as Prime Minister Nehru described, enjoys ''associate status.'' In addition, some 50 major regional languages. It is a country that stretches from the Himalayas in the north to Cape Comorin far into the Indian Ocean, approaching the Equator. It is the second most populous nation on Earth. There has never been a country of this size able to have regular and free, democratic elections. They are not without disturbances, few elections are anywhere; however, we do know that there will be a government formed in the aftermath of this election. There will be no civil war. There will be no civil unrest. There will be an acceptance of a democratic process without parallel in the history of mankind. It should cheer us up and make us realize that the last half century has not been for nothing. The current possibilities of a democratic society around the world are perhaps beyond what anyone could have imagined a century ago, and they are thriving and proudly prevailing on the subcontinent of India, in the Republic of India.

I am sure the entire Senate will wish to congratulate the people of India and all who have participated in this election. We take no position whatever as to the outcome. There are any number of parties with capable candidates. At the present time, the balloting should have been concluded, it being past midnight in India. Soon we will know the outcome.

It fell to that singular commentator, William Safire, in the New York Times, to note this event in a remarkable column in which he observes the Indian achievement. I think we should note the contrast of this achievement with the People's Republic of China which, though comparable in size, has never had an election of any kind.

I ask unanimous consent that Mr. Safire's column be printed in the RECORD.

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

[From the New York Times, May 2, 1996]

THE BIGGEST ELECTION

(By William Safire)

WASHINGTON.—In 1975, when Indira Gandhi assumed dictatorial control of India and threw her opponents in jail, President Ford asked his U.N. delegate, Daniel P. Moynihan, what to make of that.

''Look at it this way, Mr. President,'' said Moynihan with a courtier's irony. ''Under your Administration, the United States has become the world's largest democracy.''

When Mrs. Gandhi later confidently stood for election, India's voters threw her out. Freedom was back, and the U.S. happily became the world's second-largest democracy.

This week, with dignity, honest balloting and relatively little violence, 400 million of India's citizens—65 percent of eligible voters, higher than here—go to the polls to select candidates from 500 political parties. It is the most breathtaking example of government by the people in the history of the world.

Americans don't hear a whole lot about it. President Clinton is busy being campaign manager for the Labor party in Israel's May 29, election, in effect telling Israelis to vote for Shimon Peres or else.

When he is not intervening shamelessly in Israel's political affairs, Mr. Clinton is barnstorming with Boris Yeltsin, trying to help him defeat Yavlinsky's reformers and Zyuganov's Communists in Russia's June 16 election. Washington is also headquarters for the Clinton campaign for the U.S. Presidency, where he beefs up beef prices to consumers while pouring strategic oil on troubled motorists. But in all the campaigning, no mention is made of India, where voters outnumber those in Israel, Russia and the U.S. combined.

As a result of this uncharacteristic White House forbearance, television coverage here about the biggest election has been next to nil. Not only do Americans not know for which Indian candidate to root, but hundreds of millions of voters are forced to go to the polls ignorant of Mr. Clinton's preference.

Why? Do nearly 900 million Indians not matter? American lack of interest is not new; a former Foreign Minister of India, one of Nehru's acolytes, told a U.S. envoy: ''We would far prefer your detestation to your indifference.''

One reason is that India strikes a holier-than-thou diplomatic pose, remaining nonaligned when there is no longer one side to be nonaligned against. Year after year, India is near the top of the list of nations that consistently vote against the U.S. in the United Nations.

We're wrong to let that overly irritate us. China votes against us, too, and unbalances our trade and secretly ships missiles to rogue states and jails dissidents and oppresses Tibet and threatens Taiwan and (cover the children's eyes) pirates our CD's—but we care more about what happens in China than what happens in India.

That's a mistake. Contrary to what all the new Old China Hands and other Old Nixon Hands tell you, India will draw ahead of China as a superpower in the next century.

Yes, China's economic growth rate has doubled India's, and China's Draconian control of births will see India's population exceed China's soon enough, to India's disadvantage. But China does not know what an election is. Despite the enterprise and industriousness of its people, despite the example of free Chinese on Taiwan and the inspiration of the dissident Wei Jingsheng, jailed in Beijing, China is several upheavals and decades away from the democracy India already enjoys.

Without political freedom, capitalism cannot long thrive. Already the requirements of political repression are stultifying the flow of market information in China, driving wary Hong Kong executives to Sydney. The suppression of dangerous data undermined technology in Communist Russia; it will hurt China, too.

Though more Chinese are literate, many more Indians are English-literate (more English-speakers than in Britain), and English is the global language of the computer. American software companies are already locating in Bangalore, India's Silicon Valley. Bureaucratic corruption scandals abound; India's free press reports and helps cleanse them, China's does not.

I'm rooting for Rao, the secular Prime Minister, who is more likely to move toward free markets than Vajpayee, his leading opponent. But whoever wins, it's a glorious week for the world's largest democracy.

Mr. MOYNIHAN. I take the liberty of extending the congratulations of the U.S. Senate to the Government and peoples of India on the conclusion of this, the 11th national election as an independent nation in the world: proud, increasingly prosperous, and with every expectation of becoming more so.

I thank the Senate for its courtesy and allowing this interruption. 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. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TEAMWORK FOR EMPLOYEES AND MANAGEMENT ACT OF 1995

Mr. SIMON. Mr. President, let me just comment on two things very briefly that, apparently, are going to be joined in the vote tomorrow. Let me say that if they are joined, I, if no one else, am going to ask for division on the question, so we can vote separately on these issues.

One of the issues is whether to repeal the 4.3-cent gasoline tax. I know it was very controversial as we argued about it here. But it was very interesting that after it passed, I went back to the State of Illinois and, up until a few days ago when it was raised again as an issue, of the 12 million people in Illinois, do you know how many people talked to me and complained about the gasoline tax increase? Not a single one. My guess is—and I see my friend Senator MOYNIHAN on the floor—that not a single citizen of New York complained to Senator MOYNIHAN about the 4.3-cent tax.

Mr. MOYNIHAN. Not a one.

Mr. SIMON. My guess is that in the State of Tennessee people were not complaining. I talked to one of our colleagues from a western State, and they were not complaining. One of the advantages, Mr. President, of not running for reelection is, a year ago, just about this time, my wife and I took off for Spain and Portugal, flew to Madrid—at our expense, I hasten to add, not at the taxpayers' expense. And we rented a car and drove around Spain and Portugal. The highways were better than our interstate highways. But I paid $4.50 a gallon. People talk about being overtaxed in the United States. In some areas, our taxes are excessive. But we have, next to Saudi Arabia, the lowest gasoline tax of any country in the world. If you were to ask, ''What can we do to improve the environment?'' one of the things we could do, frankly, is not to lower the gasoline tax, but to increase it. We ought to be increasing it to spend money to build our highways and use it on mass transit and that sort of thing. So I think any move to lower that tax is shortsighted.

And then the distinguished Congressman from Texas has suggested that we take the money from education. I cannot imagine anything more shortsighted. We need to invest more in education, not less. That just absolutely does not make sense.

