

during World War II. We heard from a person who grew up in a small town, Charleston, AR—I don't have a clue where it is—where he worked as a smalltown lawyer and taught Sunday school. He may not have been a Methodist preacher, but he was a Sunday school teacher. He told us about his decision, in 1970, to run for Governor. What he did not say is that he was one of eight candidates vying for the Democratic nomination. He did indicate that polls taken at the start of the race gave him a 1-percent approval rating. That is half of what it is right now. He sold a herd of Angus cattle for \$95,000 to finance his TV ad campaign. You couldn't get that much for Angus cattle today.

He finished the primary in second place, behind someone whose name we all know, Orville Faubus, whose race-baiting brand of politics still dominated much of Arkansas Democratic politics. He beat Orville Faubus in a runoff and went on to beat the incumbent Republican, Governor Winthrop Rockefeller, in a general election by a margin of 2 to 1.

After being elected Governor, DALE BUMPERS was asked by Tom Wicker, then a reporter for the New York Times, to explain how a man would come from obscurity to beat two living legends. He answered simply, "I tried to appeal to the best in people in my campaign." And that is what he has done his entire public career; he has appealed to the best of people.

As Governor, he worked aggressively and successfully to modernize the State government. He put a tremendous emphasis on improving education and expanding health services. Then, in 1973, with 1 year remaining in his term, he made the decision to challenge another living legend, William J. Fulbright, for the Democratic nomination for the U.S. Senate. Senator Fulbright was, at that time, a 30-year incumbent Senator. It probably did not come as any surprise to people in Arkansas, but it must have to the Nation, because when all the votes were counted, DALE won that race too, 2 to 1.

In the Senate, there is not a colleague in this Chamber who has not been affected by his eloquence and his reasoning on everything from arms control to the environment. He has been a champion for rural America. He has been a consistent advocate for fiscal discipline. In the 1980s he voted against the tax cuts, arguing that they would explode the Federal deficit. In the 1990s he took the tough votes needed to eliminate those deficits.

He has been a tireless defender of the U.S. Constitution and the separation of powers it guarantees. He did not mention this, but he should have. In 1982 he was the only Senator from the Deep South to vote against a proposal stripping the Federal courts of their right to order school busing. He said at the time, while he opposed the use of busing to achieve racial balance, he opposed even more "this sinister and de-

vious attack on the Constitution . . . [this] erosion of the only document that stands between the people and tyranny."

This past July, shortly before launching the last of his annual attempts to kill the international space station, Senator BUMPERS told a reporter that he expected to lose again but he would try anyway because he thought it was the right thing to do. Then he added, "I probably lost as many battles as anybody who ever served in the U.S. Senate."

I want to tell my friend as he prepares to end his Senate career, if you did in fact lose more battles than someone else who may have served here, it is only because you chose tougher and more important battles. Even more than the outcome of your battles, you have earned your place in history for the dignity and the courage and the eloquence with which you have waged those battles.

I remember, having just arrived—I was elected in 1986, sworn in in 1987—by the end of the year, in 1987, I had already decided who my man for President was. I remember the conversation as if it took place yesterday. I was reminded again, as our colleague spoke on the Senate floor, about his ambition. That was the ambition for many of us as well. He would have been the same kind of outstanding President that he has been the outstanding Governor and Senator we know today. That was not to be. But in the eyes of all of us, DALE BUMPERS will always stand as the giant we knew, as the respected legislator we trust, and as the friend we love.

I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. NICKLES. Mr. President, I compliment my colleagues on their fine remarks about our colleague, Senator BUMPERS. I already made a speech complimenting him for his service to the Senate. I noticed my speech had several things in common with the speech of Senator DASCHLE. I alluded to the fact of Senator BUMPERS' sense of humor, which all of us have enjoyed, Democrats and Republicans, and I also referred to the fact that he had the longest microphone cord in the Senate. He has used it extensively, and we have all enjoyed that as well.

