $100,000. For taxpayers making $100,000 or more, however, their share of Federal tax burden will actually increase under the President's plan.

For example, the share of the tax burden for taxpayers earning between $30,000 and $40,000 a year will drop from 2.5 percent to 1.8 percent. Similarly, for those earning between $50,000 and $75,000, the burden share drops from 12.2 percent to 11.3 percent.

This is not the case, however, for taxpayers earning $200,000 or more. Their share of the overall burden will actually increase, and increase by a full 3 percent.

As we can see, then, the President's plan not only retains the progressivity of our tax system, that progressivity is actually enhanced. The President's plan gives tax relief to all taxpayers, and it does so in a fair manner, one that requires more from those who are able to pay and provides the greatest relief for those most in need.

There are several Members of the Senate who belong to a group called the Centrist Coalition. There is nothing wrong with that group; they are good people. They are out there to try to find compromise and to promote bipartisanship. In a time of a 50–50 Senate, you cannot knock that, and I do not. However, they have a plan on which I will comment.

The Centrist Coalition is concerned that $1.6 trillion is not the right amount of tax reduction and argue that the right number is somewhere between the Democrat's number of $900 billion and the President's number, $1.6 trillion. I thank Senator BREAUX, the head of the Centrist Coalition, for his efforts to find, as he says, a middle ground.

Senator BREAUX has a long history as one who tries to secure bipartisan consensus. He was one of the few Democrats to cross over and support the Senate tax relief plan in 1999. He is widely known for his efforts to find bipartisan consensus on Medicare. I will be relying on Senator BREAUX, along with Senator BAUCUS, when we take up Medicare legislation later this year. Earlier this year, I accepted the centrists' invitation to join their meetings. I attended a meeting in a recent week on tax options and found it to be a very useful discussion.

Senator BREAUX suggests that the middle ground is splitting the difference between the President's number of $1.6 trillion and the Democratic alternative of $900 billion. If those were the only two numbers to consider, I would probably agree that his number of $1.25 trillion is pretty close to middle ground. But the reality is that the numbers range, as Senator CONRAD has said, all the way up to $2.2 trillion down to $900 billion. Some of my colleagues on this side really like that $2.2 trillion number better, and I have to put water to dampen their desires, because we have to be realistic in this game.

In comparing the numbers, I, like Senator BREAUX, am not comfortable with either the Democrat number of $900 billion or the $2.2 trillion being thrown around by some on my side of the aisle. Unlike Senator BREAUX, however, I am comfortable with the $1.6 trillion number, and this is why. I am going to run through a hypothetical calculation of a tax cut agenda and look at each number to see if it accommodates the agenda of its proponents.

I want to look at Senator CONRAD's number of $900 billion. Now Senators DASCHLE, CONRAD, and the Democratic leadership have been talking a lot about their stimulus and rate cut package.

Under Joint Tax scoring, that proposal loses around $506 billion over 10 years. That leaves $394 billion out of their $900 billion for other tax cuts that Senator CONRAD and other Democrats say they support.

The Democrat alternative on marriage tax relief, which was offered in the Finance Committee last year, contained a revenue loss of $197 billion over 10 years, without a sunset.

The Democratic alternative on death tax relief contained a revenue loss of $64 billion over 10 years.

So using Democratic proposals and last year's revenue loss estimates, the Democrats have less than $133 billion in surplus left.

You have to keep in mind that these are only the Democrat proposals we are talking about. We have to consider that there are bipartisan tax cuts that passed either or both Houses of Congress during the past year.

There is the retirement security bill that Senator BAUCUS and I will soon be introducing. A similar bill passed the House almost unanimously. That bill will run about $52 billion.

There is a bill to repeal the Spanish-American War phone tax that passed the House last year by an overwhelming bipartisan margin, and that will run about $50 billion.

Then there is the small business and agricultural tax cuts that everyone supports. That package totals over $17 billion.

The education tax relief that unanimously passed the Finance Committee last month runs about $20 billion.

Now, you have to add up all these bipartisan tax cuts and, when you do, we have now exceeded the $133 billion that was left in the Democrat budget. It is all gone. And we haven't even factored in their greatest objection to the President's proposal, and that is the problem with the alternative minimum tax.

We have heard a lot of pointed criticism of the President's tax plan from Senators on the other side of the aisle on the issue of the alternative minimum tax. Senator CONRAD has said that it takes $200 billion to $300 billion to fix the AMT problem under the Bush plan. Senator CONRAD is correct that the President's plan could make the problem worse. As I have said, I intend to address that problem.

The Senate Democratic stimulus and rate reduction package does nothing about the AMT problem that they have addressed and found fault with in the President's program. In fact, their legislation will make this problem worse. According to the Joint Tax Committee, the Democrats' package will subject an additional 7 million taxpayers to the AMT.

So if Senator CONRAD and other Senators on the other side of the aisle want to practice what they preach, they will have to raise their budget's tax cut numbers to deal with the alternative minimum tax. As they have said, that is another $200 billion to $300 billion.

But at this point, after including their priorities and the bipartisan tax cuts, they don't have any surplus left to redress the AMT problem. So, as you can see, the Democratic budget number of $900 billion does not even accommodate their own tax priorities.

Mr. CONRAD. Will the Senator yield?

Mr. GRASSLEY. I believe many on the other side, like Senator BREAUX, know this.

I would like to finish, and then I'll respond; but I only have 25 minutes allotted.

Mr. CONRAD. Will the Senator yield on my time?

Mr. GRASSLEY. Yes, I will yield on his time.

Mr. CONRAD. Mr. President, I have great respect for the chairman. He and I have worked on many matters together. I want to take this moment to advise the Senator that we have $125 billion of our $750 billion tax cut unallocated. We have specifically not allocated it all so that some of it could be used to address the alternative minimum tax problem. So we have not done what we have criticized the other side for doing.

Mr. GRASSLEY. Mr. President, I thank the Senator for what he thinks is a clarification. But he, I think, makes my point. They have reserved some money, but when you add all of their proposals, and when you take into consideration the AMT, and when you also take into consideration their votes on bipartisan tax proposals, there is no way that you are going to squeeze that into their numbers.

Let me tell you, we have had problems on this side of the aisle. Even if we go at $1.6 trillion, there is going to be a difficulty squeezing everything in. But we have a problem of having the greatest amount of flexibility that we can.

Now, as has been said, the Democratic budget number of $900 billion does not even accommodate their own tax priorities. I believe Senator BREAUX knows that.

I think those who have proposed numbers in the range of $2 trillion to $2.4 trillion are also pushing the wrong number.

That tax cut number doesn't balance our priorities in paying down debt and targeted spending increases.

Senator BREAUX's number is better than the Democratic number because it allows more tax cuts to be addressed. However, it does not have enough room. Unlike the Democratic number, Senator BREAUX's number might be enough to cover Democratic priorities, plus a little bit more; but it would ignore the President's priorities.

So I believe the number that the President has proposed is appropriate but not just because he proposed it. It is appropriate because it will allow us to accommodate the bipartisan tax cut priorities before us.

Senator BAUCUS and I will need the full $1.6 trillion to make the tax cuts for all of you, through these votes and through these proposals, have indicated that you are interested in, and to make it work.

The Democrat side has said they want bipartisan legislation. So in order to do that, the Finance Committee will need $1.6 trillion in tax cut relief authority from the Senate through the budget resolution.

I also think that many in this body are looking at the number too much in terms of a win or loss for President Bush. This is true of Republicans, who tend to look at the $1.6 trillion number, or anything higher, as a win for the President. Democrats are looking at anything less than that number as somewhat of a loss for the President.

Democratic leaders, budgetwise and their elected leadership, have been explicit in this objective. They have worked very hard to try to defeat the President's tax cut. All the amendments we have been voting on take money from the tax cut, which indicates that is their strategy.

We ought to look at the numbers in terms of the tax cut agenda, including the President's proposal, the bipartisan and the bicameral proposals and, of course, the Senate's own proposals.

Senator BREAUX's amendment, while well intentioned, does not provide the Finance Committee with the tools necessary to do the job of delivering bipartisan tax relief to the American people.

I want to bring this down State by State. All politics is local, we are told. The Treasury Department has released data showing the number of individual tax returns on a State-by-State basis that will benefit from the President's tax relief plan. These returns are a mix of married couples filing jointly, single return filers, and heads of household.

The data is significant for all Senators. For example, in my home State of Iowa, over 1 million individual returns would benefit under the President's plan. If even half of those returns are married filing jointly, that means over 1.5 million people in my State will receive a tax benefit from the President's plan.

The numbers are even greater for larger States. For example, the number of individual returns that would receive a tax benefit under the President's plan in: Arkansas, 787,000; California, 11 million; Florida, 5.5 million; Georgia, 2.7 million; Illinois, 4.5 million; Louisiana, 1.3 million; Missouri, 1.9 million; Nebraska, 631,000; New Jersey, 3.2 million; New York State, 6.5 million; North Carolina, 2.7 million.

Keep in mind that these numbers I just listed are the number of individual tax returns. If a substantial portion in each of these States were married filing jointly, the number of taxpayers benefiting under the President's plan could nearly double.

The number of individual taxpayers benefiting under the President's proposal is simply too big to ignore; unless, of course, we focus on the smaller States that do not file as many individual tax returns. For example, North Dakota has only 230,000 individual returns filed. South Dakota has only 236,000 returns; Maine, 465,000; Rhode Island, 385,000; Vermont, 232,000.

Perhaps the tax benefits offered by the President's plan are not relevant to these smaller States. Those taxpayers do not really count, but they certainly count in my State, and I suspect they count in many of the other States as well.

An interesting study was recently released by the Tax Foundation, a nonpartisan tax-exempt organization.

I yield myself 5 more minutes.

The PRESIDING OFFICER (Mr. BENNETT). The Senator has yielded 5 more minutes and is recognized.

Mr. GRASSLEY. I am not going to go through this chart, but one can see we list the benefits of the households in the States, so one can see there is tremendous benefit and savings to the people living in these States.

Just think what these families can do with those dollars if we let them keep their hard-earned money instead of taking it away to squander in Washington. For example, I know the cost-of-living in California is high, but $15,800 in the pockets of the average household in that State would buy quite a bit. If they decide to pay down early on their 30-year mortgage, the interest saved would save them a tremendous number of house payments. It can buy kids clothes, family vacations. Let the family decide how to spend it.

The tax savings offered to the residents of each State is laid out in these charts, and I hope our constituents in each of these States hold us accountable to provide tax savings.

It is time to wrap up the debate on whether the Finance Committee will have an opportunity to cut taxes up to $1.6 trillion over 10 years. I underscore the word ''opportunity'' because that is what this debate is all about: the opportunity for a tax cut.

This vote is not about what the tax cut contains. That debate and vote will come later. That debate and vote comes when the Finance Committee marks up tax cut legislation. This vote is about whether we will consider the tax cut under reconciliation.

Reconciliation plain and simple, as we sit here today, is the only way we are going to get a tax cut for the American people in a timely manner.

There have been strong statements made by some on the other side about tax cuts and reconciliation. From the tone of the statements, one would think that a reconciled tax cut is a new event. We have gone through the history of it, and I do not want to repeat that history. It has been discussed between the Senator from New Hampshire and the Senator from New Mexico to a great extent, but I think it boils down to the question of cooperation and shared responsibility. A 50/50 Senate means shared power and, just as important, shared responsibility.

The Senate today is operating under a historic powersharing arrangement reached on January 5, 2001. Republicans following our leader yielded a significant concession to the Democrats. What did we get in exchange? What we got was, as Senator LOTT put it, a good-faith promise on the part of Democrats to cooperate.

