

The "Bright Ideas" program initiated by these fine people continues to flourish. In 1994, North Carolina's electric cooperatives authorized a collaborative statewide effort and allocated \$225,000 annually for Bright Ideas for a five-year period. But a funny thing happened, Mr. President. These grants proved so successful that individual cooperatives are getting into the act and supplementing already allocated funds with money of their own. Their initiative will allow the cooperatives to award more than \$1 million dollars in grants a full year ahead of schedule.

In fact, Chuck Terrill, Executive Vice-President and CEO of the North Carolina Electric Membership Corporation says that "Bright Ideas" grants for North Carolina's school will top \$1.5 million by the end of the 1998-1999 school year.

Mr. President, "Bright Ideas" is just one of the many ways the members of North Carolina's electric cooperatives help their communities and support their public schools. I congratulate them for seeing a need and providing precious resources to challenge the children in North Carolina's classrooms.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, June 24, 1998, the federal debt stood at \$5,503,890,151,659.51 (Five trillion, five hundred three billion, eight hundred ninety million, one hundred fifty-one thousand, six hundred fifty-nine dollars and fifty-one cents).

One year ago, June 24, 1997, the federal debt stood at \$5,336,558,000,000 (Five trillion, three hundred thirty-six billion, five hundred fifty-eight million).

Five years ago, June 24, 1993, the federal debt stood at \$4,304,357,000,000 (Four trillion, three hundred four billion, three hundred fifty-seven million).

Ten years ago, June 24, 1988, the federal debt stood at \$2,527,474,000,000 (Two trillion, five hundred twenty-seven billion, four hundred seventy-four million).

Fifteen years ago, June 24, 1983, the federal debt stood at \$1,303,410,000,000 (One trillion, three hundred three billion, four hundred ten million) which reflects a debt increase of more than \$4 trillion—\$4,200,480,151,659.51 (Four trillion, two hundred billion, four hundred eighty million, one hundred fifty-one thousand, six hundred fifty-nine dollars and fifty-one cents) during the past 15 years.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING JUNE 19TH

Mr. HELMS. Mr. President, the American Petroleum Institute has reported that for the week ending June 19 that the U.S. imported 7,883,000 barrels of oil each day, more than a quarter million (253,000) barrels a day more

than the 7,630,000 imported during the same week a year ago.

Americans relied on foreign oil for 55.5 percent of their needs last week. There are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States imported about 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America's oil supply.

All Americans should ponder the economic calamity certain to occur in the U.S. if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the U.S.—now 7,883,000 barrels a day at a cost of approximately \$78,908,830 a day.

SUPREME COURT'S LINE ITEM VETO DECISION

Mr. LEAHY. Mr. President, today the United States Supreme Court held the Line Item Veto Act unconstitutional. I voted against that Act when it was considered by the Senate and joined the senior Senator from West Virginia and others in warning giving the President, any President, line item veto authority would result in a dramatic shift in power from the legislative branch to the executive branch that was inconsistent with the constitutional principles of separation of powers. We warned that this shift in power that would damage our fundamental principle of majority rule, encourage horse trading between Members of Congress and the President, and not reduce the deficit in any meaningful way. Unfortunately, all of those warnings have come true.

In 1997 I called upon Congress to admit its mistake and repeal this unconstitutional Act before the courts struck it down. Congress was given a second opportunity to correct its ill-considered action when the Supreme Court dismissed, on the limited ground of lack of standing, the challenge brought by Senator BYRD. In that case, *Byrd v. Raines*, District Judge Jackson had ruled that the Act violated the Constitution.

Having failed to do its job properly, the majority in Congress is now confronted with a Supreme Court that was forced to do the Congress' job. Consistent with its judicial power under the Constitution, the Supreme Court has once again had to preserve the Constitution from legislative attack. As it did when it defended the First Amendment from being undermined by the so-called Communications Decency Act, and when it defended federalism against the encroachment of the Brady Act, here again the Supreme Court has been called upon to preserve, protect and defend the Constitution. As a Senator who voted against these measures in spite of their momentary popularity, and as a Vermonter who cherishes the Constitution and the freedoms that it guarantees, I thank the Court for its service.