BUDGET NEGOTIATIONS

Mr. NICKLES. Mr. President, I want to make several comments concerning some of the negotiations that are going forward. I remind my colleagues in the Congress that the Constitution gives the Congress, not the President, the authority and the responsibility to appropriate money, to pass bills. As a

matter of fact, article I of the Constitution says:

All legislative Powers herein granted shall be vested in a Congress of the United States. . . .

Not in the executive branch, in the Congress, in the people's body.

It also says under article I, section 9:

No money shall be drawn from the Treasury, but in Consequence of Appropriations made by law.

Again, made by Congress. I think some people in the administration think that they are Congress now, that they can write appropriations bills. That is not constitutional. The President has his constitutional authority, and if he wants to veto appropriations bills, he has a right to do so. Let him exercise that right. He doesn't have a right to write appropriations bills.

For some reason, some people have gotten this idea that the administration is an equal partner. They are an equal branch of Government, but we have different functions in Government. The executive branch can submit a budget, they can confer, they can consult, but Congress passes the appropriations bills, and we need to do so.

Now we have the President making ever-extending demands: "Well, I'm not going to sign that bill if you don't spend so much money." Fine. Very good. He vetoed the Agriculture Department appropriations bill because he said we didn't spend enough money and didn't spend enough money under the guise of emergency agriculture assistance.

He requested \$2.3 billion for emergency assistance. We appropriated \$4.2 billion, and he vetoed it and said, "We want to spend \$7 billion." In a period of a couple of weeks, he more than doubled his demands. He has a right to veto the bill; fine. He doesn't have a right to write the bill.

Many people in his administration, maybe the President himself, seem to think, "We are going to write the bill; we're just not going to sign it; if they don't give us more money, we are going to shut down the Government." Fine, he can shut down the Government.

I stated to the press, and I will state it again, this Congress will pass as many continuing resolutions as necessary, and it may last all year. We may be operating under continuing resolutions all year long. I personally don't have any desire, any intention of funding all of the Presidential requests that are coming down the pike, for which, all of a sudden, he is making demands. I hope that our colleagues will support me in that effort.

I am not in that big a hurry to get out of town. I heard the President allude to that in a very partisan statement that he made yesterday with Members of Congress: "We need to keep Congress in." Mr. President, we will stay in. We will pass resolutions continuing Government operations at 1998 levels, this year's levels. We will pass that as long as necessary.

We passed one for a week. We passed one for 3 days. We may have to pass another one. We may have to pass it for the balance of this year, maybe into next year, whatever is necessary. But I do not intend on being held hostage. The President said, "Well, give me more money; I want to spend the surplus, whether it be for education, whether it be for Head Start." He has a whole laundry list. He calls them investments, but, frankly, they are a lot of new social spending. I don't have any desire to spend that money.

I am quite happy and willing to stay here all year, all year next year, if necessary, but I don't want us to succumb to his demands. I have no intention of succumbing to his demands. I am, frankly, bothered by the fact that at this stage in time, the President is really ratcheting up the partisan rhetoric. Frankly, that is not the right thing to do if he wants to work together.

It is interesting, the President made a very nice bipartisan speech saying, "Yes, I compliment the Congress, they worked together and we passed the International Religious Freedom Act." I was involved with that. We worked with the administration. We did do bipartisan work. It took bipartisan work. But you don't get that kind of cooperation on the budget when you have the President making all kinds of partisan statements. I will give you an example.

In his radio address given to the Nation today, the President said:

This week, unfortunately, we saw partisan-ship defeat progress, as 51 Republican Senators joined together to kill the HMO Patients' Bill of Rights.

One, I just disagree with that. The majority of Republican Senators—as a matter of fact, unanimous Republican Senators—said, "We are willing to pass a Patients' Bill of Rights," not defeat one. "We are willing to pass one."

