relevant agencies are in the process of conducting a thorough environmental impact study. At the conclusion of this process, if any of these agencies believe it is necessary, they may create new environmental regulations addressing the practice of mountaintop mining. Some might say that Senator BYRD and I and others are trying to delay the inevitable. I argue just the opposite. I argue that, by maintaining the status quo and allowing the EIS to move forward, you allow coal operators the ability to make the long-term plans essential to the viability of this industry.

So there are only two things you need to remember about our amendment: No. 1, it doesn't alter the Clean Water Act. No. 2, it doesn't alter the Surface Mining Act. It seeks to preserve the status quo.

I say to all of you who you are going to be down here asking us someday to help you save jobs in your State because of some outrageous action on the part of this administration—and some of you have done that already—we need your help. We need your help. This is an extraordinarily important vote to our States. The honest, hard-working people who make their living in the mines are under assault by this administration, and we would like to call a halt to it. We hope we will have your help in doing that.

Let me conclude by thanking again the Senator from West Virginia for his extraordinary leadership on this important issue to his State and to my State and, frankly, we believe, to a whole lot of other States because the principle is very sound. We call on our colleagues from the West—even those of us who have been voting with you over the years weren't quite sure what it was all about, but we have figured it out. This whole thing is moving its way east. We need your help.

Mr. President, I yield the floor.

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

ORDER OF PROCEDURE

Mr. CRAIG. Mr. President, I ask unanimous consent that following my statement, Senator ROCKEFELLER from West Virginia be allowed to speak.

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

EXTENSION OF MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that morning business be extended until 5:30 p.m.

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

BYRD-McCONNELL MINING AMENDMENT

Mr. BYRD. Will the Senator yield?

Mr. CRAIG. Yes.

Mr. BYRD. Mr. President, I forgot to mention the specific names of two Senators cosponsoring this amendment. The two are Nevada Senators, Mr. REID and Mr. BRYAN. I wanted to mention their names for the RECORD.

Mr. CRAIG. Mr. President, I am glad the Senator from West Virginia has included our two colleagues from the State of Nevada. Today, Nevada is probably the lead mining State in our Nation as it relates to the production of gold.

For the last hour you have heard probably some of the most eloquent statements spoken on this floor on the issue of coal mining. The Byrd amendment does not deal only with coal, although it is extremely important, and the public attention of the last week has been focused on a judge's opinion about coal, coal mining in West Virginia, Kentucky, Pennsylvania, and up and down the Appalachia chain of this country.

But the amendment also has something else in it that my colleague from West Virginia and I agreed to some time ago: When we talk on this floor about mining, when we talk about the economy of mining, the environment of mining, and the jobs of mining, we would stand together; that we would not allow our political differences to divide us. Because if you support the economy of this country, you have to stand together.

I am absolutely amazed that the Speaker of the House or the senior Senator from West Virginia would get a letter from the White House of the kind to which both he and the Senator from Kentucky have referred. Lying? I hope not. Uninformed? I doubt it. Here is the reason I doubt their lack of information.

For the last 7 years, this administration has been intent on changing current mining law. I am referring primarily to the law of 1872. I am referring primarily to hard-rock mining on public lands, because the laws that the Senator from West Virginia referred to that were passed in 1977, the Surface Mining Control and Reclamation Act, have become law, and established the principles and the policies under which we would mine the coal of America.

Then, on top of that, came the Clean Air Act, the Clean Water Act, and the National Environmental Policy Act—all of them setting a framework and a standard under which we could mine the minerals and the resources of this country and assure our citizens it would be done in a sound environmental way.

As the laws of West Virginia, which are the laws of America, which are the laws this Senate passed, apply to coal mining, at least in the instances of the Clean Air Act and the Clean Water Act, they, too, apply to the mining of the west—to hard-rock mining, to gold mining, to silver mining, to lead and zinc mining, and to open-pit gravel operations of America.

Yet there is an attorney—not a judge, not an elected U.S. Senator, but an attorney—who sits at a desk at the Department of Interior and upon his own volition 2 years ago decided he would rewrite the mining law of this country—a law that had been in place since 1872, tested in the courts hundreds of times, and that in every instance one principle stood out and was upheld. That was the principle of mill sites and how the operating agency, primarily the BLM, could, upon the request of a mining operation under a mining plan uniform with its processes, ask for additional properties under which to operate its mine. Consistently, for over 100 years, the Federal agencies of this country have granted those additional mill sites.

The attorney I am referring to, prior to his job with the Secretary of Interior, was an environmental activist. In the late 1980s, he wrote a book. His book decried the tremendous environmental degradation that the mining industries of America were putting upon this planet. In that book, he said there is a simple way to bring the mining industry to its knees. ''If you can't pass laws to do it, you can do it through rule and regulation.'' Those are his words. He wrote it in the book, which was well read across America.

When I asked that solicitor to come before the subcommittee I chair, which is the Mining Subcommittee, I quoted back to him his own words and said: If that is not what you said, then what are you doing now? He didn't say yes, but he didn't say no. Here is what he did say. He said: I have reached out to every State director of every BLM operation in this Nation, and I have asked them if the process I have overruled by my decision is a process that has been well used by the agency. He said they responded to him: Not so—very lightly used and only used in recent years.