I hope we will reject this thing that emerged in this political season, the season that is frequently called the ''silly season'' by observers, and rightfully so.

Mr. MOYNIHAN. Will my friend from Illinois yield for a question?

Mr. SIMON. I am pleased to yield to my distinguished colleague.

Mr. MOYNIHAN. I very much agree with his comments and would add that, after the 1993 deficit reduction legislation, the price at the pump—when that small tax increase took effect—was lower than when it was enacted.

Perhaps the Senator from Illinois also saw in the Wall Street Journal an article today under the section called ''The Economy.'' It is headlined, ''Economists Say Gasoline Tax Is Too Low.'' The subhead is, ''GOP's Proposed Rollback Is Seen Aggravating Deficit.'' This is by Jackie Calmes and Christopher Georges. It begins:

Republicans seeking to gain political mileage from a lower gasoline tax can't look to economists to support their case.

Not that economists are infallible. Who is? But they make that point.

I do not have to explain the term ''externalities'' to the learned Senator from Illinois. Gasoline costs you, air pollution costs you, as do the wear and tear on the environment and infrastructure, and so forth. You have to pay for that. You better be careful about how much you do because the costs that you have not paid for keep mounting.

I wonder if he has not read this. Would he wish to have it printed in the RECORD at this point?

Mr. SIMON. I have not seen it. I think it is an excellent suggestion.

I ask unanimous consent that the Wall Street article be printed in the RECORD.

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

[From the Wall Street Journal, May 7, 1996]

ECONOMISTS SAY GASOLINE TAX IS TOO LOW—GOP'S PROPOSED ROLLBACK IS SEEN AGGRAVATING DEFICIT

(By Jackie Calmes and Christopher Georges)

WASHINGTON.—Republicans seeking to gain political mileage from a lower gasoline tax can't look to economists to support their case.

Though the joke has it that you could lay all of the economists in the world end-to-end and never reach a conclusion, there is widespread agreement in the field that the federal gasoline tax of 18.3 cents a gallon is too low.

Nevertheless, Senate Majority Leader Bob Dole is aiming for a vote as early as today to repeal the Clinton administration's 4.3-cent-a-gallon increase in the gasoline tax. At the same time, the politics-conscious White House and congressional Democrats aren't about to stop it, despite concern in both parties about worsening the budget deficit.

With the recent spike in prices at the pump, Republicans and their presumed presidential nominee, Sen. Dole, seized the idea of repealing the 1993 tax increase, partly as a way to divert attention from the Democrats' popular efforts to raise the minimum wage. But they have been stymied by the search for savings to make up for revenue that would be lost; each penny of the gasoline tax adds up to revenue of about $1 billion a year.

''Repealing the tax isn't going to solve the problem [of recently higher prices], and it's going to hurt the deficit,'' says Nada Eissa, an economist at the University of California at Berkeley. ''I don't think it's a sound approach. I just think we should allow the markets to work . . . and this is a case where the market is working.''

At the school's Burch Center for Tax Policy and Public Finance, economist Alan Auerbach says he found a near consensus in support of a significant boost when he surveyed about 30 economists at a conference in February. More than half said the federal levy should be $1 a gallon or higher. The sentiment among economists for a higher tax, Mr. Auerbach quips, ''is right up there with free trade,'' an issue on which there is virtual unanimity.

Economists cite various factors to justify a gasoline tax. Chief among them are the environmental and health costs of air pollution, along with the costs of traffic congestion, and road construction and repair. ''When people consume gas, they impose harms on other people that they aren't paying for otherwise. They crowd the freeways and pollute,'' says David Romer of the University of California at Berkeley.

Separately, the proponents of an increase point to foreign producers' control over oil supply, and favor a gasoline tax that is high enough to stem U.S. demand. Fighting pollution and dependence on foreign supply ''both are reasons for why this federal tax should be higher than some other tax,'' says Joel Slemrod at the University of Michigan, ''but what the optimal level is, I don't know.''

To a lesser extent, economists cite the need to cut chronic federal deficits, which was the primary purpose of the 1993 increase. In addition, when compared with other industrial nations, the federal gasoline tax is low, they note.

A number of economists contacted yesterday said they simply haven't done the research needed to determine the optimal level for a gasoline tax or whether they would even support raising it. Glenn Hubbard of Columbia University, who served in the Bush administration's Treasury Department, said he and other economists are reluctant to address the size of the gasoline tax separately from the test of the Tax Code. But given the chance to rewrite the code, he added, ''most economists would say increase the gas tax and reduce some other tax.''

In recent years, advocates of a higher federal tax have ranged from Federal Reserve Board Chairman Alan Greenspan, who has proposed an unspecified increase as a conservation move; to White House Budget Director Alice Rivlin; and billionaire-politician Ross Perot.

Mr. Auerbach dismissed Congress's effort and Democrats' acquiescence as ''silly,'' and other economists privately condemn it as political pandering. But the tax-repeal drive isn't without supporters in the profession. ''I think we should be looking for opportunities to reduce taxes,'' says John Taylor at Stanford University,though he adds that his preference is for tax cuts that promote savings or investment rather than consumption.

At Duke University, economist W. Kip Viscusi found in a 1994 study for the environmental Protection Agency that federal gasoline taxes just about covered their pollution and traffic costs—before the Clinton increase. ''The bottom line is,'' he says, ''we're roughly at the right level.'' And if the government wants funds to cut the deficit—as the 1993 increase was designed to do—he says, ''there are better energy targets to pick on.'' Coal, heating oil and diesel fuel are undertaxed, Mr. Viscusi says, given their pollution and other external costs.

Even Congress' economists acknowledge their effort is grounded in politics, not economics, Texas GOP Sen. Phil Gramm, a former professor who takes credit for the current repeal vogue, says simply, ''When I get a chance to cut taxes on working people, I take it.''

Another conservative Texan and former professor, House Majority Leader Rep. Richard Armey, says simply that ''it's an opportunity . . . to repeal the Clinton gasoline tax of 1993.'' Mr. Armey caused a stir over the weekend by suggesting that the revenue loss be made up by cutting spending on education.

The White House and Democrats in Congress have shown little appetite to try to block a repeal, and instead have concentrated on efforts to modify it. In particular, they want to add language ensuring that oil companies reduce their pump price rather than pocket the amount. But with or without such an amendment, the repeal is likely to pass—with bipartisan support.

''If we can provide some relief through tax reduction, it would be the overriding consideration regardless of what bona fide arguments one can make on conservation and other issues,'' says Senate Democratic Leader Thomas Daschle.

At least as important, Democrats don't want to risk the political momentum they have built in recent weeks by hammering at the GOP on job-security issues, and they are leery of falling into the same trap that has ensnared Republicans on the minimum-wage issue: taking a political beating for opposing a questionable, though wildly popular, measure.

''It's completely presidential politics,'' says Sen. Kent Conrad (D., N.D.,). But, like the administration, he indicates he will support repeal if Republicans offer a suitable method to replace the lost revenue.

Mr. SIMON. Mr. President, if I can add one other thing to my friend from New York, and that is this: I, candidly, do not know how he voted on increasing the mileage from 55 to 65 miles an hour. But when we vote to increase the mileage from 55 to 65 miles an hour——

Mr. MOYNIHAN. You vote to increase the demand for gasoline.

