well as from a personal standpoint, to immerse ourselves in the Starr report, we still have so much very serious, important work to do here, and I would be willing to suggest that we should come back after the election if necessary to deal with some of these things.

Having said that, let me say that the President will respond in time to the Starr report, I am sure. He is entitled to be heard. The American people are entitled to an objective, nonpartisan deliberation based on the facts.

As a former trial lawyer, I have gone before jurors who I had a sneaking suspicion had made up their mind before I got to make my opening statement. And I can tell you, it is a very queasy feeling. I have tried cases when, in my own mind, I was satisfied that the jury had made up its mind before the case was tried, before they heard the evidence, despite what we lawyers call voir dire examination, where you ask the jurors: ''Do you have any preconceived notions about this case?'' All of them said no. And I did not come to that conclusion that they made up their mind before they heard the evidence just because I lost, it was based on other things.

The American people have an inimitable, innate sense of fairness. The vast majority of the people in this country want, expect, and have a right to know that this whole situation is going to be considered in a very dignified way in accordance with the process.

This should not be—and I do not think it will be a political witch hunt. And I want to compliment the people in the House whom I have watched in the Rules Committee and in the Judiciary Committee, and the Speaker of the House, in their admonitions to their own Members about this being a very solemn, somber time in the history of this country and we must treat it with the seriousness it deserves. This is not one of those ''let's give them a fair trial and string them up'' kind of hearings.

So as an English philosopher once said, ''There's nothing more utterly impossible than undoing that which has already been done.'' Whatever the President's sins, they have been done. So far as anybody much knows at the present, the American people know what those sins were, his indiscretions, what he described as ''indefensible.''

So the question before the House will be whether or not any or all of those things combined reach the threshold that the Founders intended in the Constitution; and that is, we know it is not treason and it is not bribery, and the next question will be: Does it reach the threshold of high crimes and misdemeanors?

The President has admitted, as far as I know, virtually everything. So he has bared his soul to the American people and pleaded for their forgiveness, as he did this morning before a prayer breakfast.

So, Mr. President, while I did not come over here to speak on that, I just wanted to add my comments to those of the Senator from Pennsylvania, Mr. SPECTER.

And I would also like to say that when I talk about the work we have yet to do here, I am talking about issues of health care, I am talking about issues of the environment, and I am talking about issues of education. I am not trying to make a comparison, but what I am saying is that morality is often like beauty, it is in the eye of the beholder.

There has been an awful lot said about the President sacrificing his moral authority. And I would simply remind people—and this is not intended to be defensive—I would simply remind people that allowing children to go without health care is immoral, too, in this Senator's opinion. And abusing the only planet God gave us to sustain ourselves is also immoral.

Probably next Tuesday, The Senate will debate a provision included in the Interior Appropriations bill that would prevent the Secretary of Interior from being able to strengthen the environmental rules determining how the giant mining companies of this country will mine gold, silver and so on from our public lands. Most people don't know it, but we mine gold through a process called heap leach mining. And do you know what we use? Cyanide. I am not saying it is immoral to use cyanide, but I am saying it is immoral to block regulations determining how you are going to use cyanide to keep it out of rivers, streams and the underground water supply. That is what the amendment on Tuesday will be about.

I put in the category of being immoral to say the Secretary of the Interior must wait and let somebody else do a study before he can protect the environment. Last year, we had a handshake deal on this subject—we agreed not to procrastinate and delay Interior Department regulations any longer. Now, this year we have to have the National Academy of Sciences study it—postpone it for another 27 months. At the end of that, the mining industry will probably want the National Organization of Women to study it. After that, they will want NASA to study it—anything to keep from facing up to despoiling the only planet we have to sustain our children and grandchildren. As I say, morality takes a lot of forms.

TAX CUTS AND SAVING SOCIAL SECURITY

Mr. BUMPERS. Mr. President, I also wanted to discuss another matter of significance. We are going to technically have a budget surplus this year. Nobody knows how much it will be. The CBO has estimated the surplus will be somewhere between $50 and $63 billion. They have projected $1.4 trillion in surpluses over the next 10 years. We need to keep in mind that estimates are just that—estimates. When you consider the fact in the last 60 days, $1.9 trillion has been lost on the stock exchanges of this country, you tell me how you would evaluate that study that was made about 4 months ago that we are going to have a $1.4 trillion surplus over the next 10 years. The surplus may hold up this year and we may get a surplus next year, because an awful lot of people are bailing out of the market.