In the Senate Finance Committee, I have had this sort of cooperation from Senator BAUCUS, and we will continue to do it. However, the opponents of Senator DOMENICI's amendment depart from the spirit of that historic agreement.

In 1993, with a new President and majorities in both Houses, Democrats used reconciliation to raise taxes. Democrats in 1993 used reconciliation within their right to further their President's program, a partisan-designed major tax increase.

Eight years later, we are faced with a similar situation, though I am hopeful more than one Member of the other side will support us. Republicans, by a razor-thin edge, have control of Congress and the Presidency. The core of President Bush's program, much as President Clinton's program 8 years ago, involves taxes. The difference is that President Bush wants to return a portion of the record level of income taxes to folks who pay them. Republicans did not object to use of reconciliation in 1993; Democrats should not object to Republicans' use of reconciliation today.

For those of us on this side of the aisle, this is a very compelling point, especially in the context of our concession in powersharing. I want to quote Senator BYRD from West Virginia on this point. He made this point on January 5, 2001, when this agreement was reached.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. May I do this one quote and then I will quit.

Mr. DOMENICI. I yield whatever the Senator needs.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Senator BYRD said:

> I know it has been difficult for Members, particularly on the Republican side to come to an agreement such as has been reached here, but they have been willing to give up their partisanship for the moment in the interests of the Nation.
>
> Also, it is exceedingly important—I have already mentioned it here—to George Bush. . . . It is vitally important to him, if he is to expect to see his programs considered and adopted. And hopefully, from his standpoint, certainly, and from the standpoint of many others, if he is to see those programs succeed, he—

Meaning President Bush—

> is going to have to have help. He can't depend on all of it coming just from his side—

Meaning the Republican side of the aisle.

> He is going to have some help over here. . . .

Meaning the Democrats side of the aisle.

As always, Senator BYRD said it very well. At this point in history, the President's agenda, including the cornerstone of his proposed tax relief for working men and women, is tied in with his power-sharing agreement. With this power-sharing agreement that govern the operation of this Senate, this year, certainly from the perspective of those on this side of the Aisle, there is a connection.

Therefore, it strikes us as particularly unfortunate that in the context of power sharing a new obstacle is raised to the use of the reconciliation process. It is particularly disappointing to this side of the aisle that this argument on reconciliation is forthcoming now. We believe the Domenici amendment should not be necessary. Reconciliation affords the President an opportunity to consider his program. It is an appropriate opportunity in the context of the history of the budget Act. It is also appropriate, and maybe more so, in the context of the power-sharing agreement governing the operation of the Senate, in this Congress, because the Senate is 50/50.

A vote for the Domenici amendment is not a vote for a tax cut; it is a vote to give the Senate the opportunity we ought to have to consider such tax relief for working men and women.

The PRESIDING OFFICER. The Senate from the North Dakota.

Mr. CONRAD. Mr. President, I remind the Senator form Iowa it was entirely appropriate to use reconciliation in 1993 because that was a deficit reduction piece of legislation. That is the difference. This is not deficit reduction.

Mr. LEVIN. Mr. President, I cannot support including reconciliation instructions in this resolution. This is a very important issue for the Senate as an institution and a very important issue for the future economic well-being of the nation. The Senate is a great legislative body, a deliberative body unique in the world. The central feature of the unique role the Senate plays is the fullness of debate and the openness of the amendment process.

The reconciliation process is a feature of the Budget Act which was adopted in 1974. When it was adopted, it was contemplated that the reconciliation process would be used as a tool of fiscal restraint. That is, that reconciliation would be used to reduce deficits.

The Chairman of the Budget Committee, Senator DOMENICI, himself, said in 1985:

> Frankly, as the chairman of the Budget Committee I am aware of how beneficial reconciliation can be to deficit reduction. But I'm also totally aware of what can happen when we choose to use this kind of process to basically get around the rules of the Senate as to limiting debate. Clearly, unlimited debate is the prerogative of the Senate that is greatly modified under this process. I have grown to understand this institution. While it has a lot of shortcomings, it has some qualities that are rather exceptional. One of those is the fact that it is an extremely free institution, that we are free to offer amendments, that we are free to take as much time as this Senate will let us, to debate and have those issues thoroughly understood both here and across the country.

And, in 1989, Senator DOMENICI said:

> There are a few things about the U.S. Senate that people understand to be very, very significant. One is that you have the right, the rather broad right, the most significant right among all parliamentary bodies in the world, to amend freely on the floor. The other is the right to debate and to filibuster. When the Budget Act was drafted, the reconciliation procedure was crafted very carefully. It was intended to be used rather carefully because, in essence, Mr. President, it vitiated those two significant characteristics of this place that many have grown to respect and admire. Some think it is a marvelous institution of democracy. And if you lose those two qualities you just about turn this U.S. Senate into the U.S. House of Representatives or other parliamentary body.

In 1981, former Majority Leader Howard Baker stated,

> Reconciliation was never meant to be a vehicle for an omnibus authorization bill. To permit it to be treated as such is to break faith with the Senate's historical uniqueness as a forum for the exercise of minority and individual rights.

The amendment before us today would add reconciliation instructions to this budget resolution for a totally different purpose. The purpose is to shield the massive tax cut proposed by President Bush from full debate and the amending process in the Senate. This is the opposite of fiscal restraint. This is the opposite of deficit reduction. The reconciliation process would restrict debate to only twenty hours and potentially less time and would constrain amendments. It reduces the likelihood of compromise. It reduces the likelihood of the enactment of a tax cut with broad bipartisan support because it weakens minority rights and tempts the majority to force their version on the minority.

This would be a misuse of the reconciliation process and a disservice to the American people. The tax bill will impact the federal budget and the nation's economy for many years to come. It will cost more than $1.6 trillion over the next decade, probably much more. The American people, the people who send us here as their representatives have the right to have this tax cut considered and evaluated, debated and amended under the normal procedures which have made the Senate a great deliberative body.

In 1981, the reconciliation process was used to enact spending reductions which President Reagan sought. That was appropriate. However, the major

tax cut which was the centerpiece of his program was considered that same year as a free-standing tax bill in the Senate. That is, it was considered under the normal Senate rules. The tax bill was fully debated for about twelve days and more than a hundred amendments were considered. There were fifty roll call votes. That was a process in the tradition of the Senate and did it credit. I was one of eleven Senators that voted against that bill. But the process that was used to adopt that tax bill was the appropriate and normal process. This is what makes the Senate the world's preeminent deliberative body.

Today, we are being asked to turn our backs on Senate history by adding language to this budget resolution which will make it more difficult for the Senate to fully debate, amend and work its will on tax legislation which we will consider in the weeks ahead. I support a tax cut, but not President Bush's version which I think is too large, relies on highly problematical projections. But, I cannot support this effort the circumvent the Senate's rules in order to pass without full debate and amendment any tax cut bill. Doing so is the opposite of the intent of reconciliation.

Mr. CONRAD. I yield 5 minutes to the Senator from Montana.

Mr. BAUCUS. Mr. President, I think it is useful to sit back and reflect, get a little perspective on this issue.

I remind Members we have a Constitution. Under the Constitution there is an article I, an article II, and an article III. Article I is the legislative article; article II, the executive article; and article III, the judicial.

Why is that important? It is important because we are separate branches of government: The legislative branch, the executive. Why is article I the legislative branch? Our Founding Fathers said because it is where laws are written, it is the most important. We are coequal branches, but article I is legislative, essentially because this is where the laws are made.

We all run for office. We are elected or unelected by our people, the citizens of our States, the people for whom we work. It is a wonderful form of government. It works. We are not a parliamentary form of government. We are not a parliamentary form of government because we have a separate legislative branch. In the parliamentary form of government, the majority party that is elected in the elections is the Government.

Under the Constitution, we are treated differently. We are separate. Of course, we have political parties. That complicates matters. I have the utmost respect for the President of the United States, whether he or she be Republican or Democrat. It is important to state, however, that we are Senators, with all that means, proudly doing what we think is right, representing the people of our States, which is no small matter. It is a tremendous burden, a tremendous responsibility, and a tremendous privilege. That is why we sought this office, that is why we like this job so much, and that is why most Members want to continue and seek reelection.

The question tonight is very narrow. It is whether or not the tax legislation that will be contemplated this year should be within the narrow confines of reconciliation. It is conceded, it is agreed, that reconciliation and all its very narrow constraints is very proper in order to reduce deficits, to raise taxes, or cut spending. No one disputes that. Under reconciliation, the Senate is not the Senate; the Senate is a different institution with very narrow constraints on amendments, germaneness, and debate.

Rather, the issue before the Senate is whether those extremely tight constraints should also apply to cutting taxes and increasing outlays. That is the question.

It has been argued on the other side, yes, it should. It has been argued that reconciliation is policy neutral. If we do believe that, then we believe that anything can be in reconciliation that in any way affects outlays or revenues—anything: The highway bill, the former health care bill that has been mentioned. That is what that argument means.

I ask my good friend from Iowa, the chairman of the Finance Committee, who enjoys the prerogatives of the chairman of the Finance Committee—I plead with him—to have a process where the Finance Committee has more opportunity to write more legislation in the committee and also on the floor.

The central point is, we have an opportunity tonight to do what is right. There have been a lot of red herrings. For example, the point has been made that Senator BYRD should have made the argument 27 years ago. That is irrelevant. We are the Senate. We can vote on what we want to vote on. Tomorrow we can vote again on a different matter. It is up to us to decide what is right.

What is right is to use reconciliation where it should be used, in reducing deficits. It should not be used to craft anything else under the sun. Because the latter approach disenfranchises, literally, a majority of Americans. The right to offer amendments on the floor of the Senate and the right of unlimited debate are essential. Under reconciliation, we have constraints on unlimited debate—which disenfranchises voters.

It is wrong for this amendment to pass. It is undermining why we came here. I urge Senators to vote against the pending amendment.

Mr. CONRAD. I yield 3 minutes to the Senator from Florida.

Mr. GRAHAM. Mr. President, the issue is not whether we are going to have a tax cut or what the specific details of the tax cut will be. The question is, Are we going to take this historic opportunity with over $5.5 trillion of surplus available in the next 10 years and make decisions on how to allocate that surplus in the most rational manner?

One of the issues, I am afraid, that will be trampled upon if we do not defeat this amendment, and deny us the opportunity for full debate, is the question of how we will finance a prescription drug benefit through Medicare. Virtually every Member of the Senate, on both sides of the aisle, has voted in favor of a prescription drug benefit. Virtually every Member has also voted that that benefit should be in the range of $300 billion to $311 billion over the next 10 years. Where we disagree is how we should pay for it.

This side of the aisle has voted to pay for it in the traditional manner, general revenue and premiums paid by the beneficiaries. The other side of the aisle has voted to pay for it by taking the excess funds that are in the hospital trust fund.

For 35 years, there has been a contract between the people of the United States and their Federal Government. That contract has said: You pay me every month 1.5 percent of your salary, and when you reach retirement age, we will provide you a range of benefits that includes hospital, skilled nursing home, and home health care.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. That contract is now about to be broken. We should have a full debate in the Senate before we engage in that unilateral abolition of a 35-year commitment by the American people. Before I yield the remainder of my time to the Senator from Michigan, I ask unanimous consent that a letter from the American Hospital Association dated today be printed in the RECORD, which states:

> We believe the Part A Trust Fund should be used for the purpose for which it was intended.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN HOSPITAL ASSOCIATION,
Washington, DC, April 5, 2001.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: On behalf of the American Hospital association (AHA), I would like to express our strong support of your amendment to H. Con. Res. 83, the fiscal year (FY) 2002 budget resolution requiring a ''super majority'' of 60 votes in the Senate in order to spend Hospital Insurance (HI) Trust Fund dollars for non-Part A services.