We made that offer to our colleagues on the Democratic side. We made it several times in June and several times in July. We said we were willing to pass this bill. As a matter of fact, we wanted to pass it before the August break. We made unanimous consent requests and said, "We will pass either your bill or our bill. You have the best bill that you can put together. You worked on yours for months; we worked on our bill for months. Let's vote, let's pass it, let's go to conference with the House."

But, no, the Democrats wouldn't agree with it. The Democrats kept us from passing a Patients' Bill of Rights. You don't pass a bill this complicated the last day of the session. Senator DASCHLE offered some amendment and said, "Oh, let's run this through." That was nothing but for show.

Yet we even find an e-mail from the House Democrat events coordinator that said, "Hey, let's put on a real show; let's have everybody get together; Senator DASCHLE can orchestrate this; we will have a bunch of colleagues."

Sure enough, they had a bunch of colleagues go over in some show of support on the last day of the session. Bingo.

If they wanted to pass a Patients' Bill of Rights, they should have said "Yea, we agree, we will pass them, find out where the votes are." The Democrats would never agree to a unanimous consent request to pass Patients' Bill of Rights.

They are the ones who killed the bill. When the President said, ". . . we saw partisanship defeat progress . . ." he forgot to say the Democrats wouldn't agree to a process to pass the bill, which we offered in June and several times in July. He forgot to mention that. It kind of bothers me because, again, he says, "We want bipartisanship," and he makes a partisan statement on a national radio address.

I have also heard the President state, "We can't have a tax cut because we're going to reserve every dime of the surplus to protect Social Security." All the while—he knows it and we know it—he has his staff members running around the Congress saying, "We want more money and we want to declare everything an emergency so it won't count on the budget, so it won't be part of the budget agreement" that he adopted and agreed to in 1997. "We want more money."

The totals are right in the \$18 billion, \$20 billion-plus range. "We want more money for a lot of things and, oh, yes, it is all off budget; it doesn't count; it's an emergency." What a great game.

Again, I remind my colleagues that the Congress is responsible for passing appropriations bills, and we need to pass them. If he vetoes them, fine, he can shut down the Government. We can pass continuing resolutions, and we can do that as much as necessary.

The President in his weekly radio address said:

Our Nation needs 100,000 new, highly qualified teachers to reduce class size in early grades.

He said, "We need more teachers, more buildings."

The President said:

So again today, I call on Congress to help communities build or modernize 5,000 schools with targeted tax credits.

Mr. President, I want more money for education. I want a lot better education, but I really don't want the President of the United States or some bureaucrat in the Department of Education deciding which school in Oklahoma gets a new teacher or which building in Oklahoma is going to be rebuilt or which classroom is going to be modernized or updated.

Why should we have that decision made in Washington, DC? Why should Federal bureaucrats be involved? Maybe our schools in Oklahoma need more teachers or maybe they need new buildings or maybe they need new computers. Why don't we trust Oklahomans to make that decision? Why don't we trust the parents and the teachers and the school boards? No, this admin-

istration does not trust local school boards, local teachers, parents, Governors to be making that decision.

He wants to mandate it from Washington, DC. This is a new demand. Guess what? We have had votes on these issues. He did not win. The President's program did not win. We had two or three votes earlier this year. He did not win on the school building program; did not win on the 100,000 new teachers. But yet this is a new demand, that he is going to try to get it, he is not going to sign the bill unless we fund it.

I am going to tell you right now, at least as far as this Senator is concerned—and maybe I do not control the conferences—but I do not have any intention to ever fund those programs. I think decisions on hiring teachers and building school buildings should be made in the local school districts, by the local school boards, by the parent/teacher associations, by the Governors—not by those of us in Congress or, frankly, by some bureaucrat in the Department of Education.

So maybe we will be here for a long time. Again, the President has the right to veto the bill. Fine. Let him veto the bill. Maybe we will be operating on continuing resolutions for the rest of the year. If that is what happens, that is what happens. I will, again, repeat that we will pass enough continuing resolutions as necessary to keep Government open.