I have long been concerned that the line item veto encourages minority rule by allowing a presidential item veto to stand with the support of only 34 Senators or 146 Representatives. That is not majority rule. Those anti-democratic super-majority requirements are fundamentally at odds with the principles underlying legislative action.

Our Founders rejected such super-majority requirements on matters within Congress' purview. Alexander Hamilton described super-majority requirements as a "poison" that serves "to destroy the energy of the government, and to substitute the pleasure, caprice, or artifices of an insignificant, turbulent, or corrupt junto to the regular deliberations and decisions of a respectable majority." Such super-majority requirements reflect a basic distrust not just of Congress, but of the electorate itself.

In addition, these super-majority requirements hurt small states, like my home State of Vermont, by upping the ante for those who dare take on the President. Under the line item veto, Members from small states have to convince two-thirds of each House to override the President's veto for the sake of a project. With Vermont having only one representative in the House, why would other Members risk the President's wrath to help us with a vetoed project? It is truly a task for Hercules to override a veto. Just look at the record—of the more than 2,500 Presidential vetoes in our history, Congress has been able to override 105.

As the senior Senator from West Virginia has so forcefully argued, we should tread carefully when expanding the fiscal powers of the presidency. The line item veto would have weakened one of the fundamental checks and balances that form the separation of powers under our Constitution. The line item veto would have handed over the power of the purse to the President.

I have heard the howls of some of my colleagues who lost worthy appropriations since the approval of the line item veto. And what if the President makes a mistake by line item vetoing a worthy project? The Administration even admitted that it mistakenly vetoed some projects. Do Senators trust the bureaucrats over at the Office of Management and Budget to decide, within a few short days, which projects are deserving and which are not? Is that consistent with the Founders' vision?

I was born and raised in Vermont and go home almost every weekend. I am confident that I have a better sense of Vermont than someone who thinks Vermont is an avenue that lies somewhere between K and L streets in northwest Washington, D.C.

Let us keep the power of the purse with Congress—where it belongs. As the Ranking Member of the Foreign Operations Subcommittee of the Appropriations Committee, I am frequently called upon to visit emerging

democracies. I often hear praise of our system of checks and balances and, in particular, the genius of having the power to spend reside in the legislative branch, not the executive. Many officials from new democracies believe that a legislature's power over the purse is the best weapon to fight the tyranny of a dictatorship. They have been there. They know. And it has proven to be so historically.

In his concurring opinion today in *Clinton v. City of New York*, Justice Kennedy noted:

Separation of powers helps to ensure the ability of each branch to be vigorous in asserting its proper authority. . . . By increasing the power of the President beyond what the Framers envisioned, the statute compromises the political liberty of our citizens, liberty which the separation of powers seeks to secure.

As I said in the Senate debate on the Line Item Veto Act and in Senate debate on proposals to amend the Constitution with a balanced budget amendment, the Constitution is as good a law as has been written. That is why it has survived as the supreme law of the land with so few alterations throughout the last 200 years. It has contributed to our success as a nation by binding us together, rather than tearing us apart.

It contains the Great Compromise that allowed small states and large states to join together in a spirit of mutual accommodation and respect. It embodies the protections that make real the pronouncements in our historic Declaration of Independence and give meaning to our inalienable rights to life, liberty and the pursuit of happiness.

The Constitution requires due process and guarantees equal protection of the law. It protects our freedom of thought and expression, our freedom to worship or not as each of us chooses, and our political freedoms, as well. It is the basis for our fundamental right of privacy and for limiting government's intrusions and burdens in our lives.

I have opposed what I perceive to be a growing fascination with laying waste to our Constitution and the protections that have served us well for over 200 years. The First Amendment, separation of powers and power of the purse should be supported and defended. That is the oath we all swore when we entered this public service. That is our duty to those who forged this great document, our responsibility to those who sacrificed to protect and defend our Constitution, our commitment to our constituents and our legacy to those who will succeed us.