The tragedy of that statement is that it was a lie because the Freedom of Information Act shows that every State director wrote a letter to the solicitor a year before I asked him the question and every State director of every State office of the Bureau of Land Management said this is a practice in our manuals and has been used consistently since the 1872 law was implemented.

What did solicitor John Leshy do before the Mining Subcommittee of the Senate? He perjured himself. That is what he did. And the Freedom of Information Act shows that.

I would say to the Senator from West Virginia and the Senator from Kentucky, my guess is that the informational mind that wrote the letter that John Podesta sent to you came from an agency that had already perjured itself before the U.S. Senate. I know that as fact. I give that to you on my word and with my honor.

Therefore, in the Byrd-McConnell amendment is a provision that said: Mr. Leshy, you cannot arbitrarily or capriciously overturn over 100 years of mining law. That is not your job. You are a hired attorney. You are not an

elected Senator or a President. That is our job—to change public policy and to do it in a fair and sound environmental way.

We are all environmentalists. The senior Senator from West Virginia said it so clearly. I say what I mean. And we all know as politicians and public people that none of our colleagues have ever run on the dirty air or the dirty water platform. We are all proud of our environmental records. We want the air and the water to be clean.

But have you ever driven to the mountains of the west or the mountains of West Virginia? They are rugged and steep. We must craft unique policies and procedures to mine the wealth from underneath those mountains. It is a tough struggle. We know it. We have learned in the last decades to do it in a much better way than our forebears. That is called good environmental policy and good stewardship.

Every one of us is an environmentalist. But we are not radical preservationists who would deny the thousands of working men and women in West Virginia and Kentucky no food for their table, no money in their pocket, or no education for their children. If you don't like the environment here, get in a car and drive down the road. To heck with your job and to heck with you.

I understand the young person in urban America today sitting at his or her keyboard, working the high-tech economy of our country, saying to the Senator from Idaho, West Virginia, and Kentucky: What are you talking about? Does it make much sense? We want a clean environment. Save the mountains of West Virginia, Idaho, Nevada, and Kentucky, and the plains of Texas.

Let me say to that marvelous young American sitting at his or her keyboard: As you touch that keyboard tonight, and it lights up for you and it energizes, it is the electricity generated by the coal of West Virginia that gave you the power to reach the Internet and to reach the stars beyond. That power surge through connections created of gold and silver came from the mines of Idaho, from the mines of Nevada, and from the Western States.

Please, America, broaden your vision of what it takes to make the leading economy of the world work so well.

It is our clean air, it is our clean water, and that we are proud of. But 60 percent of America's electricity is generated out of the coal mines of America, and the connections that create the fluidity of the flow of that electricity so there is less restriction is the gold and the silver of the West. That is what makes our country work so well. That is what makes our country the cleanest country in the world.

Our leadership, our policy, our clean coal technology, our ability not to tear up the Earth anymore—but when we do, we replace it, we reshape it, we change it—that is our law that causes it to happen. That is the law that this Senate crafted. So, no, we cannot be extreme nor can we be radical. We have to offer balance and we will offer that in the context of the best environment we can create.

I will not forget, when I asked Alan Greenspan to come before the Republican Policy Committee this spring to talk about surplus and how we handle them, afterwards I said: Mr. Greenspan, you watch our economy everyday; why is it so good? Why is it literally pulling the rest of the economy of the world with it? Last month, unemployment in this country was 4.1 percent; average wage, $13.39 an hour, the highest average wage ever and the lowest unemployment rate in 29 years. And we do it with the cleanest of the environments of the developed nations of the world. Why do we do it? Mr. Greenspan said it well: We just know how to do it better than anybody else. We know how to mine better than anybody else. We know how to create economies better than anybody else and, in almost every instance, we do it with the minimal form of government regulation.

The Senator from West Virginia makes a very clear case. It isn't that West Virginia was trying to do it better. They were. It is that this White House won't support this effort. They have not chosen to follow the route of the environmental community. They have chosen to follow the word of a few radical preservationists who would ask young Americans to turn on their computers tonight to the light of a candle. If it is the light of a candle that will lead this world, computers will not turn on, the economy will not energize, and the men and women of West Virginia will go hungry.

I support the Senator from West Virginia because he supports mining, as I do. It is time our Senate and the House bring balance to this issue. I hope they support attaching this critical amendment to the continuing resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). The distinguished Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I note the presence of the Senator from Louisiana on the floor. I inquire if the Senator wishes to speak at some point on this subject.

Ms. LANDRIEU. I thank the Senator. I do wish to speak. I am happy to wait until the Senator has completed his remarks, if he could let me know how long he will be.

Mr. ROCKEFELLER. I will speak, then the Senator from Texas will speak, and then I ask unanimous consent that the Senator from Louisiana be permitted to speak.