Maybe we will have to pass one every day. Maybe we will have to pass one every week. Maybe we will have to pass one every month. But we are not going to shut Government down. We are not going to demand anything. We will pass the continuing resolutions to keep Government operating at fiscal year 1998 levels as long as necessary. We will stay here. We are happy to stay next week. We are happy to stay the following week. We are happy to stay all year, if that is necessary. But I hope, and I believe, we are not going to succumb to this last-minute politicization of, "We want more money. Let's spend the surplus."

I have even heard, in the President's radio or in his speech yesterday—"We've got the first balanced budget in 29 years. Our economy is prosperous. This budget is purely a simple test of whether or not, after 9 months of doing nothing, we're going to do the right thing about our children's future."

"We want more money" is basically what he is saying. I also heard him say we should save the surplus for Social Security. Now he is talking about new investments. In his speech yesterday, he said we need new investments for everything I have mentioned, but he also runs through a whole list of other new spending, social spending, that he is trying to crowd through in the last minute.

I do not have any intentions of succumbing to these demands. I hope my colleagues will not. I just say this, with all respect, how the President

could demagog that we cannot have a tax cut because of the Social Security surplus and then in the next minute, propose to spend the so-called surplus on all these investments is beyond me. I just have no intention whatsoever of going along with that.

I think we should abide by the budget. I do not think we should squander the surplus with new Federal spending. Some of us were interested in tax cuts because we knew that if we did not allow taxpayers to keep their money, that Congress and/or the administration would say, "Well, let's have more spending." There is a real propensity around the place to spend money.

I just hope that our colleagues will resist that temptation. I hope that they will resist these new overtures by the administration that seems to think they should be an equal body with Congress in writing appropriations bills. I think we should have legitimate negotiations but, frankly, that does not make people equal partners.

We have equal branches of Government with divisions of powers. Again, the Constitution says that Congress shall write the laws and Congress shall appropriate the money. We need to get on with our business and do that, send the appropriations bills to the President. If he vetoes them, fine, then let's pass a continuing resolution to keep Government open.

TRIBUTE TO SENATOR WENDELL FORD

Mr. NICKLES. Mr. President, I have given accolades to a couple of my colleagues for their service in the Senate, including Senator BUMPERS. I see Senator FORD is on the floor. I have had the pleasure of serving with Senator FORD for 18 years on the Energy Committee. We worked together on a lot of things. And, in my opinion, some of the most significant legislation that passed Congress, in my tenure, we have worked together on.

One was the Natural Gas Deregulation Act that President Bush signed after about 6 years of negotiations and hard work, but probably one of the most difficult pieces of legislation that we have passed.

And if you go back on the history of natural gas regulation and deregulation, it was a very, very difficult task. It was a pleasure for me to work with Senator FORD in that respect. We worked together on other issues as well.

I compliment him for his 24 years of service in the Senate. Anyone that spends almost a quarter of a century of service in the Senate, I think, is to be complimented. I compliment him for his leadership and for his representation of the people of Kentucky. Again, it was a pleasure and honor for me to serve with him. I compliment him and wish him every best wish as he returns to his State of Kentucky.

I yield the floor.

TRIBUTE TO UNITED STATES SENATOR DALE BUMPERS

Mr. BYRD. Mr. President, in the bustling commotion of the ending days of the 105th Congress, members are preoccupied with efforts to enact sought after objectives important to their constituents. We are busy tying up loose ends, putting the finishing touches on projects, and looking forward to going home to our constituents and to a break in the hectic schedule of the United States Senate. Regrettably, as this session of Congress adjourns, we are also faced with the difficult task of saying goodbye to colleagues who have chosen to follow a new path in life.

As I reflect on my years in Congress and on my association with its many members and their various personalities, their goals and, yes, sometimes, their eccentricities, I am reminded of some very important milestones in history made possible by these fine Americans. I am reminded of my good fortune to have been associated with men and women representing the American people from all walks of life and from all corners of the United States.