Mr. SIMON. Precisely.

Mr. MOYNIHAN. Something called the ''market'' comes along and the price rises because of the demand. The supply has not instantly responded.

Mr. SIMON. If I may ask the Senator from New York, would it be somewhat inconsistent for people to complain about the high price of gasoline and vote for this drop in the 4.3 cents and having voted for an increase in the mileage from 55 to 65?

Mr. MOYNIHAN. I say to my friend that not only would it be inconsistent, but to allude to a point he made earlier, it would be ''silly.''

Mr. SIMON. I thank my colleague from New York.

Let me mention one other thing that is, apparently, part of this tripod we are going to be voting on one of these days, and that is the TEAM Act. This is the euphemism for what is basically an antilabor bill that emerged from the committee on which I serve. I think we need balance in this field. We cannot go too far in the direction of labor. We cannot go too far in the direction of

management. But just as we have moved away from self-restraint in this body in terms of politics, we have become excessively partisan. So the same thing has happened in labor-management relations.

It used to be that when you had a Democratic President, you had a slight shift in the National Labor Relations Board in the direction of labor; and when you had Republicans, a slight shift in the direction of management, but a pretty good balance. Then during the Reagan years, it went way out of balance. I think we did a great disservice to the process. I am pleased, incidentally, to see things like employee ownership of United Airlines. I think that, plus profit sharing, are a wave of the future in terms of avoiding some of the labor-management problems that we have had.

But it is interesting that someone like George Shultz—and we think of him as the former Secretary of State, but he also served as Secretary of Labor—said that we have an imbalance in this country that is not good for labor or management and not good for productivity in this country. And so we ought to view any changes in labor-management relations with great caution.

What the TEAM Act does—an acronym that inaccurately describes things—is basically permit a company to establish a company union. That is not in anyone's best interests. It is going in under the hidden cloak that this is a way to have teams, quality teams set up to work on safety and other problems in industrial production.

There is no problem in that field. In fact, between 1972 and 1994, there were only two employee committees that were rejected by the National Labor Relations Board where there were not other factors of unfair labor practices involved. In terms of employee committees, it is dealing with a nonproblem. But it is dealing with it in a way that I think creates what appears to be good things, but they are really company unions moving away from traditional unions. I think that is not a good thing.

Some people have said, ''I can't understand why we have this growing disparity between working men and women and those who are more fortunate.''

One of the ways you can judge that is to look at union membership. Why is that disparity not so great in Canada, Germany, Great Britain, France, Japan, and other countries? Are these not free market countries?

Yes, they are free market countries. But in those countries, you have 33 percent, 40 percent, sometimes 90 percent union membership among the working men and women. In the United States, because of the barriers we have put up to organizing, it is 16 percent among our total work force, and if you exclude governmental unions it is down to 11.8 percent.

That is not a healthy thing for this Nation. That is one of the reasons, frankly, we have not made progress in some issues like other countries have. We are the only Western industrialized nation to have people without health insurance—41 million of them. We are the only Western industrialized nation to have 24 percent of our children living in poverty. That is not an act of God. There is no divine intervention that says children in the United States have to live in poverty while children in Italy and Denmark and France and Great Britain and other countries have a much smaller percentage. It is the result of flawed policy. And I think if we pass this legislation, we will compound the flawed policy.

I trust, Mr. President, that we will not pass this particular portion of the bill that we may be voting on, and I assume it will be tomorrow. If it should be passed, I trust that the President of the United States would veto it. I think we have to maintain balance. This bill moves away from that balance.

Mr. President, I note the presence of the distinguished junior Senator from Missouri, and I know he is going to get up and agree with everything I have just said. It may be that he will differ on a point or two. But I do at this point want to yield the floor and again urge my colleagues to keep in mind what we need is balance in labor-management relations. This bill moves away from that balance and does not serve the Nation well.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Missouri.

Mr. ASHCROFT. I thank the Chair. I thank my friend, the Senator from Illinois, in whose State I spent some time this morning. I have to say that I highly respect the senior Senator from Illinois. He is right. I will differ with him, but I will not disagree in a way that would be disagreeable.

No one really challenges the need for balance in the culture or in the society, but I think the balance should be struck by American workers. The decision about how many people should be in labor unions and how many people should not be in labor unions should not be something we manipulate from the U.S. Senate. Rather, the decision about who is in a union or who is not in a union should be left to American workers. We have a system in the United States, the National Labor Relations Board, which is designed to ensure that there is no oppression or coercion of workers in unduly restricting their access to labor organizations. In the same light, the National Labor Relations Board also should make sure that there is no coercion in forcing people to be a part of labor organizations.

More importantly than trying to strike a balance from Washington, DC, by trying to impose a certain level of unionism on this country in order to match France or Germany, or England, we should provide American workers with the ability to strike that balance for themselves. Frankly, I do not want to be like France or Germany or England. I have not noticed a great stream of immigrants from the United States to France, Germany or England. The big stream of immigrants is from other countries to the United States.

It always confounds me a little bit when people in this Chamber hold up what happens in other places as a reflection of what the United States should become. Sure, there are free economies, but I will guarantee you they are not as free as the economy of the United States. And the reason people make the tough journey—and they have for centuries—to these shores is because there is greater freedom here and that is because we do not try to impose decisions on people from Washington, DC. We try to let people make the decisions, and that same ideal should ring true in the case of the TEAM Act.

What is the TEAM Act? What has happened that has provoked the Senate to consider something that would fundamentally adjust the way in which we allow workers to interrelate with their employers or companies?

Maybe it is best to start at what is our overarching goal? Here we stand in 1996, 3½ years from the turn of the millennium. What do we want to do? What should our policy be? What do we want? I think we want American society to survive in the next century. And I believe that we know we can survive if we are productive and if we are competitive. We have had some real challenges to our productivity and to our competitiveness in recent years.

Just a couple decades ago some folks from the Far East—instead of Europe—made a real run at the United States. They began to teach us some lessons which first were outlined by an American professor but first were embraced by the Japanese. These were the lessons about how successful we all could be if employers tapped their workers as a resource to help both workers and companies do their very best to improve the product, to streamline production, to improve safety, to improve conditions in the work environment, that if workers could help make improvements, you could develop a higher quality and greater efficiency. That enhanced productivity—the quality and efficiency together equal productivity—would mean a surge in the marketplace, and it did. The Japanese with their auto production and electronics production nearly displaced the United States. However, we have made a comeback.

How have we made a comeback? We made a comeback when we recognized the Japanese principles that were initially discovered and taught in some of the business schools of this country—the principle that recognized the value of workers. These principles say that no one will know the industrial process quite as intimately as the person who is on the line and that person has

something extremely valuable to contribute.

And so American industries started to say let us have meetings. Let us get the workers together and let us discuss how we can improve our standing—when we have improved standing and improved productivity, we have improved job security. When we do a better job, when we produce a better product, we are going to do better and it will lift us all. It will lift the employer. It will lift the employees. We will deal together as associates, and we will move forward.