In this Congress we have seen over 100 constitutional amendments proposed. Yesterday, the Judiciary Committee voted to report an amendment that would cut back on the First Amendment for the first time in our nation's history. Today, the Committee was considering a second proposed amendment to the Constitution in as

many days. Proposed amendments to our fundamental charter require consideration whether they are, in the language of Article V of the Constitution, constitutionally "necessary". I hope that we will not burden the states with a hodgepodge of poll-driven, popular sounding constitutional amendments.

This Senate only barely rejected the balanced budget amendment to the Constitution last year. I recall all too well when we were told that we could never achieve a balanced budget without a constitutional amendment. I recall the stacks of deficit-laden federal budgets proposed by Republican and Democratic Presidents since President Johnson and being told that the only answer to annual budget deficits was to pass an ill-conceived constitutional amendment whose terms and effects could not be explained.

I asked then why it is necessary to seek to amend the Constitution? If Congress could get close to a two-thirds majority vote to support a constitutional amendment declaring that we would normally balance the budget, we should be able to achieve a simple majority that will actually vote to reduce the deficit and pass a balanced budget.

I defended the Constitution during the course of the balanced budget amendment debate last year and this year President Clinton sent us the first balanced budget in almost 30 years. What some said could not happen without a constitutional amendment, did happen. With cooperation in the Congress, we can enact the first balanced budget since 1969, and we will have done it without inserting a fiscal straightjacket on future generations into the text of the United States Constitution.

They said it could not be done, but it can, as a result of the sound fiscal policies of this Administration which have led not only to balance but to the prospect of budget surplus. In 1993, a Democratic Congress put us on the right road to fiscal responsibility when we took the hard votes and passed the President's plan. This Congress should culminate that extraordinary 5-year effort without further delay.

April 15 was the legal deadline for Congress to have passed a budget resolution. While the Senate did some preliminary work on a flawed proposal earlier this year, Congress is recessing again this week without completing this fundamental task. The Senate should spend less time seeking to rewrite the work of the Framers and show more courage in completing its legislative responsibilities.

I hope that as Congress leaves for the Independence Day recess, we will reflect on what makes this country great, and that the majority will return committed to completing work on a balanced budget to serve the American people without additional delay. It should be balanced in two senses: It should be a balanced series of proposals to meet the health, education, environ-

mental and law enforcement needs of the country. And it should also, for the first time in almost three decades, be a budget that will not rely on deficit financing.

Completing action on the budget is the first step toward Congress taking action on the annual appropriations bills that are so important to the government programs that protect the environment and assist State and local governments with education and law enforcement. Those contracting with the government, those working in partnership with government services and those dependent on government services deserve better. Americans deserve peace of mind and the assurance that their government is working. Congress needs to complete its budget and appropriations legislation so that the agencies and service providers can plan programs, pay workers and serve the American public in an effective manner.

It is high time for the congressional leadership to do its job and for the Congress to get on about the business of governing. Congress should not be taking breaks without having completed the work of the people. Such callous disregard for the needs of the American people has become too much the rule as year after year under Republican leadership Congress recesses without having completed its work on emergency supplementals, budgets, and appropriations bills. Republican congressional leadership is well-known for shutting down the government by not completing work on these basic measures in a timely way.

The Senate will also recess again this week without having passed a strong tobacco bill. Tobacco legislation is now added to the litany of important matters the Congress has left unfinished—added to the budget, campaign finance reform, and the prompt consideration of the many fine men and women the President has nominated to long vacant federal judgeships across the country.

I urge that when Congress reconvenes in July and in the 11 weeks in session left in this congressional year, it take seriously its responsibilities to the American people and show respect and appreciation for the Constitution by working to fulfil our legislative responsibilities.

ARIZONA'S ELECTRIC POWER COMPETITION ACT

Mr. KYL. Mr. President, I rise today as a member of the Senate Energy and Natural Resources Committee to call attention to newly enacted legislation in my state of Arizona that stands as a model for opening electric power markets to competition and customer choice.

Under the Electric Power Competition Act signed into law May 29 by Arizona Governor Jane D. Hull, Arizona's public power utilities must open 20 percent of their markets to competition