In my reflections, I have thanked my Creator for allowing me to serve my country with such fine men and women, and I am, indeed, sorrowful at the upcoming loss of some of the finest men I have ever known.

I pay tribute today to an exceptional United States Senator, a man with whom it has been my honor to serve and to have been associated with—a man of unusual conviction, passion, and resolve. He has been called the last Southern liberal, and he is proud of it. He often quotes from "To Kill a Mocking Bird." He is THE commanding foe against the space station.

The above discourse clearly references the actions of only one man—Senator DALE BUMPERS, Democrat from Arkansas. He is the United States Senator responsible for "right-turn-on-red," his first legislative victory and one for which, I am told, he received devilish teasing from a colleague who warned that "many people might want to drive straight!"

I will miss my friend, who is retiring following twenty-four years of service. He leaves a legacy that has made a difference, not only to the people of Arkansas, but to all Americans. His tireless efforts to end federal policies that he believes give away resources that belong to the taxpayer will long be remembered by certain mining and ranching interests out West. And more than a few NASA space station contractors will continue to run when they hear his name! Contractors who worked on the now-terminated Superconducting Super Collider can only wish that Senator BUMPERS had chosen to retire earlier.

While many a press story covered his crusades against alleged lost causes, Senator DALE BUMPERS is a man that leaves this Senate with a triumphant record for the American people. In particular, Senator BUMPERS has been a

national leader in protecting the health of children. In fact, along with his wife, Betty, Senator BUMPERS has long promoted childhood immunizations, known safeguards in protecting the health of millions of children.

As the ranking Democrat on the Senate Appropriations Subcommittee on Agriculture, formerly the Chairman, DALE BUMPERS has represented the rural heart of America. He has fought for policies to help rural families, including securing funding for basic infrastructure projects that provide water and sewer facilities to small towns throughout the nation. I personally wish to thank Senator BUMPERS for being a leading advocate for funding on these vital projects, and I share his concern for the millions of Americans who do not have access to a clean, ample supply of drinking water.

Senator BUMPERS has further made a significant mark on efforts to protect family farmers. In particular, we owe our gratitude to DALE BUMPERS for his efforts to initiate programs to help young Americans become this nation's next generation of family farmers, a dwindling breed at risk of extinction. In honor of his service to rural America, I am proud that this Congress, in the Fiscal Year 1999 Agriculture Appropriations Bill, is formally paying tribute to his work by designating an Agricultural Research Service facility as the Dale BUMPERS National Rice Research Center. This action follows the recognition by the people of Arkansas in dedicating the Dale Bumpers College of Agricultural, Food, and Life Sciences at the University of Arkansas.

Senator BUMPERS' noteworthy record also extends to many other constituencies. Through his ranking membership on the Senate Small Business Committee, he has fought to help self-employed people obtain health care. He has also been an advocate of funding for rural hospitals; for Medicaid; for the Women, Infants and Children feeding program. The list goes on and on.

DALE BUMPERS' legislative skills and record are clear. He is a modern hero to the underdog. But there is yet another side of the Senator from Arkansas that deserves recognition—the DALE BUMPERS who is a husband, a father, and a grandfather. Married to Betty Lou Flanagan, DALE's "Secretary of Peace," for 49 years, he is devoted to his marriage and his family. DALE and Betty have three children and six grandchildren, and DALE often speaks affectionately of his family and of their influence on his consideration of legislative issues. Yes, Senator DALE BUMPERS of Arkansas has a personal record of which he can be proud.

It is with regret that I bid farewell to my friend and colleague, who is now departing the United States Senate. I believe that the Senate has deeply benefited from the work of U.S. Senator DALE BUMPERS. As I say my farewell to DALE BUMPERS, I want him to know that when the 106th Congress convenes, I will remember his thoughtful recital