The AHA represents nearly 5,000 hospitals, health systems, networks and other health care provider members.

The Medicare program is expected to experience very rapid growth over the next decade as our nation's 78 million ''baby boomers'' begin to retire. The Part A Trust Fund, which is supported by a payroll tax, is projected to see its obligations exceed its income by 2015, and its assets could be exhausted by 2029.

We believe that the Part A Trust Fund should be used for the purpose for which it

was intended: to provide beneficiaries with the highest quality hospital acute care services. Congress must be careful not to dilute the trust fund or divert dollars currently in the trust fund for other purposes. It is imperative that Congress avoids legislation that accelerates the insolvency of the Medicare Part A Trust Fund. We need to ensure that Medicare Part A services are there when our seniors need them.

Since its inception, the Medicare program has ensured seniors access to high quality affordable health care. It is incumbent upon all of us to ensure that the program is preserved, protected and strengthened for future generations.

Sicnerely,

RICK POLLACK,
Executive Vice President.

Mr. GRAHAM. I yield the remainder of my time to my distinguished colleague from Michigan.

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

The Senator from North Dakota.

Mr. CONRAD. I yield 2 minutes to the Senator from North Dakota.

Mr. DORGAN. Mr. President, this is a debate about a reconciliation process by which a tax cut will occur. I think most Members of this Congress would, in quiet moments, agree we are unlikely to have 10 years of relentless surpluses. This is truly a triumph of hope over experience, but that is the way politics is sometimes.

I want to introduce into the RECORD a memorandum by Alan Blinder, Gene Sperling, and Jason Furman, three very distinguished economists who have reviewed the assessment of the 51 leading private sector forecasts with respect to recent economic trends on the surplus.

I am going to ask consent to have it printed in the RECORD in its entirety, but essentially they say:

. . . altering only the 2001 growth forecast [with the last three months of information] leaving all other projections unchanged, would result in a roughly $215 billion reduction in the unified surplus. . . .

They go on to say the effect of the stock market difficulties could well lower the unified surplus by $1 trillion or more.

Standard & Poor's DRI, for example, project stock market factors could reduce the unified surplus by more than $1 trillion over the next decade.

My point is very simply if we proceed with the size of a tax cut proposed by the Republican Party and by the President and do not experience these surpluses, which is very likely—very likely we will not experience these surpluses—we will head back into big deficits. The discussion is as if these surpluses already exist. They do not. They are not in a silk purse; they are not in a mattress; they are not in a bank account. They do not exist. They are projections and they are projections which we may not see. Let's be cautious and conservative. Let's have a tax cut, yes; pay down the debt, yes; meet our priorities—improving schools and other things—but do it in a prudent and thoughtful way.

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

Mr. DORGAN. I ask unanimous consent the memorandum be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR DORGAN

From: Alan Blinder, Princeton University, Gene Sperling, Brookings Institution, Jason Furman, Harvard University

Subject: Analysis of the impact of recent economic conditions on the 10-year projection of the surplus

Summary

Many observers have questioned whether or not the most recent surplus projections would be altered by the recent slowdown in economic activity and fall in the stock market. Although many of the fundamentals of the economy remain strong—with unemployment near 30 year lows, productivity growth still high, and many indications that consumer demand is holding up—other weaker indicators have led many forecasters to lower their growth projections for 2001. In assessing the impact of recent economic trends on the surplus, we have chosen not to offer our own economic projections, but simply to examine how changes in the 51 leading private-sector forecasters who make up the Blue Chip consensus would impact surplus projections.

The analysis is informative for at least a couple of key reasons. First, this analysis highlights the degree of uncertainty surrounding the projection of the surplus. Indeed, it shows that altering only the 2001 growth forecast, leaving all the other projections unchanged, would result in a roughly $215 billion reduction in the unified surplus relative to the CBO baseline projection. It should be noted that this change is result of taking into account only three months of new information, representing just 2½ percent of the 10-year period. Second, the recent fall in the stock market further highlights the uncertainty of budget projections that are based not only on economic growth projections but on projections of revenues from taxation of capital gains, stock options, and taxable withdrawals from retirement accounts—all of which are highly dependent on the level of stock market. Indeed, if individual income tax receipts as a share of GDP fall back slightly from the very high levels achieved in 2000, the unified surplus could be lowered by $1 trillion or more. Standard & Poor DRI, for example, project that stock market factors could reduce the unified surplus by more than $1 trillion over the next decade.

While we remain optimistic about the future of the American economy, such significant swings in just three months show why even optimists should exercise prudence when making ten-year policy commitments based on ten-year projections. Over the next ten years, there are likely to be many other periods in which economic activity departs substantially from the current projections, resulting in substantial deviations of the actual surplus from the projections that are being made today. CBO estimates that, based on their track record, the unified surplus in 2002 could be anywhere from $69 billion to $556 billion. The uncertainty grows so that in 2006, with no tax cuts or spending increases in the interim, the budget balance could be anywhere from a $92 billion deficit to a $1.1 trillion surplus. After setting aside the Social Security and Medicare surpluses, the probability of running into deficits increases substantially: the Center for Budget and Policy Priorities (CBPP), relying on CBO analysis, has estimated that there is a ''20 percent chance that, under current law, the budget excluding Social Security and Medicare will be in deficit in each year from 2002 through 2006.''

These reductions in the projected surplus and uncertainty come on top of the predictable factors that will reduce the surplus over the next decade, including the likelihood that real discretionary spending will grow with population, several popular tax credits will be extended, and the Alternative Minimum Tax (AMT) will be reformed so that it does not affect a growing share of middle-class families. These factors will likely reduce the available surplus by an additional $800 billion.

Revisions to GDP Growth and Their Impact on the Surplus

The Congressional Budget Office (CBO) finalized the economic forecast underlying their latest budget projections in December 2000. Both CBO and the Administration project 2.4 percent GDP growth in 2001.

When CBO made its economic forecast, 2.4 percent GDP growth was consistent with the Blue Chip consensus of leading forecasters. Since December, however, the Blue Chip consensus has been revised down and now stands at 1.9 percent growth for 2001. The Blue Chip forecasters have also revised down their predictions for growth in 2002 to 3.4 percent, the same rate predicted by CBO, and left their growth predictions essentially unchanged thereafter.

Estimating the budget impact of the latest Blue Chip short-run macroeconomic forecast provides an example of how just three months of data might lead to revisions in the projected surplus. It is important to note that although the Blue Chip forecast is slightly more pessimistic than CBO, it is still relatively optimistic compared to the recessionary projections of many commentators. Nevertheless, even this relatively small change in the outlook would result in a substantial reduction in the projected surplus over the next decade.

To estimate the likely magnitude of this reduction we have relied on Table 1–6 ''Sensitivity of the Budget to Economic Assumptions'' from the Analytical Perspectives volume of the Administration's FY 2001 budget. We updated these estimates to reflect a GDP slowdown in 2001 and projected them forward to cover the period 2002–11 (the Analytical Perspectives table only covers 2000–05). Based on this, every one percentage point reduction of GDP growth in 2001—with unchanged growth projections in 2002–11—will reduce the unified surplus by about $430 billion over 10 years:

IMPACT OF A 1 PERCENTAGE POINT REDUCTION IN GDP GROWTH IN 2001 ON THE UNIFIED SURPLUS

	2001	2002	2003	2004	2005	2006	2007	2008	2009	210	2011	2002–2011
Receipts	9	19	23	24	25	26	27	28	30	31	33	265
Outlays	2	6	6	6	6	6	7	7	7	8	8	67
Interest	0	1	2	4	6	8	10	13	16	18	22	100
Total	11	27	31	34	37	40	44	48	52	57	62	432

Source: Authors' calculations based on Table 1–6 of FY 2001 Analytical Perspectives

Based on the latest Blue Chip projections, the slowdown would reduce GDP growth by 0.5 percentage point relative to the current CBO forecast—reducing the unified surplus by about $215 billion over 10 years.

The actual revision to the surplus forecast based on the latest outlook for aggregate economic activity could be more or less than this $215 billion prediction which is based on the assumption that the level of real GDP remains 0.5 percent lower from 2002–11. On the one hand, the reduction to the surplus would be even larger if the future growth rate of real GDP were slower. CBO estimates that if the GDP growth rate were 0.1 percentage point lower per year, the unified surplus would be reduced by an additional $244 billion. On the other hand, the reduction to the surplus would be less than $215 billion if the current slowdown is followed by a period of stronger growth that returns the economy to potential GDP. In its recent Economic and Budget Outlook CBO presents a ''recession scenario'' in which a sharp slowdown in 2001 is followed by substantially stronger growth, leading to only a $133 billion reduction in the unified surplus from 2002–11. CBO's scenario, however, would be less likely if the economy in 2000 was well above potential, if the recent slowdown causes economists to revise down their estimate of the level of potential GDP, or if the adjustment back to potential is very slow.

Uncertainty from the short-term economic outlook

The key point from examining the impact of recent economic changes on the long-run surplus projections is the large amount of uncertainty, which has only been increased by the uncertainty over the short-run outlook. The bottom 10 Blue Chip forecasters project growth of 1.3 percent in 2001—compared to the 2.6 percent GDP growth projection of the top 10 Blue Chip forecasters. Taking the range of Blue Chip projections for GDP growth in 2001 and 2002 would lead to a range in projections of the unified surplus of roughly $370 billion more than CBO's current forecast to roughly $730 billion less than CBO's current forecast.

Additional sources of downward revisions in the surplus: The impact of the stock market on Revenues

The level of economic activity is not the only factor that affects the surplus. A major factor in the recent rise in the surplus is the increase in individual income tax receipts from 8.1 percent of GDP in 1995 to 10.2 percent of GDP in 2000. Although legislation in 1997 reduced taxes, several factors contributed to tax receipts growing more quickly than the economy. CBO estimates that half of the recent increase has been due to rising capital gains realizations and higher income for high-income taxpayers. The strong stock market has clearly played an important role in these strong tax receipts.

Going forward, CBO projects that individual income tax receipts will stay above 10.2 percent of GDP for the next decade. Part of this is driven by the projection of continued strong capital gains. Although CBO builds in some declines in capital gains from the extraordinarily high levels in the last few years, it still projects capital gains realizations of around 4½ percent of GDP going forward, which is substantially higher than the 2.4 percent of GDP that prevailed from 1990–96.

In addition to capital gains, the level of the stock market has a substantial impact on individual income tax receipts as a share of GDP through its impact on the flow of nonqualified stock options (which are taxed as ordinary income) and withdrawals from taxable savings accounts. Standard & Poors DRI estimates that 15 percent of Federal revenue ''is coming from the stock market.''

With the broad Wilshire 5000 stock index down 14 percent since December 31st, this factor is likely to reduce the surplus even more than the conservative projection based on the GDP slowdown alone. It is difficult to estimate the impact of the past changes in the stock market, let alone to predict future changes in the stock market. But even small changes could have a big impact on the surplus. For example, if individual income tax receipts stay at 9.6 percent of GDP—their level in 1998–99 and well above their level from 1994–97—then the unified surplus over the next decade would be $1.2 trillion lower than the current projections. In this example, receipts as a share of GDP are still substantially higher than CBO's ''pessimistic scenario,''

Severla investment banks and economic forecasters have made rough estimates about the likely impact of economic conditions on the surplus that are very large in magnitude. These predications include:

Merrill Lynch has projected that the surplus for FY 2001 will be $250 billion, $31 billion less than CBO's projection. Merrill Lynch's more pessimistic projections for GDP growth only accounts for about one-quarter of this difference from CBO; the majority of the difference is due to other factors like the fall in the stock market.

Standard & Poors DRI estimates that CBO's underestimate of the impact of the stock market on the economy could wipe out $1 trillion of the projected surplus over 10 years.