As a matter of fact, there is a wonderful company in the State of Missouri. The name of the company is EFCO, E-F-C-O. They make what is known as architectural glass. If you are going to build a skyscraper and you are going to cover it with glass, you figure out the dimensions of each pane and then order the glass to fit your individual project. You figure out if it is going to have gas between the panes of glass or tinting to make the building more energy efficient. EFCO was that kind of company except and it had about 100 employees. They decided they wanted to be a leader in the industry. So they began asking their employees how to do it. They developed these techniques for asking employees how to make a more better product and how to improve the efficiency of production. They asked the employees if they had any ideas about safety so they could improve the safety, how they could increase quality, how they could have on-time deliveries. They were only having about 75 percent on-time deliveries when they started these committees, and recently, after doing this for quite some time, they were up to the high 90's in on-time deliveries. Everything was going well. The workers were earning more. The company exploded from 100-plus workers to over 1,000 workers, supplying architectural glass to people not only in this country but around the world.

All of a sudden a grievance was filed that these committees are an inappropriate act and that somehow, this is some phony union.

I want to be clear and distinct about my disagreement with the senior Senator from Illinois, who said the TEAM Act permits a company basically to establish a company union. Not so. The workers would have every opportunity, and never lose their opportunity, to petition the National Labor Relations Board to certify a union on the premises of these plants. There is no part of the TEAM Act which says that if you establish these company committees to improve communication, to elevate productivity, to lift worker satisfaction, that it in any way prohibits a union from being established. It is just wrong. It is inappropriate, it is inaccurate, it is a misrepresentation of the bill to say that it permits a company union. It does not. But it does authorize companies, if they want to, to tap the most vital and essential resource that a company has, and that is the people who work there.

EFCO got to talking to people, and some of the people in these groups said you ought to let us do things this way, to have our vacations so we could be happier workers and be more productive, and to think about this in terms of the way you compensate us.

A grievance was filed saying that this was somehow a company union, because the company dominated the committees by providing something as fundamental as a paper and pencil, because there were discussions of things that related to employment and because the company did not ignore the discussions but actually took them to heart. Therefore it was disqualified as if it were a union.

Let me just say a couple of things about that. No. 1, Missouri workers and American workers are not stupid. I spent a lot of time on my campaign working in the plants in Missouri and since I have been a Senator, I have gone back to work in the plants. These workers know whether they are members of a labor union or not. They know whether they are in a discussion group or not. I do not have such a low regard for the workers in my State to think that they cannot tell the difference between a discussion group and a labor union. As a matter of fact, it is strange to me to see those individuals who fear these committees, because individuals who work in these settings are happier and more productive. Maybe they think they do not need a union as much. That could be. I would not argue with that. If they are getting along without one, they might not want to pay union dues. That could be the case and it would remain their choice.

But these workers know whether they are in a union or not. It is strange to me that while employers are highly valuing employees—and do not have a low estimation of who these workers are, what they are, and what they can achieve—and those who are representing the organized labor interests in America are saying that these highly valued employees are being confused about whether this is a union or not.

I want you to know that, from my experience, none of the employees who have participated in these activities—that I know of—confuses these committees with a labor union. But nonetheless, the National Labor Relations Board brought an action against EFCO, the company I talked about that went from 100-plus employees to 1,000 employees, to stop them from valuing their employees. The NLRB said it was an unfair, inappropriate labor practice to have this kind of discussion, this kind of interrelationship, and this utilization and tapping of a wonderful resource of informed and enthusiastic workers to improve their productivity. What a terrible thing.

This win-win situation is now illegal. An interesting question is whether it is illegal to have these kinds of discussion groups if there is a union on the premises. The answer is—not at all. As a matter of fact, in a union setting, these committees are just fine. There is no problem. In my opinion, this is a discrimination against companies and workers who decide they work better and choose to work better absent a union.

My colleague, the senior Senator from Illinois, says we need balance. It seems to me, if this is a device that is available to union facilities, it ought to be a device that is available to groups of workers and their employers when those groups of workers have chosen—not to be unionized. If we are talking about balance here, the balance ought to be that workers make the choice, not that we manipulate the choices from here in Washington, DC.

These are win-win situations. There is a very simple question here. Are we going to forbid employers and companies in America from consulting with workers to improve productivity, to improve safety, to improve worker satisfaction, to build job security? Are we going to make that illegal?

Are we going to continue to allow that to be the source of conflict with an enforcement agency of the Government that says: Whatever you do, you cannot ask your workers what would be a better way to do things? You cannot ask them how you could better improve their safety? You cannot ask them how you could make the output more efficient so they can be more competitive around the world and thereby protect their jobs? Are we going to maintain a system that says you cannot do that? Or are we going to say: Wait a second, we are going into the next millennium and we have to be competitive with people from Singapore, people from Taiwan, people from China—1 billion plus people—energetically pointed toward the United States and the world as a marketplace, who want to compete with us. Or are we going to say to employers: You cannot talk to your workers to find out what is efficient and what is inefficient?

As I look toward the next century and as I look at my children—you know, one is just out in the workplace now. Two are still involved in education. I hope one of them is going to graduate next Saturday. But in the workplace, what kind of a team do we want to play for? Do we want to have a team where we hobble the real stars? The real stars of the competitive productivity of the United States are the workers. Are we going to say we want to tape their mouths shut, we want to rely only on the individuals in the board room? Do we want to rely only on the guys who come out with the fancy degrees? Or are we willing to hear the voice of the people from the shop floor who are able to say: You know, I have looked at this and I have been working on this and I believe if we just swap positions in the process, this for that, it would be a lot safer; or, we

can eliminate this step in the production and we can be a lot more competitive.

I frankly believe, as we face this next millennium, we can no longer afford a NLRB that goes to the companies and says, ''Unh-unh, shame on you for talking to the workers.'' Eighteen cases were pursued by the NLRB since 1992 saying you cannot talk to the workers about improved conditions, you cannot confer with them about how to have an increase in your safety, you cannot ask them to help you figure out how to be more competitive.

We have had about 30,000 employers trying to use these methods in response to the competitive surge from across the ocean, from Japan and others who are using these techniques. Let me say American workers have the right to opt for union membership. They have the right to ask for it. They have the right to petition for it. That right would persist. Nothing is done to change that by the TEAM Act. They would have the ability to ask that unions be organized and they would have the entire framework of the NLRB to make sure that any election is a fair election.

But I think, for us to say we do not want to be able to use the resource that workers present as a means of improving our productivity is a terrible violation of basic sound public policy principles. It undervalues the American work force substantially. It ignores the fact that, of those who make a contribution, I believe the contribution of the worker is high on the list.

You know, this was a theme of President Clinton's State of the Union Message. He kept talking about teamwork. He said what we cannot do separately we ought to be able to do together. He talked about cooperation. He said, and I agree and I quote: ''When companies and workers work as a team, they do better, and so does America.'' Not only do I agree with that, I do not think I could have said it better myself.