But when we talk about a surplus, it has been said time and time and time again on the floor of this Senate, it is not really a surplus. I don't know why in the name of God we keep calling it a surplus when it isn't. But for the sake of argument, because this is the way we do it here, let's assume we will have a $50 to $63 billion surplus this year. But let me add this caveat: $100 billion of that is the excess in the Social Security Trust Fund. You take the Social Security excess out and we will have a $40 to $50 billion deficit.

Now, having set the stage for whoever may be listening to this argument, we are effectively looking this fall for a surplus, and every dime of it will come from the Social Security Trust Fund. Then I pick up the paper this morning and I see where there is a move in the U.S. Senate to go ahead with a tax cut after all. I don't know whether what I read this morning is true or not, but I have applauded our Budget Committee chairman in the past because he has steadfastly been opposed to tax cuts this year. But this morning I read that maybe he is about ready to sign off on an $80 billion tax cut. I want to say this: There is an unassailable argument that can be made, that we are cutting taxes for some of the wealthiest people in America and it is coming right out of the Social Security Trust Fund.

If you put $100 billion that we collected in Social Security this year, in excess of what we paid out, if you take that surplus and take it off budget and put it in the Trust Fund where it is supposed to be, you have a deficit. If you leave it in, you have a surplus. It is a phony surplus. And this tax cut will come out of the phony surplus, which means it is coming right out of the Social Security Trust Fund.

Now, I would not presume to give political advice to the people on the other side of the aisle, and I can tell you that nobody ever lost a vote—normally—voting for a tax cut. In 1993, we lost control of the Senate because we voted for a tax increase on the wealthiest of Americans which brought about our current economic prosperity and renewed fiscal soundness. I said time and time again, if the Democrats had to lose control of the Senate for casting a very courageous vote that brought this country 7, 8 years of economic vibrancy, it was worth it.

I lost two of the dearest friends I had in the election of 1994 because they voted for the 1993 budget bill. We have been benefiting from it ever since, and we now find ourselves in this very happy, euphoric state. Why cannot we enjoy and leave it alone? Why do we

have to keep tinkering with it? If you don't want the Social Security Trust Fund to be a vibrant fund, something that gives people who are in the workforce at the age of 25 or 30 some degree of assurance that it will be there for them, if you don't want to do that, say so.

Mr. President, do you know that under current estimates—and these estimates, as I say, are just what I say they are; they depend on the economy and they depend on a lot of things. But the Social Security Administration estimates by the year 2020, the Social Security trust fund will have a $3.7 trillion surplus. The only problem with that is 12 years later it is bankrupt. If we don't fix Social Security—we are not going to do it this year—if we don't get at it soon, and we allow ourselves to squander a $3.7 trillion trust fund, it will be one of the most callous, irresponsible acts ever taken by the U.S. Congress.

If you don't want it to go to the Social Security Trust Fund, then you just tell your constituents you are not for a tax cut; you want it to either stay in the Social Security Trust Fund or you want it to go on the national debt, which now stands at about $5.2 trillion.

We still have a vibrant economy. When you start taking money out of the Social Security trust fund to funnel into the economy, you have the remote chance of increasing inflation. You increase inflation, you increase interest rates. You increase interest rates, the buying of cars and houses goes ''kerplunk.'' Those are simple economic principles. They are just as certain to happen as the night following the day.

Why cannot we be grateful for our prosperity? Mr. President, I vented my spleen on one of my favorite subjects this morning, and that is that I think tinkering with the phony surplus in order to provide a tax cut is not only bad economic policy, it is bad politics for those who propose it. In 1981—I am not sure I would have had the courage, except I had just been reelected, had 6 years in front of me to rectify whatever sins I committed—in 1981, I stood right here—I think I have been sitting at this desk for about 18 years—and I made the point just before we voted that if you passed Ronald Reagan's tax cuts and doubled defense spending, you were not going to balance the budget in 1984, you were going to create deficits big enough to choke a mule.