Mark Zandi, chief economist of economy.com, has been quoted as saying that the 10-year surplus could be half the current projections—$2.7 trillion downward revision.

General uncertainty about the future

If a new budget forecast were to take into account the news from the last three months, it would most likely revise down the projected surplus. As an example, just taking into account the revised short-run economic outlook by the Blue Chip forecasters would lead to a downward revision of about $215 billion in the projected surplus. Taking into account the stock market and other factors could reduce the surplus by substantially more.

These changes appear to be relatively small compared to the projected $5.6 trillion surplus. But these revisions, which are only based on three months of additional data, highlight how much uncertainty surrounds projections of the forecast ten years in the future. The uncertainty in the projection of the unified surplus grows over time, from a margin of error of plus or minus $244 billion in 2002 to plus or minus $612 billion in 2006. This is especially important in light of the fact that 71 percent of the 10-year non-Social Security, non-Medicare surplus occurs after 2005.

CBO itself captures the uncertainty in its estimates by making projections for an ''optimistic scenario'' and a ''pessimistic scenario.'' On this basis the projected 10-year non-Social Security balance ranges from a $525 billion deficit to a $6.2 trillion surplus. In assessing these projections, CBO writes ''If CBO's track record is any guide, both the optimistic and pessimistic scenarios lie well within the range of uncertainty of the budget projections.''

Likely expenditures not included in CBO's forecast

In addition to the uncertainties about the future, there are several ways that policies are likely to deviate from the interpretation of ''current law'' that is used by CBO and the Administration in putting together their budget baselines. Independent groups and experts like the Concord Coalition, the Center on Budget and Policy Priorities, and William Gale and Alan Auerbach have all estimated that the available surplus is about $900 billion to $1.4 trillion lower than the projected on-budget surplus. The elements of this predictable reduction in the surplus are:

Medicare off-budget. Virtually the entire House and a majority of the Senate have voted to make the Medicare HI surplus unavailable for tax cuts or spending increases—taking $392 billion off CBO's projection of the non-Social Security surplus.

Real discretionary spending rising with population. The current baseline does not incorporate the impact that increasing population has on the cost of maintaining a constant level of government services. This could reduce the surplus by $300 billion.

Alternative Minimum Tax. The Alternative Minimum Tax will affect an increasing number of middle-class families over the next decade; policymakers are likely to fix this provision so that it serves its historic intent which is to ensure a minimum level of taxation for upper-income taxpayers. This reform would cost about $80 billion.

Expiring tax provisions. Several popular tax provisions are set to expire at the end of this year; extending them, as is likely, will cost $112 billion over 10 years according to CBO.

Taking into account these realistic expenditures reduces the available surplus to about $2 trillion over 10 years—without even taking into account the recent changes in the outlook for the economy. Taking recent economic factors into account, it is more than likely that less $2 trillion will be available for tax cuts, spending increases, or additional debt reduction.

Mr. CONRAD. How much time is remaining on this side?

The PRESIDING OFFICER. There is 4 minutes 44 seconds.

Mr. CONRAD. I yield 3 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. I hope all of our colleagues were listening very carefully to Senator BYRD as he made that very powerful statement about the Senate as an institution.

The reconciliation process, this great exception to Senate rules, was allowed and adopted in order to bring down the deficit. It has been twisted all out of shape. This amendment proposes to use it for a purpose that is not relevant to reducing the deficit.

They talk about taxes going up, taxes going down—the end objective is supposed to be reducing the deficit. That is absent in this situation. Reconciliation is now being used, in effect, for any purpose whatsoever.

I very much hope the Senate will reject this amendment. I thank Senator BYRD for a very powerful statement. I also want to commend the very able Senator from North Dakota for his leadership on the budget. As he has often said, it is a matter of balance. It is a matter of prudence. It is a matter of restraint. We can do a tax cut to help working people, we can strengthen Social Security and Medicare, we can pay down the national debt, and we can invest in the future of our country, in education, in health, in environment, in infrastructure. All of this can be done if we use prudence and caution. But we cannot do it if we go to excess.

That was demonstrated yesterday when we adopted an important education amendment. But in order to do it, we had to bring down the amount of the tax proposal.

What matters is how you blend these priorities together. What balance do you achieve? The Senator from North Dakota, in my judgment, has done an extraordinary job of laying out an approach which encompasses these multiple goals, reconciles them, and moves the Nation forward. That is what we ought to be doing. That would not give away our fiscal responsibility. Under that approach, we would not do a huge tax cut based on 10-year surplus projections, 70 percent of which appear only in the last 5 years of the 10-year period. No one in their private or business life would engage in that kind of reliance on tenuous projections. We ought not to do it on the floor of the Senate.

I thank the Senator from North Dakota for the tremendous leadership he has provided and the vision he has outlined of a balanced program that will encompass tax reduction, protect Social Security and Medicare, pay down the debt, and invest in the future of our country.

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

The Senator from New Mexico.

Mr. DOMENICI. I yield 3 minutes to my good friend, Senator Sessions from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senators DOMENICI and GRASSLEY for their courageous effort to make sure this body has a full chance to vote on the President's tax cut proposal. It has been objected to by a host of procedural objections in a desperate effort to throw it off track, but we are going to get that vote up, I believe, and have a chance to let the American people fully consider the issue.

The question I want to raise is why do we have this extraordinary surplus? Why are we having big surpluses this year? In fact, we were told recently, within the last week, that even though we have had a slowdown in this year's economy, our projection of last year underestimates the surplus we will have this year—maybe by 20 or more billion dollars. We will see how it turns out. But even with this slowdown, we have more coming in than we projected and we have had more coming in for the last 3 years than has been projected by the CBO or OMB.

Why is it happening? It is because the Federal Government not only is taking in more, and not only are the American people making more, the Federal Government is taking a larger percentage. It is taking a larger percentage of America's wealth—too much.

In 1992, the Federal Government took 17.6 percent of the total gross domestic product, all that we make and manufacture in the United States. Today it has hit 20.7 percent, a monumental increase. That is the highest percentage of the economy taken by the Federal Government since the height of World War II. The American people are entitled to not see that continue upwards. In fact, this tax reduction, if passed fully, would not really reduce that number but just flatten it out and keep it from going up.

We need this tax cut now. We need to have this bill on the floor so we can fully debate the President's proposals. I say let it go. Let the Senators vote, vote to move this budget forward.

I thank the Senator from New Mexico for his effective leadership.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I note the presence on the floor of Senator CLINTON. I want to say if I referred to the distinguished Senator in the first person an hour or so ago, I apologize.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, will the distinguished Senator from New Mexico yield?

Mr. DOMENICI. Yes. I yield.

Mrs. CLINTON. Thank you very much.

Mr. President, I say to the chairman of the Budget Committee, on which I am honored to serve, that I appreciate those words. I came down to the floor after hearing that to say just two quick things.

One, in 1993, we made a considerable effort to reform health care. I learned a lot from that experience. I learned that we had to go in a step-by-step, progressive way to try to achieve quality, affordable health care. I also learned that we needed to have an open, spirited debate about what needed to be done for the good of our country.

I appreciate the chance to rise and state my objections to adding reconciliation instructions to the budget resolution because I think the lesson we learned is a lesson we should apply.

I thank the distinguished Senator for his remarks.

Mr. DOMENICI. I am glad to do that.

Mr. President, to all of those on the other side who have spoken eloquently about the Senate rules and the fact that we ought to have free and open debate, I want to say one more time that the time for those arguments was 27 years ago. When this bill, the Budget Impoundment Act, was adopted, it essentially permitted reconciliation instructions. And if they were given by majority vote of the Senate and the House, then a committee had to adopt laws consistent with it.

If that was too early, we have adopted 15 tax bills under this Budget Act—10 were tax increases; 5 were tax decreases. If 27 years ago was too long ago to raise the objection, we had 15 different budget resolutions that came to the floor that had taxes in them. Some might have objected. But the truth is, the strongest arguments have been made on this particular reconciliation instruction. I believe it is because some don't want to let the President have a chance to have his taxes voted on—plain, pure, and simple. I think that is going to fail tonight. He is going to get his chance. I think eventually his tax plan will get taken care of in the Finance Committee and the Ways and Means Committee. Those members will pass the bill out of their committee and it will come to the floor under this Budget Act, which is now 27 years old.

I yield the floor. Whatever time I have remaining, I yield to the majority leader. However, he doesn't need my time.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I yield myself such time as I might need off the leader time for the opportunity to sort of go over what is going to be the process at this point. The chairman and ranking member might want to be prepared to comment or respond.

For the information of all Senators, we are about to start a series of votes, which has been unfortunately referred to correctly as the ''vote-arama.'' The first of these votes will be in relation to the Domenici amendment regarding reconciliation. Following that vote, we will have votes on the remaining pending amendments in the order in which they have been offered. I believe Senators have access to those amendments in their order and, therefore, will know when they will come up.

I also announce that in order for us to be able to bring this to some conclusion, it is going to be necessary to move forward into the night, and we will shorten the voting period from 15 minutes after the first vote to 10 minutes on the subsequent amendments.

There are approximately, as I understand it, 160 amendments that have been filed. I hope Senators will show restraint, not offer the amendments, and work with the chairman and the manager to identify the amendments we really do want to consider. If we did all of the amendments on the list that are available here tonight, assuming we could do about three votes an hour, we would be here until I guess until 9 or 9:30—something such as that.

I know the chairman, the manager, and the sponsors will work with them. Maybe they can work through some of those amendments to reduce them. Of course, tomorrow morning we will continue with the so-called vote-arama every 15 minutes to vote on other amendments that would be pending or would be necessary to be voted on, with the idea that we would get conclusion of voting sometime and final passage tomorrow around 2:30.

I know it is going to take a lot of patience to get to that point. But that is our goal. I believe that is the way it is presently lined up. Is that correct?

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. LOTT. Yes.

Mr. REID. Mr. President, one of the things that would help tremendously

and which would help the staff is when we have a 10-minute vote, it should end at 10 minutes. These votes take forever. Members walk off, go back to their offices, or go have dinner, whatever it is. I think if you called the vote to an end at 10 minutes and set an example, some Members would simply miss the votes, but I think we can move this along.

Mr. LOTT. I think we need to do that. We quite often have legitimate requests. Senators are stuck in elevators, are in the area and we can't find them, or whatever. After the first vote I will remind Senators again, if you will join me and remind them that we need them to stay in the Chamber, we can get through at a more reasonable hour and still be able to complete the list of amendments tomorrow and get to final passage at a reasonable time tomorrow afternoon.

Senator DASCHLE I see just came on the floor. I was just going over the process of how we will proceed tonight and tomorrow.

With that, I believe we are ready to proceed to the first vote.

Mr. DOMENICI. Mr. President, will the distinguished leader yield to me for a couple of observations? I believe both the ranking member and I have agreed on sense-of-the-Senate resolutions that are nongermane, both of us will object to them, which I believe means that they are going to fall. I think that is the rule now if they are not germane. We will make a point of order, which means they will fall. There are a lot of sense-of-the-Senate proposals.

But I would like to yield to my ranking member of the committee for his observations on those kinds of amendments that are pending.

Mr. CONRAD. Mr. President, it should sober us up to understand that if we don't show some restraint and self-discipline, we face 50 hours of straight voting. That is the harsh reality of what confronts us tonight—50 straight hours of voting every 10 minutes. That is not a good process. It is not credible. And it can't be allowed to happen.

We have to simply say to Members that they cannot expect to have each and every one of these amendments voted on. We will join in resisting amendments that are not practical, that are not fiscally responsible, and others that are just sense-of-the-Senate amendments. We hope that message goes out very clearly. We ask leaders, if they could, to rivet that point to our colleagues.