This just appears to be one of those disparities. I do not think he meant to say, ''When union companies and union workers work as a team, they do better and so does America.'' I am sure that is true, but to limit that to 11 percent of the work force—as the senior Senator from Illinois said, 11.8 percent of the work force in the United States, outside of government, has decided to be represented by a union—to limit the ability to confer and to have those advantages to only 1 out of 10 workers seems to be a terrible way to structure and to establish the potential for this country to succeed in the next century.

I believe that it is the fundamental responsibility of Government—this is at the base of it all; this is why we are here—to establish an environment in which people reach the maximum of their potential.

Government ought to be an institution which promotes growth, not growth in Government, but growth for people, for individuals and for institutions, for citizens and for corporations. And if we are a society of growth, we will succeed. And if we are a society of shrinkage, we will not.

Now, are we going to grow by using the entire array of talents in our culture, or are we going to say to 9 out of 10 workers, ''You can't collaborate, you can't confer with, you can't discuss, you can't make suggestions.''

When the EFCO case, to which I have referred, was handed down by the judge, the judge said, ''This is good for the workers, this is good for the company, this is good for the community, but the technical aspects of the law require that I stop this procedure.'' And we want to say, ''You're right, judge, it's good for the workers, it's good for the company, it's good for the community, and we want to change the law just to allow it to be possible for the 9 out of 10 nonunion workers to be able to confer with their employers in the same way that union workers do in terms of making suggestions for increased productivity.''

I believe that the TEAM Act should be enacted. It must be enacted if we really care about American workers. Let me just say, we are talking about 9 out of 10 workers in the American workplace. A lot has been said about the minimum wage. The minimum wage affects fewer than 5 percent of the workers in this country. We are down at very low levels of people who are affected. I think minimum wage affects about 3.1 percent of the population. Here we are talking about something that affects the entire population, the ability of this whole society to move forward competitively.

I see my friend, the Senator from Vermont, on the floor. Mr. President, does the Senator desire to speak on this issue?

Mr. JEFFORDS. Mr. President, I certainly do desire to speak. I, first of all, commend my good friend from Missouri for a very articulate and well-stated position on the TEAM Act. I would like to provide some different perspectives, both historical and with respect to the minimum wage, at some point. I will be happy to proceed now or as soon as the Senator from Missouri is through.

Mr. ASHCROFT. Mr. President, I am very pleased to yield the floor. I, of course, cannot yield but to the Chair, but in respect to my understanding and awareness that the Senator from Vermont is here, it is my pleasure to yield the floor and to thank the Chair for his indulgence for my opportunity to support what I believe is a fundamental ingredient of the success and the survival of this society in the next century, productivity and competitiveness when we call upon workers and allow them to make a contribution which will allow us to succeed.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I want to pursue TEAM Act. I must say, it is difficult for me, from analyzing the circumstances which brought about TEAM Act, to understand why anyone would disagree with going back to what everybody presumed the law to be.

First of all, let me make it clear, I am in favor of the minimum wage. I am one of those Republicans who is in favor of the minimum wage. So the minimum wage and TEAM Act are not linked, other than from perhaps some political aspect. But to me, the TEAM Act is essential in order to continue the increasing productivity of this Nation. But my colleagues better understand the TEAM Act and how it came about and why we are in this difficulty.

Let me take you back 40 years. Forty years ago, I was a senior at Yale University, and I was a student studying industrial management, industrial administration. At that time, we were studying what ought to occur for the future to improve productivity and to build an industrial might in this Nation which would allow us to proceed with the greatest possible benefit to workers and to management.

It was an interesting time and there was a great debate going on in our Nation as to what we should do as we moved into the future.

It was also an interesting time, of course, because we had a certain man called Joseph McCarthy in this Senate who was very concerned about communism and anything that smacked of communism seemed to be sort of in ill repute. Thus, when you started talking about workers getting together with management and those kind of things, it raised some concern with some people.

It also was a time when the unions were trying to organize and become more forceful and protect the rights of workers. But those in the academia were discussing the philosophies of the two systems and how we could better get together, workers and management, working together in American society to bring about higher productivity and to bring about better rewards to the workers.

So we discussed the many things which, at that time, were very innovative and novel and hardly discussed before. I wrote my senior thesis on how we could try to improve the productivity of workers and the workers' plight in our Nation. I remember at that time writing and discussing about options of profit sharing, profit sharing with stocks, profit sharing period, stock options, and even as far as putting a member of the unions or workers on boards of directors.

A considerable amount of effort by the academia went into outlining and defining these. The only problem was, the only ones who were listening were the Japanese, the Germans, and others. So when the Marshall plan came in, along with all of our wealth that we shared in order to bring about the industrial might of those nations in Europe and Asia, the only ones who took the ideas that were expressed by those

who were trying to look to the future to try and provide a better lot for workers and higher productivity for industry, were the Japanese, the Germans, and the Europeans.

So what we have seen that has occurred over the past 40 years is that in those nations, the concept of the TEAM Act, which we are trying to bring in here again, was incorporated fully; in fact, in Germany, even more so than anywhere else, where you do have members of the workers or the labor unions participating in the boards of directors.

What has evolved in Japan, for instance, is an incredible social organization in their school system to teach teamwork, teamwork among all classes, teamwork to bring about the ability to work together. And, thus, you have seen a closer relationship in those nations with the worker and management than you have in this Nation.

A decade or so ago when our Nation found itself beginning to be outshone in productivity and in the marketplace because of the incursion of automobiles in this country from Europe and from Asia, which practically wrecked our automobile industry, the kind of skills that are necessary in our industries now, which are far different from what they were in the fifties wherein you spent your time just stamping something or pushing one button or all of the things that were in mass production in those days have evolved into a work force that needs to have technical skills to understand the workings of the machines, the computerization of machines—all of these skills in the mass production procedures.

These resulted in those countries, Japan and Malaysia, all of these that had taken this advice of working together and figuring out how to improve productivity—they found that the best providers of improvements in the productivity were the workers themselves; whereas, in this country we just turned around and we kept trying to do quality control. We would bring things back and repair them.

The Japanese and Germans learned the best place to stop is when you are in the production line. You find out you are producing too many things that are wrong, you find out what is going wrong and have the workers work with you to find out what is going wrong. So their productivity improved. The number of malfunctions or nonworking pieces produced were reduced substantially by working with the workers.

It took us quite awhile to learn that. But now we have learned that. At a time when we now have thousands and thousands of these teams that are working together to improve productivity in this country, to make sure that we can outdo the Japanese, can outdo the Germans—and we have been successful. Yes, we have been successful. There are shining examples of that, Motorola and others, who learned the teamwork process and have now superseded in the markets in Asia in direct competition. We are winning. We are doing it.

Now what happens? All of a sudden the NLRB comes out with its decision: ''You cannot do that. No. You formed a union here, and you have got to go through all the election processes or you can't meet.'' What is going to happen? If we do not pass the TEAM Act, thousands of these teams are going to be destroyed. The productivity gains that we have made over the past decade, which have been going on for some 40 years in Europe and Japan, all that we have learned will be destroyed.