There is nothing more fun for a politician than to be able to say I told you so, so that is what I am saying. Eleven Senators voted against that. There were only three Senators who voted against the tax cuts and for the spending cuts, which would have balanced the budget in 1984; it was yours truly, Bill Bradley from New Jersey, and FRITZ HOLLINGS from South Carolina. But 11 of us voted against that tax cut and said you are going to get the deficit out of control. My precise words were: ''It will be big enough to choke a mule.'' You will find that in the CONGRESSIONAL RECORD. And we did it. I don't know whether we choked a mule or not, but the consequences were absolutely horrendous, and remained horrendous until 1993 when we were looking at $300 billion in annual deficits as far as the eye could see.

So I am pleading with my colleagues to think about it. My voice is not persuasive on the other side of the aisle, and I know that. It is very presumptuous of me to even make this speech, and I don't intend to lecture. I am simply saying that despite what is going on here in this traumatic time in the history of this country, let's not compound that by making a terrible economic mistake. And, as I say, for some, in my opinion, it is a terrible political mistake.

I yield the floor.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Kansas is recognized.

CHILD CUSTODY PROTECTION ACT—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. BROWNBACK. What is the pending business?

The PRESIDING OFFICER. The pending business is the motion to proceed to the Child Custody Protection Act, S. 1645.

Mr. BROWNBACK. Mr. President, I am a proud sponsor of the Child Custody Protection Act, which makes it a Federal offense to transport a minor across State lines to obtain an abortion in circumvention of State parental notification laws. Good laws, constitutionally-tested laws, have been enacted in over 20 States which require parental participation, or judicial involvement, in a minor's abortion decision. Yet, these same laws are flagrantly breached by nonfamily adults who secretly transport young, pregnant girls in complete disregard of her parents' knowledge or participation. I think this is wrong, and I believe most parents would agree with me.

The Child Custody Protection Act is really a family values bill which preserves the parental right to oversee their child's medical treatment of the most intrusive kind—namely, that of abortion. This bill is about choosing to support parents, rather than unrelated strangers, in their State-recognized right to care for a vulnerable, at-risk daughter. Is this too much to ask? Even ear-piercing for minors requires parental authorization, let alone this most disturbing surgical procedure.

Abortion, I believe, is in a class by itself and is unlike any other medical procedure, for both strikingly emotional and physical reasons. There is no other surgery like it, where the object is to terminate a developing human life, and the emotional repercussions can be devastating. Women who have experienced abortion are haunted by the unspeakably weighty consequences of lost life and the deep emotional conflicts this produces. Add to this terrible mix the factor of youthful vulnerability and you invite extreme emotional trauma.

Also, abortion can have unique physical consequences—rendering a young girl physically traumatized and even infertile from a bungled operation. Most alarmingly, some ''absconding'' adults can exhibit the extremes of irresponsibility and disregard for the physical well-being of their ''charges.'' There are tragic examples of young women who have been plied with alcohol, raped, impregnated, and then taken across State lines for secret abortions. Some of these cases are just so horrific that one can't even really repeat them.

We simply don't want strangers interfering with this important parental responsibility, which is already protected by several States. We must honor the fact that parents have a unique legal status of in loco parentis, which is a historic common law charge to protect their child's well-being. Don't let this right be eroded by unfettered abortion activists with baseless constitutional law claims. To do otherwise is an assault against the precious institution of ''family,'' which we prize and which has been harmed and is a fundamental foundation for our culture and this society.

Let's help, and not hinder, parents in their difficult and crucial job in an otherwise potentially disastrous situation. Let's not allow parental rights and family ties to be further eroded. Let's support the wisdom of these 20-plus States which have already done the hard work of safeguarding unwed, pregnant children by requiring parental notification. In short, let's support family values by passing this Child Custody Protection Act.

Mr. President, this is a commonsense act. If you are going to allow—and we have—parents to have the responsibility over a child in getting their ears pierced, my goodness, shouldn't we have the responsibility for a parent, or a court, to get involved if an abortion is going to take place across State lines? Shouldn't we honor these States for their efforts in the devolution of power? Shouldn't we honor those 20 States that have decided to go differently on this and require the parental notification to take place? This just makes sense throughout our constitutional system, throughout our Federal system, and throughout our family system. The foundational unit of this Government is the family. We should not further erode that responsibility. For all those reasons, I urge my colleagues to help and support in the passage of this Child Custody Protection Act.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.