Mr. LOTT. We will do that on an individual basis, and also publicly after the next vote. We don't want to eat up a lot of time. We will remind them of that.

Mr. DASCHLE. Mr. President, I wanted to weigh in as well. I appreciate so much the leadership and partnership shown by our chairman and ranking member.

Let me go to the point the majority leader has made. If we want to finish by 2:30 tomorrow—and the reason we need to finish by 2:30 tomorrow, of course, is that we have a Jewish holiday coming up, and there are a number of personal matters that have to be tended to. I hope we can get everyone's cooperation tomorrow morning. If we are going to do that, we have to be at a point tonight with no more than 20 amendments, and 2 minutes on each, if we come in at 9 o'clock in the morning. That doesn't leave us with a lot tomorrow. In other words, we have to virtually finish our work tonight.

A number of us are going to go to our colleagues and ask for their full cooperation and partnership and effort to try to get us to the point that we have nothing left but no more than 20 amendments in the morning. I hope we can all work together to make that happen.

I appreciate very much the leader yielding.

Mr. LOTT. I thank Senator DASCHLE. We will work with you on that.

Parliamentary inquiry: Has all time expired?

The PRESIDING OFFICER. All time has expired.

Mr. LOTT. Are we prepared to go to the first in a series of votes? Have the yeas and nays been ordered?

Mr. CONRAD. Parliamentary inquiry: Has all time expired? We understood that we had 1 minute left, and that the other side had 1 minute 30 seconds. We have been on leader time.

The PRESIDING OFFICER. The Senator from New Mexico yielded his time to the leader, which was used. Then leader time was used. The Senator from North Dakota spoke and he was charged 1 minute 40 seconds.

Are you pondering a request to have 1 minute 30 seconds restored?

Mr. CONRAD. I ask unanimous consent that we have 1 minute restored on both sides so the managers can conclude the argument on this amendment.

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

Mr. CONRAD. Mr. President, it may sound, to those listening, as though this is a debate on the President's tax cut. It is not. This is a debate on how the President's tax cut will be considered.

On our side, we do not believe we should restrict the Senators' right of freedom to debate and freedom to amend. That is what this vote is about.

Let me cite Senator DOMENICI in a debate in 1989 on an amendment from the majority and minority leaders at the time to limit the scope of the bill that was then being considered to deficit reduction. Senator DOMENICI said:

> We are going to use the process available under the Budget Act to strip from this bill not only those matters which the Parliamentarian would call extraneous but also those which were never intended because they were not pure deficit reduction matters.

That is the issue. This is not a deficit reduction matter. It should not be considered under reconciliation.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, deficit reduction was the issue then; surpluses are the issue today.

But the real issue is whether or not we are going to consider and give the American people a tax break. The issue is whether the President of the United States is going to have his proposals considered by a committee and then voted on by the Senate, instead of being whittled away by time and by the consumption of all types of amendments and all types of dilatory tactics.

Last, without question, we have tried by unanimous consent—we have offered unanimous consent approaches—so we would not have to do reconciliation. We cannot get that done. When that cannot be done, we have to do this one, or we will not get a tax cut for the American people. That is the issue. The rest is talk. The issue tonight is, will we or will we not have a tax cut for the American people?

I yield whatever time I have and ask for the yeas and nays on the Domenici amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 345.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—51

Allard	Fitzgerald	Miller
Allen	Frist	Murkowski
Bennett	Gramm	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Ensign	McCain	Voinovich
Enzi	McConnell	Warner

NAYS—49

Akaka	Dodd	Lieberman
Baucus	Dorgan	Lincoln
Bayh	Durbin	Mikulski
Biden	Edwards	Murray
Bingaman	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Graham	Reed
Byrd	Harkin	Reid
Cantwell	Hollings	Rockefeller
Carnahan	Inouye	Sarbanes
Carper	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	
Dayton	Levin	

The amendment (No. 345) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ALLEN). The Senator from Nevada is recognized.

Mr. REID. Mr. President, is the Senate in order at this time? There is no quorum call; right?

The PRESIDING OFFICER. The Senate is not in order.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I thank my colleague, the Senator from Nevada, as well as the Senator from North Dakota for their willingness to work with the majority leader and me and others to try to reduce the amount of amendments and the time and try to get through this process as best we can. These vote-aramas are not pretty or very pleasant.

Mr. President, I ask for the regular order with respect to the amendment so that we will vote on the remaining amendments in the order offered and, further, that the next votes in this series be limited to 10 minutes in length.

Mr. REID. Reserving the right to object—how about all votes rather than just the next vote?

Mr. NICKLES. All the votes in this series.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. We have some problems we need to work out before the first vote. With everybody's cooperation, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

AMENDMENT NO. 202

Mr. REID. Mr. President, on the Durbin amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are 2 minutes equally divided in favor and in opposition to the amendment.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment. This is the economic stimulus amendment that provides an immediate rebate to the taxpayers of America, both income-tax payers and payroll-tax payers, of at least $300 per person, $600 per family.

It also provides a permanent rate reduction of the lowest rate from 15 percent to 10 percent. It will cost us $60 billion. It will go into effect immediately. It will help families across America this year.

This also provides that the total tax cut in addition to this will be $745 billion. This has been mischaracterized as a tax increase. We do not have a tax cut in place. We are debating the size of the tax cut.

We think a third of the surplus should go to a tax cut, a third to deficit reduction, and a third to crucial priorities, such as Social Security, Medicare, and investments in education. I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I want to correct the record. The pending amendment provides additional tax relief in the year 2002, $31 billion, and in 2003, $11 billion, but it also has over $400 billion in tax increases compared to the resolution before us.

If we adopt this amendment, the net tax cut will boil down to not $1.6 trillion, not $1.1 trillion, which is where we ended up last night, but a total of $746 billion. That means the President gets less than half the tax cut he proposed.

There is a lot of spending. My colleagues on the Democratic side have offered $697 billion in new spending and higher taxes, now $1.3 trillion.

The pending amendment raises taxes $418 billion over and above the tax increase we passed last night, which was $448 billion.

If my colleagues want a tax cut that is less than half of what the President proposed, adopt this amendment. I urge my colleagues to vote no on the underlying amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 202. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 39, nays 61, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—39

Akaka	Dorgan	Levin
Bayh	Durbin	Lieberman
Biden	Edwards	Mikulski
Bingaman	Feingold	Murray
Boxer	Feinstein	Nelson (FL)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Clinton	Hollings	Rockefeller
Conrad	Inouye	Sarbanes
Corzine	Kennedy	Schumer
Daschle	Kerry	Stabenow
Dayton	Kohl	Wellstone
Dodd	Leahy	Wyden

NAYS—61

Allard	Cleland	Gregg
Allen	Cochran	Hagel
Baucus	Collins	Hatch
Bennett	Craig	Helms
Bond	Crapo	Hutchinson
Breaux	DeWine	Hutchison
Brownback	Domenici	Inhofe
Bunning	Ensign	Jeffords
Burns	Enzi	Johnson
Campbell	Fitzgerald	Kyl
Carnahan	Frist	Landrieu
Carper	Gramm	Lincoln
Chafee	Grassley	Lott
Lugar	Santorum	Thomas
McCain	Sessions	Thompson
McConnell	Shelby	Thurmond
Miller	Smith (NH)	Torricelli
Murkowski	Smith (OR)	Voinovich
Nelson (NE)	Snowe	Warner
Nickles	Specter	
Roberts	Stevens	

The amendment (No. 202) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I had understood from the distinguished Senator who offered the next amendment there was no need to have a rollcall vote on it.

Mr. CONRAD. If I may say, we have not yet cleared this on this side. We are not prepared. I recommend we go to a quorum call.

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

The PRESIDING OFFICER. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DOMENICI. May we have order.

AMENDMENT NO. 216

The PRESIDING OFFICER. The Senate will please come to order.

The question is on agreeing to the amendment.

The amendment (No. 216) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 215

The PRESIDING OFFICER. We have 2 minutes. We have 2 minutes now on the amendment of the Senator from Tennessee, Mr. FRIST.

Mr. DOMENICI. Mr. President, the Senator can take his minute, but I wonder if we need a rollcall vote. We are willing to accept it.

Mr. FRIST. I would like a rollcall vote.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Might I say to the Senator from Tennessee, if he can accept a voice vote, he will have strong support. If we have to go to a vote, he may lose the amendment.

We urge the Senator to think about the circumstance and to accept the voice vote.

Mr. FRIST. I request a rollcall vote.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have had 154 amendments. We are never going to end this thing unless people cooperate a little bit. If the other side is worried about us getting out of here

tomorrow, they had better start cooperating a little bit. There is no need to have a vote on this amendment. We agree. We accept it.

Mr. DOMENICI. Mr. President, I have done my best. I talked to Senators. He has requested a rollcall vote since early this afternoon. He told me about it. We can waste more time talking about why he should not get it than to go ahead and have the vote. Then we will get on to the next one and do everything we can to avoid it.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. CONRAD. Mr. President, I recommend we move to a vote.

The PRESIDING OFFICER. There is 2 minutes equally divided on the amendment of the Senator from Tennessee, Mr. FRIST.

The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, we have the concurrence of the distinguished Senator from Tennessee and the ranking member of our committee that we set this amendment aside temporarily. I ask unanimous consent that be the status of the amendment.

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

Mr. DOMENICI. I thank the Chair.

Mr. CONRAD. Mr. President, if I might just say to our colleagues, please understand. We are set up to have 50 straight hours of voting unless people show a little restraint, a little discipline, and a little courtesy towards our colleagues. Please, let's not get into a circumstance in which we spend the next 50 hours in this Chamber voting every 10 minutes.

The PRESIDING OFFICER. The question is now on the Corzine amendment.

AMENDMENT NO. 346

Mr. DOMENICI. Mr. President, I understand the situation is such that Senator MURKOWSKI wants to offer a second degree. But I understand that we want to handle that as we have handled other second-degree amendments.

Is that correct?

Mr. CONRAD. That is correct.

Mr. DOMENICI. That means they will have an amount of time to debate between them. It should be 2 minutes. It was going to be 1. Then we will be able to vote on the two amendments side by side.

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

The clerk will please report the amendment.

The legislative clerk read as follows:

The Senator from Alaska (Mr. MURKOWSKI) proposes an amendment No. 346.

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

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. MURKOWSKI. Mr. President, this amendment would raise the level of the conservation spending cap to the statutory level of $1.76 billion in budget authority and $1.38 billion in outlays at 2002.

Last year, this cap was created through careful compromise in the Interior appropriations bill. It assures funding for certain high-priority conservation programs. Those include the Land and Water Conservation Fund; National Park Service; management urban and community forestry; State wildlife grants; Pacific coastal salmon recovery; urban parks restoration; historic preservation; payment in lieu of taxes; and other important programs which provide funding to maintain our national parks, provide funding to help support communities with large Federal land ownership, help create urban parks, assure the survival of the Pacific salmon, and many other worthwhile projects.

Last year, we made a commitment to these programs. We should keep our commitment to these programs and to our natural resources.

I urge my colleagues to join me in support of the amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Thank you, Mr. President.

Mr. President, I rise in support of the amendment. The amendment will restore $50 billion in cuts included in the underlying resolution. The amendment will fund priority environmental and natural resource energy conservation programs—programs such as brownfield restoration, wildfire prevention, sewer and water infrastructure programs, energy conservation and efficiency programs, and the Land and Water Conservation Fund. These restorations are offset by reduced tax cuts and administrative savings.

The amendment also sets aside an additional $50 billion for debt reduction. I urge my colleagues to stand up for our legacy to future generations. I urge my colleagues to stand up for our environment and support the amendment.

Thank you, Mr. President.

The PRESIDING OFFICER. The question is on the Murkowski amendment.