Why in the world would the unions oppose this? Well, it is simple. They are threatened. They are nervous because they have been going down. They did not want to do anything that would in any way enhance the workers and the management to get together to improve productivity unless they are union people. Well, that may be fine, but that is not the way to do it. You have to prove, through the reasons that you give the workers to join, that they want to form a union; but you should not kill the productivity which is now beginning to come up by throwing all of these—I think the Senator from Missouri mentioned maybe up to 30,000 of these teams that are out there. If we do not do something here, if we do not do it quickly, then all those productivity mechanisms are going to be destroyed.

So it boggles my mind to think that anyone can oppose a provision in the law that says, ''Hey, if you want to work, sit down and you can talk about improvements,'' because if there is no improvement, if there is no productivity, there is no profit. If there is no profit, there is nothing to split. So let us get the profit first, and then we will worry about how you bargain or are considered about how to cut the profits up.

That is a separate issue all right. That is for the unions. If you get into that kind of discussions, yes, maybe you are getting into unionism. But there is certainly no disagreement with the fact that if there is not a profit, there is not anything to split. So why kill off the mechanisms to provide the profit?

So I say that I hope that Members of this body will recognize that the issue being created here is one that is so dangerous to the national productivity right now that, if we did not do something to prove and to improve upon the ability of our workers to interact and to cooperate and to learn the skills necessary to bring about productivity, we will find ourselves in the not-too-distant future of having a situation where we have destroyed the great improvements that we have been making over the last decade in productivity.

So I just cannot impress upon my colleagues how important the TEAM Act is. If you do not believe so, talk to your businessmen and talk to the workers in those plants that are not unionized who believe very strongly that the best way to cooperate, to get a profit and to learn how to split the profits is through improving productivity. If we do not pass the TEAM Act, we are about to see that great movement forward in productivity disappear. So I hope our colleagues will support the TEAM Act. Mr. President, I yield the floor.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I certainly want to commend the Senator from Vermont for his outstanding remarks regarding the TEAM Act. He talks about productivity and about these fundamental communications.

I have here in my hand a document which lists the illegal subjects of discussion as they have been decided in different cases.

The Union Child Day-Care Center case of 1991 said it was illegal to discuss allowing employees to use company vehicles to obtain lunch. Therefore, if there was some sort of discussion that said, ''Well, if we could just occasionally use one of the company vehicles to go get the lunches, we could* * *,'' it would be illegal.

Here is another example. It says an impermissible topic is, ''In-plant cafeteria and vending machine food and beverage prices.'' So, if a discussion group said, ''You know, we need to lower prices on some of these things. This concessionaire you have got running the vending machines around here* * *,'' it would be illegal.

Here is a third example: ''Company provided meals'' is an impermissible topic. If the discussion group said, ''You know, we could get some more done if you guys could provide some meals or help us with our eating* * *,'' it would be illegal.

''Abolishing a paid lunch program'' was found to be illegal, according to the Van Dorn Machinery Co. case.

Here is another example that is really troubling, a whole category of safety topics that it was illegal for workers to talk to their employer about.

''Safety labeling of electrical breakers.'' I should think we would want workers to be able to talk to their employers about conditions of a safer workplace. Workers, individually or collectively, should be able to say ''these things are not labeled properly as 'illegal'.''

''Tornado warning procedures.'' It is illegal for workers to talk with their employers about that, according to the Dillon case.

''The purchase of new lifting equipment for the stock crew.''

Rules about fighting—if there is a fight that breaks out among employees, American workers must say, ''no, we can't have anybody talk to the employer about how to settle it.''

I think these are obviously the kinds of things that workers should be consulted about, and they should be given an opportunity.

''Safety goggles for fryer and bailer operators.''

''The sharpness of the edges of safety knives.''

Here is a case where employees could not talk to their employers about a smelly propane operation, propane being an explosive gas, burnable gas. I would want to be able to talk about that.

The case of the E.I. DuPont case, which was a 1993 case. The subject was safety. ''No. You can't allow workers to talk.'' Of course American public policy should encourage rather than discourage employers from discussing safety issues.

''Drug use and alcohol testing of employees.'' That could not be the subject of discussion. It is no wonder that the Senator from Vermont is so compelling in his arguments about this whole situation when he says that we need to be able to discuss these things. This is not the old days of the 1930's.

I thank the Senator for bringing out the fact that there were times when America marched forward by having adversarial fights between labor and management—between employers and employees. I think we will march forward much more quickly and competitively if we can have the benefit of the wisdom of workers in solving some of these fundamental problems.

Every once in awhile you hear about these teams, and you think they must be talking about advanced circuitry. Sometimes they are. But sometimes they are just talking about, ''Hey, we'd better make sure that the safety procedures are good enough here in the event we have a tornado.'' According to the rules as they now stand, if you want to discuss how you evacuate the building in the event of a tornado, you violate the law. I thank the Senator from Vermont.

Mr. JEFFORDS. I thank the Senator from Missouri for his very articulate and well-expressed opinions here. I am hopeful that when our colleagues listen and understand what we are talking about here, this TEAM Act, we will move through and do what we must do, and that is improve our productivity in this Nation.

Mr. ASHCROFT. Mr. President, one of the things that workers want to talk to their employers about, and they want to talk to us about, is their ability to resolve the tension that exists between the workplace and their families. Most of the men and most of the women in today's modern work force feel a tension between serving the needs of their families and being on the job.

If we were really concerned about workers, we would also direct our attention to the substance of the Fair Labor Standards Act. This archaic rule literally makes it illegal if an hourly worker goes in on Friday afternoon and says, as an employee, ''I have to go see Sally get an award at the honors program at the high school this afternoon. Can I make up the time on Monday?'' Our labor laws make that illegal for the employer to let the employee just make up that time on Monday. We have a situation where we have so many people now trying to juggle both work and family—I do not need to go through the statistics.

In the 1930's, when we created the Fair Labor Standards Act, we had fewer than 16 percent of the women of childbearing age in the work force. Now 75 percent of all the women with children 6 and under are in the work force. We have just a dramatic difference. We need to make it as easy as we possibly can for these people to accommodate the needs of their children. This can be accomplished by having flexible work schedules, by allowing individuals, if they are asked to work overtime sometime, to say, ''I'll take it in comp time, time and one-half, in terms of time off.''

We accorded this privilege to the Federal Government in 1945. That is how long they have had the potential of not taking overtime but just taking comp time for people who would rather have time than pay. Since 1978, we have had a flexible work arrangement for Federal employees which allowed those who are running the Federal Government and the different departments to say to their employees, ''If you need to take 2 hours off on Friday afternoon you can make those 2 hours up on Monday.'' The Federal employees have had it in terms of comp time for over half a century; in terms of flexible time, for 18 years.

However, the rest of the American workplace still finds itself rigidly confined and the family disadvantaged substantially by the fact that it is illegal for someone to say, ''Make up the 2 hours on Monday afternoon. We are glad to have you go and participate with your family.''

I have introduced legislation to address this. It is called the Work and Family Integration Act. It is the way to build a better workplace for the next century, recognizing and reflecting the needs, concerns, and the difficult challenges that families face now. It does not allow any employer to demand or extract any overtime in any way without paying time and a half for it in accordance with the traditional rules. But, if the worker desires, the worker could shift some of his workweek from 1 week to the next with the managers or the employers' agreement.