Mr. MURKOWSKI. Mr. President, I ask for the yeas and nays.

Mr. CONRAD. Mr. President, let me ask colleagues, we are going to have to exercise discipline tonight or we are going to have chaos. This is just as clear as it can be. So, please, let's try to be quiet while Senators are speaking, and let's try to restrict debate so that we can finish. The manager and I believe, given the fact that none of us have seen the amendment of the Senator from Alaska, that it would be appropriate to give him another minute to explain his amendment, and another minute on the side of the Senator from New Jersey in response. We ask unanimous consent for an additional minute for the Senator from Alaska and an additional minute for the Senator from New Jersey.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I yield time to the Senator from Texas on the amendment that I have offered.

Mr. GRAMM. Mr. President, the Corzine amendment spends another $46 billion, adding to total spending in a budget which is now already grossly bloated. Our Democrat colleagues in the last 2 days have in the process of adding spending, added $697 billion of new spending in their amendments. That is more than the entire Government spent in the first 150 years of our great Republic.

If anybody has any doubt as to what the two parties are about, all they have to do is look at this spending orgy.

I urge my colleagues to vote no on the Corzine amendment.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for a minute

Mr. CORZINE. Mr. President, I yield 1 minute to the distinguished Senator from Nevada.

Mr. REID. Mr. President, in the short time we have had to look at the amendment of the distinguished Senator from Alaska, we recognize that it is quite good. It has $200 million to help fund CARA. It is ''CARA-lite,'' though.

What the Senator from New Jersey has done is recognize that there have been tremendous cuts in this underlying budget in programs in which we all believe, not the least of which is arsenic in the water and all these things we talked about during the day.

We believe the amendment of the Senator from Alaska is very weak. It is about $50 billion weak. It does nothing to address the real problems this country faces, and it does not reduce the debt.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment of the Senator from Alaska.

Mr. DOMENICI. Mr. President, I ask the distinguished ranking member if

we could let Senator CORZINE have the first vote.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, the amendment of the Senator from Alaska was an amendment in the second degree. Normally that would be the first vote.

Mr. MURKOWSKI. That is correct.

Mr. CONRAD. So the amendment of the Senator from Alaska would normally be considered as the first vote.

Mr. DOMENICI. Senator, that isn't true. Just a while ago we agreed to a unanimous consent that they would be side-by-side amendments. That is not a second-degree amendment.

Mr. REID. No. No.

Mr. CONRAD. But it is in the form of a second degree.

I think we have also in every one of these circumstances but one——

Mr. DOMENICI. I am not going to argue. We are going to vote for Senator MURKOWSKI's first. I hope they vote for it because the alternative is going to be the Corzine amendment.

I yield the floor.

The PRESIDING OFFICER. The time has expired.

Mr. DOMENICI. I ask for the yeas and nays.

Mr. CONRAD. Might I ask that we take the Senator's vote on a voice vote? Would the Senator accept a voice vote?

Mr. MURKOWSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mr. CONRAD. We believe we have an agreement to go to a voice vote on the amendment by the Senator from Alaska.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 346.

The amendment (No. 346) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 257

The PRESIDING OFFICER. The question is on agreeing to Corzine amendment No. 257.

Mr. REID. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—46

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Graham	Reed
Byrd	Harkin	Reid
Cantwell	Hollings	Rockefeller
Carnahan	Inouye	Sarbanes
Carper	Johnson	Schumer
Clinton	Kennedy	Stabenow
Conrad	Kerry	Torricelli
Corzine	Kohl	Wellstone
Daschle	Leahy	Wyden
Dayton	Levin	
Dodd	Lieberman	

NAYS—54

Allard	Enzi	McConnell
Allen	Fitzgerald	Miller
Bennett	Frist	Murkowski
Bond	Gramm	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Landrieu	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Ensign	McCain	Warner

The amendment (No. 257) was rejected.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 211

The PRESIDING OFFICER. There are 2 minutes now on the Bond amendment.

Mr. DOMENICI. Mr. President, I suggest that as to the Bond amendment, which is going to be discussed, and the Dodd-Collins amendment which follows, we accept those two amendments. They are bipartisan. I am willing to accept them, and we won't have to have votes. That means the next vote will be on the Voinovich amendment, which is an appeal.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we are willing to accept those mentioned amendments as well, the Bond-Mikulski amendment and the Dodd-Collins amendment.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, this amendment, cosponsored by Senators MIKULSKI, LIEBERMAN, ALLEN, BINGAMAN, and DOMENICI, adds a very important $1.4 billion to function 250, the general science function.

Basic science research in this country is suffering because we have not adequately funded the National Science Foundation in recent years. The funding in this function leverages the research done in NIH and other areas. We believe it is extremely important. We expect that we are on a path for doubling the NSF budget in 5 years. This will put us back on the path.

I yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, the United States of America every year wins Nobel Prizes. We want to be sure that every year we win the global markets, as well as the Nobel Prizes. By doubling the National Science Foundation, by increasing funding for NASA and increasing funding for the Department of Energy, we are making public investments in great core science and engineering laboratories.

This is where we create the new ideas that lead to new products as well as educate the next generation of Sally Rides, of other great scientists, the Dr. Varmuses who go on and lead our Nation. If we don't increase the funding for the National Science Foundation, we are not going to have the mathematicians, the physicists, and the engineers we need.

We are the greatest country in the world because we are willing to take risks. We are the greatest country in the world because we are inventors and we are discoverers. Why don't we put our public money where our national values are? Let's pass the Bond-Mikulski amendment and take America right into the 21st century.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to proceed with the first of those amendments, the Bond amendment No. 211.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 211.

The amendment (No. 211) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 322, AS MODIFIED

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, on behalf of myself and the Senator from Maine, we offer this amendment which restores some funding that is being cut for children's hospitals, as well as for the child care development block grant and the child abuse prevention programs. These moneys total around $270 million, which gets us back to the level of funding for this year. It is not beyond that at all. It just brings these numbers up to the present year level.

I thank my colleague from Maine, who has worked tirelessly over the years on this issue.

I urge my colleagues' support. I thank the chairman of the Budget Committee for his support, as well as my own ranking Democrat on the Budget Committee.

Mr. DOMENICI. Mr. President, we are prepared to vote.

The PRESIDING OFFICER (Mr. THOMAS). The question is on agreeing to the amendment.

The amendment (No. 322), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 288

Mr. DOMENICI. The next amendment is Senator VOINOVICH's appeal of the ruling of the Chair.

I yield the floor.

Mr. VOINOVICH. Mr. President, I am offering this amendment with my colleagues, Senators FEINGOLD, GREGG, and DOMENICI. This amendment we are offering helps to refine the procedures in the budget process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement. That is what this amendment does.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against the emergency spending that doesn't meet the definition for emergency spending as laid out by OMB.

The amendment also closes budget loopholes by creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and last, creating a point of order against directed scoring—in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits. Any waiver of these measures will require 60 votes.

I urge my colleagues' support. It will guarantee that the budget process is more transparent.

I ask unanimous consent that Senators DOMENICI and GRAMM be added as cosponsors.

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

Mr. CONRAD. Mr. President, this is a nongermane amendment. As a result, this is subject to a 60-vote point of order. This amendment has some parts that are good, but, unfortunately, it also contains a fatal flaw. It would establish a 60-vote point of order against all emergency designations, both defense and nondefense. I don't think we want to set a precedent here that we require supermajority points of order to respond to a defense emergency or a natural disaster emergency.

I urge colleagues to defeat the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to the Senate we thank you very much for the way things are going. We very much appreciate your attention. We haven't had much disturbance or much talking on the floor. For that, I thank each Senator on both sides of the aisle. We thank you very much for your cooperation.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 54, nays 46, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—54

Allard	Enzi	Lugar
Allen	Feingold	McCain
Bayh	Fitzgerald	McConnell
Bennett	Frist	Murkowski
Bond	Graham	Nelson (NE)
Brownback	Gramm	Nickles
Bunning	Grassley	Roberts
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Carnahan	Hatch	Shelby
Carper	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Craig	Inhofe	Thomas
Crapo	Kohl	Thompson
DeWine	Kyl	Thurmond
Domenici	Landrieu	Voinovich
Ensign	Lott	Warner

NAYS—46

Akaka	Dorgan	Miller
Baucus	Durbin	Murray
Biden	Edwards	Nelson (FL)
Bingaman	Feinstein	Reed
Boxer	Harkin	Reid
Breaux	Hollings	Rockefeller
Byrd	Inouye	Sarbanes
Cantwell	Jeffords	Schumer
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Stevens
Conrad	Leahy	Torricelli
Corzine	Levin	Wellstone
Daschle	Lieberman	Wyden
Dayton	Lincoln	
Dodd	Mikulski	

The PRESIDING OFFICER (Mr. ALLEN). On this vote, the yeas are 54, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we laid aside the amendment of the distinguished Senator from Tennessee, Mr. FRIST. He will accept a voice vote. If we can proceed to that now, he will not ask for a rollcall.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I want to publicly apologize to my friend from Tennessee for raising my voice to him and the rest of the Senate. I recognize being unreasonable is not only on one side of the aisle. I apologize to the Senator.

AMENDMENT NO. 215

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, it is time for the world to wake up. We are confronted today with the worst international health crisis in 600 years: the international scourge of HIV/AIDS; 8,000 people died today, 15,000 new infections today.

In Africa, the life expectancy in more than a handful of the countries has been cut in half.

Currently, the United States spends about $500 million annually. Our amendment increases that by $200 million next year, ultimately doubling our commitment.

The goal is simple: Reduce the devastation of the most significant moral, humanitarian, and developmental challenges of our time.

Mr. KERRY. Mr. President, a year ago we joined together in the Senate with Senator HELMS as leader, and others in the Foreign Affairs Committee, to make a major effort with respect to the international AIDS program. President Bush and his security team the other day joined what President Clinton and his security team had found, which is that this is an international security issue. It is a national security issue for the United States. I hope all of our colleagues will join together in restoring this critical funding that will deal with prevention, care, and treatment across the globe.

The PRESIDING OFFICER. Without objection, the yeas and nays are vitiated.

The question is on agreeing to the amendment of the Senator from Tennessee.

The amendment (No. 215) was agreed to.

Mr. SANTORUM. I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 225

Mr. DOMENICI. I understand the next amendment is amendment No. 225 offered by the distinguished Senator HOLLINGS. We have a second-degree amendment we will offer, but we would like to treat them side by side as we have other amendments. Senator HUTCHISON of Texas will offer it.

I yield the floor.

Mr. HOLLINGS. I didn't know about the second degree. I thought there would not be a second-degree amendment.

Mr. DOMENICI. It is a simple amendment. It is an amendment about which the Senator feels strongly.

Mr. HOLLINGS. I think the real point here is to send a message to the market, to the consumers, and to the people of this country that we feel their pain. As the old expression goes around this town, we know that we need an immediate stimulus to the economy to stop this downturn. This is divorced entirely from the tax cut, divorced entirely from budgets for 10-year considerations. It is a 1-year immediate repayment to the 95 million income-tax payers and another $500 to the 25 million payroll-tax payers who

do not pay income tax for a total of 120 million, as recommended by Harvard Business School, Lester Thurow, the Concord Coalition, Business Week, former Secretary of the Treasury Bob Rubin, the Economic Policy Institute, and others.

This is the need. We have been going on and on about the tax cut for the rich, poor, and everyone else.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 347

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk which adds language to the Hollings amendment that basically assures the marriage penalty is fully repealed.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 347.

The amendment is as follows:

At the appropriate place add:

SEC. . Notwithstanding any other provision of this resolution, the revenue levels and other aggregates in this resolution shall be adjusted to reflect an additional $69 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Mrs. HUTCHISON. It would add $69 billion to assure that there is a marriage penalty elimination for this country. We have said we want to eliminate it. Now is the time to do it. We want to add the amount we believe it will cost to fully eliminate the marriage penalty in this country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mr. CONRAD. Mr. President, I rise in opposition to the amendment of the Senator from Texas because after doing an analysis of the amendments previously agreed to and passed, it is very clear that this amendment will raid the Medicare trust fund. We can't accept an amendment that would do that. I am asking colleagues to oppose this amendment because it raids the Medicare trust fund in the years 2004, 2005, 2006, 2007, 2008, and 2009.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CONRAD. Parliamentary inquiry: On whose time is the Senator from Texas proceeding?

The PRESIDING OFFICER. There are 2 minutes allotted before each vote.

Mr. CONRAD. The Senator from Texas already spoke.

Mr. DOMENICI. Would the Senator like another minute?

Mrs. HUTCHISON. I don't think we exhausted the time. I spoke, but I did not speak for 2 minutes.

Mr. CONRAD. The Senator had 1 minute.

Mr. DOMENICI. Will the Chair explain this to Senators.

Mrs. HUTCHISON. Mr. President, I ask for 30 seconds to respond to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from Texas spoke for 1 minute in opposition to the Hollings amendment. She is allowed 1 minute to speak in favor of her own amendment.

The Senator from Texas is recognized for 1 minute.

Mrs. HUTCHISON. Mr. President, I respectfully disagree with the numbers that my colleague from North Dakota has given. We did not raid the Medicare trust fund when we had $1.6 billion in tax cuts. Now we are talking about $1.1 billion or so, and we are adding $69 billion. This is to eliminate the marriage penalty tax. We are squeezing down the tax cuts and I do not want married couples in this country to think that it is not important for us to eliminate the marriage penalty. We should not penalize people for getting married. I hope you will vote for my amendment, and I hope you will vote for the amendment of Senator HOLLINGS as well.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the budget resolution does not determine any specific tax policy. All of us know that. This does not eliminate the marriage penalty or anything else. It simply adds $69 billion to the tax cut, which raids the Medicare trust funds in each of the years I previously referenced.

Mrs. HUTCHISON. The $69 billion will go to the marriage penalty because we will say so. I hope my colleagues will support elimination of the marriage penalty.

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the Hutchison amendment.

Mrs. HUTCHISON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—50

Allard	Enzi	Lugar
Allen	Fitzgerald	McCain
Bennett	Frist	McConnell
Bond	Gramm	Miller
Brownback	Grassley	Murkowski
Bunning	Gregg	Nickles
Burns	Hagel	Roberts
Campbell	Hatch	Santorum
Cochran	Helms	Sessions
Collins	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Smith (OR)
DeWine	Jeffords	Snowe
Domenici	Kyl	Specter
Ensign	Lott	Stevens
Thomas	Thompson	Voinovich
	Thurmond	Warner

NAYS—50

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	Mikulski
Bingaman	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Breaux	Feinstein	Nelson (NE)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Carnahan	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the amendment is agreed to.

The amendment (No. 347) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 225

The VICE PRESIDENT. The question is on agreeing to the Hollings amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—94

Akaka	Edwards	McConnell
Allard	Ensign	Mikulski
Allen	Enzi	Miller
Baucus	Feinstein	Murkowski
Bayh	Fitzgerald	Murray
Bennett	Frist	Nelson (NE)
Biden	Gramm	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Breaux	Harkin	Rockefeller
Brownback	Hatch	Santorum
Bunning	Helms	Sarbanes
Burns	Hollings	Schumer
Byrd	Hutchinson	Sessions
Campbell	Hutchison	Shelby
Cantwell	Inhofe	Smith (NH)
Carnahan	Inouye	Smith (OR)
Chafee	Jeffords	Snowe
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Stevens
Collins	Kohl	Thomas
Conrad	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Domenici	Lott	Wyden
Dorgan	Lugar	
Durbin	McCain	

NAYS—6

Carper	Dodd	Graham
Corzine	Feingold	Nelson (FL)

The amendment (No. 225) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, may I just inform Senators where we are. People would like to go home this evening. The next amendment is that of Senator ALLEN from Virginia. We have a minute; whoever opposes him has a minute. The next amendment would be Senator WELLSTONE with reference to veterans spending, and we have a second-degree amendment to that. They will be voted side by side. If we can get those finished, that is all we have lined up by way of votes.

We have an amendment on vote-arama and streamlining the process so we won't get into these problems next year.

We should proceed with the votes we have: Senator ALLEN, to be followed by WELLSTONE and a second degree.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I want to indicate to our colleagues and to the manager of the bill that there will be a second-degree amendment to Senator ALLEN's amendment as well, so everybody is on notice with respect to how that amendment will be treated.

AMENDMENT NO. 201

The PRESIDING OFFICER. The Senator from Virginia has 1 minute.

Mr. ALLEN. Mr. President, on behalf of Senators BROWNBACK, HUTCHISON, CRAIG, WARNER, and myself, the tax cut accelerator ensures that unexpected on-budget surpluses are used to accelerate tax cuts rather than accelerate more Government spending. The tax relief accelerator provides a tax relief insurance policy so that the Federal Government will fulfill its promise to return excess tax collections to the taxpayer. The tax cut accelerator does not touch Social Security or Medicare. It does not threaten funding for current programs. It allows us to set priorities in education, national defense, and scientific research.

It does hold the Government accountable to the American people, setting priorities, determining the amount and type of tax relief, taking action, and justifying our decisions to the American people.

I respectfully ask my colleagues to please say yes to the taxpayers of America and improve our economic vitality.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this amendment is a nongermane amendment. It is subject to a 60-vote point of order. We have brought that order under the Budget Act. I hope my colleagues will support that point of order.

This would require fully expedited procedures beyond even what reconciliation provides. I hope our colleagues will reject this amendment on a point of order.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 45, nays 55, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—45

Allard	Frist	Miller
Allen	Gramm	Murkowski
Bennett	Grassley	Nelson (NE)
Bond	Gregg	Nickles
Brownback	Hagel	Roberts
Bunning	Hatch	Santorum
Burns	Helms	Sessions
Campbell	Hutchinson	Shelby
Cochran	Hutchison	Smith (NH)
Craig	Inhofe	Smith (OR)
Crapo	Kyl	Thomas
Domenici	Lott	Thompson
Ensign	Lugar	Thurmond
Enzi	McCain	Voinovich
Fitzgerald	McConnell	Warner

NAYS—55

Akaka	DeWine	Lieberman
Baucus	Dodd	Lincoln
Bayh	Dorgan	Mikulski
Biden	Durbin	Murray
Bingaman	Edwards	Nelson (FL)
Boxer	Feingold	Reed
Breaux	Feinstein	Reid
Byrd	Graham	Rockefeller
Cantwell	Harkin	Sarbanes
Carnahan	Hollings	Schumer
Carper	Inouye	Snowe
Chafee	Jeffords	Specter
Cleland	Johnson	Stabenow
Clinton	Kennedy	Stevens
Collins	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	
Dayton	Levin	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 55. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment fails.

Mr. CONRAD. I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. Mr. President, I will address colleagues on my side for a moment to say we still have 27 amendments pending. This would be a wonderful opportunity, while we are waiting to work things out, for colleagues to come down and voluntarily give up their amendment in the interest of the whole body. What a good way to end the evening, to have a few more amendments given up so we could finish by our goal of 2:30 tomorrow afternoon.

I am making the offer. We will be here. We will be in business, and we will be eagerly awaiting our colleagues who want to give up amendments this evening.

Mr. DOMENICI. Might I thank the distinguished Senator. I thank him for his request on his side. I say to our side, we have 10 amendments. We sure hope we can find some way to narrow that down to three or four. We will be working with Senators when we finish tonight.

Let me tell Members what these amendments are: 289 is Crapo-Murray; 237 is Grassley; 286, Santorum; 236, DeWine; 214, Collins; and four Smith amendments, 83, 46, 45, and 57.

We very much would like to get the list down to about three.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. LOTT. Mr. President, we have been consulting on both sides of the aisle as to how to complete action tonight and how we will begin in the morning. I think everybody understands the best way to proceed at this point. I ask consent the Wellstone amendment be laid aside and the Senator from Louisiana be recognized to offer a first-degree amendment; that it be laid aside and the Senator from Maine, Ms. COLLINS, offer a first-degree amendment; that no amendments be in order to these amendments prior to the votes, and votes occur in relation to these amendments, also in a stacked sequence, first in relation to the Breaux amendment and then in relation to the Collins amendment.

I further ask consent the first vote tomorrow morning occur in relation to the Wellstone amendment beginning at 9:30.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I object.

Mr. LOTT. To clarify that, on the two I just outlined, the Collins and the Breaux amendments, those votes would occur tonight. Then tomorrow, of course, we would have the Wellstone amendment which would have the parallel second-degree amendment to it also.

The PRESIDING OFFICER. Did the Senator from Minnesota object?

Mr. WELLSTONE. Mr. President, I object for right now. I want to try to understand a little bit further how we are proceeding.

The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. WELLSTONE. Mr. President, I do not object.

Mr. LOTT. I renew my request, Mr. President.

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

Mr. LOTT. I believe we are ready to proceed, then, with the two amendments. Of course, they would be 10-minute votes with a brief explanation of the two amendments, a minute each.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 348

Mr. BREAUX. Mr. President, I have an amendment at the desk. I ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. BREAUX], for himself and Mr. JEFFORDS, proposes an amendment numbered 348.

Mr. BREAUX. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for IDEA amendment)

At the appropriate place add:

SEC. . Notwithstanding any other provision of this resolution, the spending aggregates, functional totals, allocations, and other levels in this resolution shall be adjusted to reflect an additional $70 billion in budget authority and outlays for function 500 for the period of fiscal years 2002 through 2011, and a reduction of $70 billion in revenue reductions (and an increase of $70 billion in total revenues) for the period of fiscal years 2002 through 2011.

Mr. BREAUX. Mr. President, we have only a minute. For the sake of our colleagues, this amendment simply takes $70 billion off the tax cut which is now at approximately a level of $1.275 trillion, I think. It says that $70 billion is going to be used for education purposes, and the purpose is to fund the Individuals with Disabilities Education Act, IDEA; to put the money back where I think it is a high priority. This amendment is offered on behalf of myself and Senator JEFFORDS who has been a long-time champion for the funding of the IDEA program.

This amendment does not take it out of the contingency fund. There is no more contingency fund. Remember the spectrum? Remember how many times we spent it? It is gone; agriculture and defense and everything else ate it up. If you want the $70 billion, there is only one place to get it, and my amendment provides the one place to get it by reducing the tax cuts. I ask my colleagues to support this effort.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. GRAMM. I reserve the time.

Mr. DOMENICI. Senator COLLINS would like to offer an amendment. I think that is the way we have been doing it.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 349

Ms. COLLINS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 349.

Ms. COLLINS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Propose: To provide tax credits for small business to purchase health insurance for their employees and to provide for the deductibility of health insurance for the self-employed and those who don't receive health insurance from their employers and for long-term care)

At the appropriate place, insert:

SEC. . Notwithstanding any other provision of this resolution, the revenue levels and other aggregates in this resolution shall be adjusted to reflect an additional $70 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Ms. COLLINS. Mr. President, first let me make clear that the amendment I am offering does not change the amendment offered by the distinguished Senator from Louisiana. What it would do instead is add to the tax cut $70 billion in order to cover the following: A tax credit for small businesses to help them purchase health insurance.