We held a hearing on this in the committee and people were talking about snow days here in Washington. A whole group of employees were snowed out on Friday. Their employer was not allowed to let them make that 8 hours up 2 hours at a time in 4 days the next week. As a result a whole group of workers lost a whole day's pay. I am talking about 300 people at one plant because our labor laws prohibit the making up of time once you cross the end of a week.

Now, it seems to me if the employees request and the employer is willing to accommodate, we should have flexible work arrangements. Also, we should allow—if the employer asks someone to work overtime—the employee to choose to take that overtime not in extra money but in time and a half off. As a matter of fact, that comports with, obviously, what the Federal Government has suggested is available for its own employees for the last 50 years, but it is something where the average worker just does not have equality with the Federal employees.

I believe this is a measure which ought to be supported if we really care about workers. Mr. President, 60-some percent of all the men in the culture say they want to spend more time with their families. Give the employers and the employees an opportunity to work together to spend more time with their families.

I was stunned with a statistic I read the other day that 30-some percent of all the men in America said they had passed up promotions in order to spend more time with their families, and 60-some percent of the women in America said they had passed up promotions. When people pass up a promotion that means they are not living or working at their highest potential. It means their employers know they could do a different kind of job, a better job, more demanding job, and it means the person knows they can do it, but they do not want to sacrifice the family. So we end up deploying our resources, our great human talent, at lower than optimal levels because people are protecting their ability to work with their families.

Why do we not say we will allow you to protect your ability to work with your family by giving you flexible working opportunities like we have in the Federal Government. Just extend to the private sector what we have in the Federal Government. We should do that so we get the greater productivity and output from the workers across America. If we have higher productivity and output and we have more time with our families, we have more worker satisfaction, I can guarantee that will be a formula for success and survival into the next century. Whether we sink or swim depends on our ability to be competitive. We have rules from 60, 70 years ago s which make it impossible for us to survive. It is like swimming across the lake with a sack of cement. It is heavy to begin with, but when it solidifies it is a weight to carry and we need to shed this kind of impediment. We need to free individuals to make these requests and agreements.

Some say, ''Wait a second, some might be abused by their employers.'' We have the Department of Labor, an army of wage and hour enforcement individuals. There would be no ability to compel anything that is not compellable now. All we want to do is free these friends, the employers and employees to work cooperatively so they can accommodate the needs of their families. I think it is something which ought to be done. As a matter of fact,

it is something with which the administration agrees—at least rhetorically.

I was pleased to note from the Bureau of National Affairs, the Daily Labor Report, Vice President GORE, May 3, called on U.S. employers to create father-friendly workplaces. Addressing a Federal conference on strengthening the role of fathers in families, GORE ''urged American companies to give employees flex time opportunities to expand options.'' Now, wait a second. We have the Vice President of the United States saying we need flextime, legislative proposals before the Congress which would provide for flextime, the President of the United States having said we need to work together as teams in his State of the Union Message, but a promise they will veto employee option flextime and comp time.

Again, we have the dysfunction between the speak and the specifics, between the rhetoric and the reality. It is high time we say to American families, ''We want to do more than talk about you. We want to do more than say we need family-friendly and father-friendly work policies.'' We ought to be willing to say, ''Yes, the American worker in the private sector deserves the same kind of opportunities to work cooperatively, to arrange to meet the needs of her family, his family, meet that need just like Federal employees.'' In 1978 we started flexible scheduling in the Federal Government as a pilot project. In 1982, we extended it. Along about 1985 we decided, hey, this is good enough to put right into the law. We have a report to congressional committees from the United States General Accounting Office, ''The Changing Work Force: Comparison of Federal and non-Federal work family programs and approaches,'' that documents the fact this is available. It is available and it is working in the Federal Government. But we are afraid to extend it, afraid to offer this opportunity to people in the private sector.

I cannot believe it. Do you know what Federal workers said about this? Overwhelmingly, ''We like it, we want it, we must have it, we should continue to have it,'' when they talk to their employer about conditions of employment. President Clinton, the President himself, in 1994, put out an Executive order that this is a good deal, best thing since sliced bread. This is something you cannot argue with. He says we should extend this, make sure that every person in the executive branch, even those in the White House, have this capacity. It is good enough for the White House—if it is good enough for Pennsylvania Avenue—it is good enough for Main Street, USA.

If we really care about workers, and I believe we must, if we really care about our fellow Americans, we must care less about special interests who are afraid if we make workers happy they might not join unions. I think what we have to say is: How do we confront the challenges of the next century? How do we make sure that America does not slip? How do we make sure there is a job base, an industrial capacity competitive enough that when our children and grandchildren need jobs and when the other countries of this world come fully online with a competitive challenge—how do we make sure we are ready to meet that challenge?

Can we do it with a law that was passed in the 1930's and says that, ''Well, shucks, we cannot allow Americans to accommodate the needs of their families. We certainly would not want people in the private sector to have the same benefits the Federal employees have for accommodating those needs. We have to be very much afraid if these workers get too happy, either conferring with their employers or cooperating so that they can see the soccer game or watch the awards ceremony that the special interests in this country will not make it. Well, I think you and I understand, and I think down deep we all know that it will not do much good to have healthy special interests if the national interests go down the drain.

As we look to the next century, I think we have to look to those national interests: Flexible work arrangements are important in helping mothers and fathers be deployed in the workplace to the maximum of their capacity and to accommodate the needs of our families. We have to look after American families. Yes, let us let workers talk. Let workers talk to their fellow employees and employers about things as fundamental as tornado drills and whether the propane is leaking out of the tank and whether the electrical circuit breakers are properly labeled. Let us not assume they cannot do that unless they first call in the union. Let us not underestimate the value of the American worker. Let us capitalize on the value of the American worker.

If we really care about America's workers, we will do things for all of them, for the vast majority of them, like flex time and the TEAM Act, which invites the entirety of the population to flourish. Sure, I understand concerns about the tiny, narrow fragment of people on the minimum wage. However, well over half of those people are part of households that make over $45,000 a year. I think the number is 57 percent. I started working way below the minimum wage, a third below the minimum wage. I am glad somebody did not tell me it was ''because you are not worth the minimum wage; you are useless.'' I may have been useless at the time, but somebody agreed to pay me 50 cents an hour when the minimum wage was 75 cents, and I got my start. I do not think I have missed a day of work since. There are those in my home State who think I am still worth about 50 cents an hour, but my view is that my work and my values should be determined by what I can produce. I should not be told if I cannot produce at one level, that I am worthless and worth nothing at all.

Let me just make one other comment about another topic. I do not see anyone else seeking the opportunity to speak. There is a lot of talk about gasoline taxes. Frankly, I think the most recent gas tax, the one passed in 1993, was mislabeled. It was a tax on gasoline all right, but it went someplace else. Prior to that time, gas taxes were all spent to build highways and roads. But the gas tax in 1993, the most recent one that added significantly—about 25 percent—to the gas tax we already had, or more, I guess, that gas tax went into the general fund. So when the Senators from a variety of jurisdictions get up and say we need gas taxes because they build highways, the general fund does not build highways. The highway trust fund builds highways. The last gas tax was not a demand for more road-building capacity. It was a demand that people who drive perhaps would subsidize social programs.