This is based on legislation that the Senator from Louisiana—the other Senator from Louisiana, Ms. LANDRIEU—and I recently introduced to address the problem of small businesses having a difficult time in affording health insurance for their employees. It would provide for full deductibility of health insurance for the self-employed, an issue that I know is something the Senator from Illinois, Mr. DURBIN, and the Senator from Missouri, Mr. BOND, have worked on. And it would provide for long-term care insurance above the line deduction to help people and encourage them to purchase long-term care insurance.

The combined total of those provisions would be approximately $70 billion over the next 10 years. That would bring the total tax cut to approximately $1.3 trillion.

I reserve the remainder of my time.

Mr. BREAUX. Mr. President, how much time is left in opposition to the amendment of the Senator from Maine?

The PRESIDING OFFICER. The opposition has 1 minute remaining.

Mr. BREAUX. I might just take a minute in opposition to the Senator's amendment. I have a great deal of respect for her, but I suggest the budget authorization doesn't do any of those things. The respective committees that are going to be authorizing this will decide how it is going to be spent. While the list is a nice list, it has nothing to do with reality because the Budget Committee does not make that decision. The respective committees that had jurisdiction are going to make the decision on how to spend the money.

Anyone can stand up and read a laudatory list of noble things, but there is no assurance that will happen. I respect everything she said about the intent, but the committee of jurisdiction has to make those decisions. We do not make those decisions on the floor.

Our amendment, however, does provide $70 billion specifically for education which allows that decision to be made. It does not come out of a nonexistent fund. That is the big difference.

Mr. GRAMM. Mr. President, we have 1 minute in opposition to the Breaux amendment. Exactly the same argument is true with regard to the Breaux amendment.

Nothing in the Breaux amendment in any way requires that the money go for the purpose he specifies. All his amendment does is basically reduce the tax cut by $70 billion and add it to spending. What Senator COLLINS has done is given us an opportunity as a Senate to go on record in favor of something we all claim we are for; that is, to provide $70 billion for the purpose of making a health insurance tax credit for small business, so they can cover their employees, and to give deductibility for health insurance.

I yield to the Senator from Oklahoma.

Mr. NICKLES. Mr. President, how much time has expired?

The PRESIDING OFFICER. The Senator from Louisiana has 11 seconds.

Mr. BREAUX. I can only say in 11 seconds that it specifies it has to be for education, and it comes out of the function 500. That is the education function. It can't be used for anything else.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment by the Senator from Louisiana.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. VOINOVICH). Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—54

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	McCain
Bingaman	Edwards	Mikulski
Boxer	Feingold	Murray
Breaux	Feinstein	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Harkin	Reed
Carnahan	Hollings	Reid
Carper	Inouye	Rockefeller
Chafee	Jeffords	Sarbanes
Cleland	Johnson	Schumer
Clinton	Kennedy	Snowe
Collins	Kerry	Stabenow
Conrad	Kohl	Torricelli
Corzine	Landrieu	Wellstone
Daschle	Leahy	Wyden

NAYS—46

Allard	Frist	Nickles
Allen	Gramm	Roberts
Bennett	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Specter
Cochran	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	
Fitzgerald	Murkowski	

The amendment (No. 348) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 349

The PRESIDING OFFICER. The question is on agreeing to the Collins amendment No. 349.

Mr. GRAMM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—49

Allard	Frist	Nickles
Allen	Gramm	Roberts
Bennett	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
DeWine	Lugar	Thurmond
Domenici	McCain	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	
Fitzgerald	Murkowski	

NAYS—51

Akaka	Dayton	Leahy
Baucus	Dodd	Levin
Bayh	Dorgan	Lieberman
Biden	Durbin	Lincoln
Bingaman	Edwards	Mikulski
Boxer	Feingold	Murray
Breaux	Feinstein	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Harkin	Reed
Carnahan	Hollings	Reid
Carper	Inouye	Rockefeller
Chafee	Jeffords	Sarbanes
Cleland	Johnson	Schumer
Clinton	Kennedy	Stabenow
Conrad	Kerry	Torricelli
Corzine	Kohl	Wellstone
Daschle	Landrieu	Wyden

The amendment (No. 349) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, we are working on a UC. We are going to try not to delay the Senate. We have four amendments that have been approved on both sides. I may call them up and ask that they be adopted en bloc.

Mr. CONRAD. What is the chairman's intention about how we proceed? Does the Senator want to do them one at a time?

AMENDMENT NO. 208

Mr. DOMENICI. Mr. President, we will just do these one at a time. I will call up 208.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BYRD, proposes an amendment numbered 208.

The amendment reads as follows:

(Purpose: To foster greater debate of amendments to a reconciliation bill or a budget resolution)

At the end of title II, insert the following:

SEC. ___. LIMITATION ON CONSIDERATION OF AMENDMENTS UNDER RECONCILIATION AND A BUDGET RESOLUTION.

(a) RECONCILIATION AND BUDGET RESOLUTIONS.—For purposes of consideration of any reconciliation bill reported under section 310(e) of the Congressional Budget Act of 1974 or any budget resolution reported under section 305(b) of the Congressional Budget Act of 1974—

(1) debate, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours;

(2) time on a bill or resolution may only be yielded back by consent;

(3) time on amendments shall be limited to 60 minutes to be equally divided in the usual form and on any second degree amendment or motion to 30 minutes to be equally divided in the usual form;

(4) no first degree amendment may be proposed after the 10th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 10th hour;

(5) no second degree amendment may be proposed after the 20th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 20th hour; and

(6) after not more than 40 hours of debate on a bill or resolution, the bill or resolution shall be set aside for 1 calendar day, so that all filed amendments are printed and made available in the Congressional Record before debate on the bill or resolution continues.

(b) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. DOMENICI. Mr. President, we are willing to accept this amendment. It is a procedural change that makes all of the processes much better. We will work on it in conference. On our side we are willing to accept it.

Mr. CONRAD. We are as well.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 208) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 289

Mr. DOMENICI. I send to the desk amendment No. 289, the Crapo-Murray amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. CRAPO and Mrs. MURRAY, proposes an amendment numbered 289.

The amendment reads as follows:

(Purpose: To ensure that the Department of Energy's Environmental Management program is funded at a level adequate to continue progress in waste treatment and management, site maintenance and closure, environmental restoration, and technology development, while meeting its legally binding compliance commitments to the states, the Atomic Energy Defense Account is increased by $1 billion in fiscal year 2002)

On page 10, line 21, increase the amount by $1 billion. On page 10, line 22, increase the amount by $650 million. On page 43, line 15, decrease the amount by $1 billion. On page 43, line 16, decrease the amount by $650 million. On page 48, line 8, increase the amount by $1 billion. On page 48, line 9, increase the amount by $650 million.

Mr. DOMENICI. Mr. President, we should note that the cosponsor is Senator MURRAY, so that we have the right sponsors. We have no objection to this amendment. It has to do with funding environmental cleanup that we are committed to doing. Most of us think we are going to have to do it in any event. This makes it clear that we have the money to do that.

Mr. CONRAD. Mr. President, we are willing to accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 289) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 210

Mr. CONRAD. Mr. President, we have clearance for another amendment on the list, No. 210, the Bond amendment.

Mr. DOMENICI. Mr. President, we have been willing to do that. Senator BOND has graciously told us he would not insist on a rollcall vote. He said that to us an hour ago.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BOND, proposes an amendment numbered 210.

The amendment reads as follows:

(Purpose: To provide funds for consolidated health centers under section 330 of the Public Health Service Act and for children's hospitals graduate medical education programs under section 340E of such Act)

On page 28, line 23, increase the amount by $136,000,000.

On page 28, line 24, increase the amount by $136,000,000.

On page 43, line 15, decrease the amount by $136,000,000.

On page 43, line 16, decrease the amount by $136,000,000.

On page 48, line 8, increase the amount by $136,000,000.

On page 48, line 9, increase the amount by $136,000,000.

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON CONSOLIDATED HEALTH CENTERS.—It is the sense of the Senate that appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health services at community, migrant, homeless, and public housing health centers.

Mr. DOMENICI. Mr. President, we accept the amendment.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 210) was agreed to.

AMENDMENT NO. 237

Mr. CONRAD. Mr. President, we have good news. We have another amendment on which we have agreement, and that is amendment No. 237. We just received clearance on amendment No. 237, the Grassley-Kennedy amendment.

Mr. DOMENICI. It is OK on our side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. GRASSLEY, for himself and Mr. KENNEDY, proposes an amendment numbered 237.

The amendment is as follows:

(Purpose: To establish a reserve fund for the Family Opportunity Act)

At the appropriate place, insert the following:

SEC. ____. RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered, or a conference report is submitted which provides States with the opportunity to expand medicaid coverage for children with special needs, allowing families of disabled children with the opportunity to purchase coverage under the medicaid program for such children (commonly referred to as the ''Family Opportunity Act of 2001''), the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $200,000,000 in new budget authority and outlays for fiscal year 2002 and $7,900,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare Federal Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. It is acceptable on our side.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 237) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VITIATION OF ACTION ON AMENDMENT NO. 237

Mr. DOMENICI. I ask unanimous consent we vitiate the adoption of the amendment numbered 237 because it has technical problems we have to work out. We will work them out overnight.

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

AMENDMENT NO. 256

Mr. CONRAD. We have now cleared on this side amendment 256, the Reid-Hutchinson amendment.

Mr. DOMENICI. We call up amendment No. 256, Reid-Hutchinson.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. REID of Nevada and Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, and Mr. LEVIN, proposes an amendment numbered 256.

Mr. DOMENICI. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To establish a reserve fund for the payment of retired pay and compensation to disabled military retirees)

At the end of title II, insert the following:

SEC. . RESERVE FUND FOR THE PAYMENT OF RETIRED PAY AND COMPENSATION TO DISABLED MILITARY RETIREES.

If the Committee on Armed Services of the Senate or the House of Representatives reports the Department of Defense authorization bill and includes a provision to fund the payment of retired pay and compensation to disabled military retirees, the chairman of the Committee on the Budget of the Senate or the House of Representatives, as applicable, may increase the allocation of new budget authority and outlays to that committee by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $2,900,000,000 in new budget authority and outlays for fiscal year 2002, and $40,000,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously enacted legislation, reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. We have no objection.

Mr. CONRAD. No objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment, No. 256.

The amendment (No. 256) was agreed to.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak up to 10 minutes each.

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

INTERNATIONAL ROMA DAY

Mr. CAMPBELL. Mr. President, in my capacity as chairman of the Helsinki Commission, I take this opportunity to let my colleagues know that on Sunday, April 8, Roma from around the world will commemorate the 30th anniversary of the inaugural meeting of World Romani Congress. In countries across Europe as well as in North America, Roma will gather together to demonstrate solidarity with each other and to draw attention to the human rights violations they continue to face.

Roma are a dispersed minority, present in virtually every country in the region covered by the Organization for Security and Cooperation in Europe, OSCE, including the United States. They first arrived in Europe around the 13th century, after migrating from Northern India and their language, Romani, is related to Sanskrit. Roma were enslaved in what is now modern Romania and Moldova until 1864 and, in much of the rest of Europe, the Romani experience has been marked by pronounced social exclusion.

The single most defining experience for Roma in the 20th century was the Holocaust, known in Romani as the Porrajmos, the Devouring. During the war itself, Roma were targeted for death by the Nazis based on their ethnicity. At least 23,000 Roma were brought to Auschwitz. Almost all of them perished in the gas chambers or from starvation, exhaustion, or disease.

Not quite a year ago, the Helsinki Commission, which I now chair, held a hearing on Romani human rights issues. I heard from a panel of six witnesses, four of whom were Romani, about the problems Roma continue to face. Unfortunately, since the fall of Communism, the situation for Roma in many post-Communist countries has actually gotten worse. As Ina Zoon said, ''the defense of Roma rights in