Now, that bothered me because I think the gas tax that builds highways is really a reasonable, uniquely sensible approach. The people using the highways are paying for the highways. How wonderful. Government ought to work that way. The more you drive, the more you pay. The more you drive, the more you use the highways. Makes sense. But, no, in 1993 they decided—and I opposed it. I was not here, but I was opposed to it. That was not the right way to do things, to take what people were trusting to be a gas tax and put it in the old general fund so it would support social programs.

I have to say I am distressed by that because it says that we are going to put a tax on drivers, and we are going to use that to support social programs, and that means people who live in the outer-State areas—a lot of people in the West where they drive long distances when they go to work—are going to be asked to subsidize social programs at a higher level, to bear an inordinate cost, to bear an unusual share of these social programs.

Well, you all know, and I know, that the social programs have driven the deficit in this country, which is about $5 trillion now. A newborn child owes $19,000 the day he or she is born. The idea of trying to figure out ways to keep displacing the burden of taxation, to load it up on the guys out West, or the people who are in the nonurban areas, to drive just for the privilege of driving, they are going to have to pay an inordinate share of these other programs. That, to me, is a bankrupt concept.

It might be different if we had passed the gas tax to pay for what the gas really uses, and that is the highways. But this is not one of those situations. I opposed it because it is not one of those situations, and I would favor the repeal of it because it is not one of those situations. We do not spend the money in the highway trust fund we have now. We use it to mask the deficit in part of the flim-flam of Washington economics. To add an additional gas

tax as additional flim-flam to spend on a variety of other Government programs that have not really gotten us far, except into debt, I think has moved us in the wrong direction. I personally will be glad to support a repeal of the gas tax, because I believe that, as it relates to taxes, America is running out of gas. We are tired of taxes. We realize that we have them at a higher and higher level.

Last week, the Department of Commerce released the data for this last year, and we have had the highest tax rate from the Federal Government we have ever had in the history of America. We fought the world wars and charged American citizens less than we are charging them now. We spent our way out of the Depression and charged America less than we are charging now. It is time for us to come to grips with the responsibility we have to put Government under control, to change the Washington-knows-best way of doing business. It is time for us to be sober about our responsibilities as it relates to the hard-earned money of our constituents. As it relates to taxes, America is running out of gas. It should be running out of a gas tax which was inappropriately levied in 1993 and should be appropriately repealed by the U.S. Congress in 1996.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SNOWE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DOLE. Madam President, I ask unanimous consent that there now be the period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, many Americans don't have the slightest idea about the enormity of the Federal debt. Ever so often, I ask groups of friends, how many millions of dollars are there in a trillion? They think about it, voice some estimates, most of them wrong.

One thing they do know is that it is the U.S. Congress that has run up the enormous Federal debt that is now over $5 trillion.

To be exact, as of the close of business yesterday, May 6, 1996, the total Federal debt—down to the penny—stood at $5,090,257,303,263.75. Another sad statistic is that on a per capita basis, every man, woman, and child in America owes $19,223.62.

So Madam President, how many million are there in a trillion? There are a million million in a trillion, which means that the Federal Government owes more than five million million dollars.

Sort of boggles the mind, doesn't it?

HONORING THE NICHOLS

CELEBRATING THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Madam President, families are the cornerstone of America. It is both instructive and important to honor those who have taken the commitment of ''til death us do part'' seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

I rise today to honor Mr. Loren and Mrs. Orpha Nichols of Savannah, MO, who on March 28, 1996, celebrated their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Nichols' commitment to the principles and values of their marriage deserves to be saluted and recognized. I wish them and their family all the best as they celebrate this substantial marker on their journey together.

TAX FREEDOM DAY

Mr. HATCH. Madam President, I rise today to join with many of my friends and colleagues in acknowledging a red letter day. Today is tax freedom day—the day the American family breaks the shackles placed on them by high taxes in this country, the day when Americans can stop working for the Government and start working for themselves.

Not until May 7, 1996, do average families actually earn enough money to start paying their own bills instead of the Government's. Not until May 7 do average Americans have after-tax money to pay for their houses. Not until May 7 do average Americans have after-tax money to buy food and clothing for their families.

And, never has tax freedom day occurred so late in the year. Look at the calendar: 1996 is more than one-third over. Americans work one-third of the entire year just to support governments.

I often wish the big spenders both in Congress and in the executive branch would stop thinking in terms of revenue and start thinking in terms of what revenue really is—taxes. We need to measure this burden and talk about it in personal terms, not just in vague budget-speak. You know, there are folks in America to whom $100 million is a lot of money—not just a mere point one on a computer printout.

To help illustrate this problem, I would like to take a closer look at the tax burden of a family from my home State of Utah:

A Utah family of four with an estimated median income of $44,871 pays approximately $8,800 in direct and indirect Federal taxes. On top of this outrageous amount, they must also pay over $5,700 in State and local taxes, bringing the total family tax burden to $14,538. This is an effective tax rate of 32.4 percent.

Now, while a family income of about $45,000 might sound like quite a bit of money in some parts of the country, I think few people, besides possibly President Clinton, would venture to call this family of four rich.

Madam President, as you can see, the tax burden of a family with this income is astronomical. However, the cost of the Federal Government to them does not end with these taxes. In order to accurately estimate the Government's true burden on Utah families, we must also calculate the regulatory costs and their effect on the prices of goods and services. We must factor in the higher interest rates that families must pay as a result of the Federal deficit.

In essence, Federal, State, and local taxes on the family are all increased by excessive Federal borrowing. Excessive Federal regulation combined with the increase in interest payments raises the Government's cost by $8,600. Thus, the estimated total of Government costs to this typical Utah family is over $23,000. That is about 52 percent of their income. Utah families deserve better. Every American family deserves better.

The Balanced Budget Act of 1995 was predicated in large part on the idea that the American public could spend their money more effectively than the Federal Government could spend it. Not only did the Balanced Budget Act contain a bona fide plan for balancing the budget within 7 years, it also contained a number of tax reductions geared to helping American families and to spurring economic growth.

A balanced budget is not a new idea. Until the mid-1930's, this Government regularly managed to balance its books every year except in wartime; and, even then, the debt was repaid as soon as possible after the crisis was over. But, in the 1960's, things really got out of hand. Entitlements flourished. And, of course, less and less restraint on spending meant more and more taxation. Big government means big taxes.

However, President Clinton chose to veto the Balanced Budget Act. He chose to camouflage his reluctance to cut Government spending and taxes with demagoguery. He claimed that many of the tax cuts in this package were targeted to benefit the rich, regardless of the many studies that demonstrate why this is not true.

He claimed that these tax cuts came at the expense of programs intended to aid the poor and the elderly. But, let's be clear about this: budget experts have made it very clear that these programs must be controlled independent of a tax cut package, not because of one.

And, let's be clear about something else as well: Balancing the budget