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

Mr. ROCKEFELLER. I thank my distinguished senior colleague who has been daunting and relentless in his pursuit of his amendment, which is a very good amendment, an amendment which deserves to be passed.

What is fascinating to me has been said before by others. I will go back to the letter from John Podesta at the White House, the Chief of Staff to the President. He said that any solution that would undercut water quality protection under the Clean Water Act, or under SMCRA, the Surface Mining Control and Recreation Act, simply is unacceptable, and that the President's opposition to appropriations riders that would weaken or undermine environmental protections under current law would be unacceptable.

I emphasize as strongly as I possibly can he is wrong in that statement. The fact that he is wrong in that statement is of the utmost importance to our colleagues if they or their staffs are listening as they come to a decision about this amendment. If he were right, that would be an entirely different matter. However, he is not right. To make it perfectly clear, we have included that in the legislation that Senator BYRD and Senator MCCONNELL put forward. I will read it again for those who may not have been listening before: Nothing in this section modifies, supersedes, undermines, displaces or amends any requirement of or regulation issued under the Federal Water Pollution Control Act or the Surface Mining Control Reclamation Act of 1977.

It would be law. It is the case, in any event. We added this not because we thought it would be fortuitous to add it, not because we needed to add it, but because it was true at the outset. We did it to make the point even clearer for those who would raise this point.

Senator BYRD made the points most clearly and most powerfully. This amendment, on which we are asking for support, simply puts into law the memorandum of understanding which I hold in my hand, which has been signed off by the Environmental Protection Agency, by the Office of Surface Mining in the Department of Interior, and by the Corps of Engineers. The signatures are here—the signature from the Environmental Protection Agency, a very high senior official, the signature from the Regional Director at the Office of Surface Mining, the signature from the brigadier general of the U.S. Army Corps of Engineers, and the signature from an official in West Virginia.

The point is the Environmental Protection Agency has approved, and the OSM and the Corps of Engineers have approved and given their official written stamp of approval in writing, right here. This equals this amendment. There is no difference therein. I am not one who either baits or ridicules the environmental movement nor do most of my colleagues.

This country is constructed under the republican nature of its form of government as a system of checks and balances. I have a tremendous interest in health care public policy. I spend a lot of time being upset with the Health Care Finance Administration called HCFA. There are people, obviously, who are upset by EPA. By and large, I

think EPA tries to do within its own understanding the best job it can. By and large, I think one of the reasons the environmental condition of our country is gradually improving, although slowly, is because some of those people take positions which are not popular with members of this body or the other body or with Governors or with the public. I do not ridicule what they do.

However, I do think they know in their hearts that what Senator BYRD and Senator MCCONNELL and some of the other Members are trying to do is completely consistent with the intent of Congress, in fact, in the case of SMCRA, for over the last 20 years.

Let me say this before I talk about the importance of mining in West Virginia and the problems of simply potentially eradicating coal mining—not just across West Virginia and Kentucky but, if this were to be extended and this were to catch fire, eradicating the potential for the 57 to 60 percent of electricity which is fueled by the use of coal across this country—that there is a balance. I recognize, sometimes when people say that, people say that is a word they use to get out of this situation or that situation. But this country has to run on a balance. One cannot simply say to southern West Virginia, to central West Virginia, to northern West Virginia, to other parts of our country: We are going to make these enormous changes, very radical in their content today because tomorrow will be a new day, because transition in America somehow just simply happens, and we move from one sort of a core industry type of economy in West Virginia to a modern, totally smokeless type of economy, and there does not need to be any interruption. So we will come in and we will stop this business called mountaintop mining.

In the process of that, we are probably, unless this amendment is agreed to, going to stop much of the underground mining of West Virginia and Kentucky and the 13 to 16 States in this country that produce coal because the effect under the law, under the judge's rule, says this can happen.

I want my colleagues to understand something about my State of West Virginia. We are not on the coasts. We do not have the advantage of the trade that flows to the Atlantic coast or the Pacific coast. We do not have the advantage yet, entirely, of the access that comes from the interstates that cut through our mountains and would allow us to become part of the flowing economy that so much of the rest of the Nation simply takes for granted. But most importantly, let me say to my colleagues, and let them hear this, please, with understanding: Only 4 percent of the land of West Virginia is flat. Only 4 percent of the landmass of West Virginia is flat. All of the rest of it is going uphill or going downhill, either at great steepness, very great steepness, or somewhat lesser steepness; it is not flat. Only 4 percent is flat.

Imagine, then, trying to construct an economy, an economy developing, much less the life of schools, the life of families, the life of recreation, the life of a State, on 4 percent of the land and then moving up the side of hills, where one can do that, and hoping the winter will pass quickly because it is very hard to plow those roads. It becomes a very difficult situation in the southern part of our State.

You cannot simply say we mine coal today and we do biotechnology and information technology tomorrow. You cannot walk across the Grand Canyon in one step.

Senator BYRD and the junior Senator from West Virginia, together, in different ways, have been trying very aggressively, over the last number of years, to modernize the economy of West Virginia. We have been doing so with a respect for our basic industries—steel, chemicals, coal, wood, natural gas, et cetera—but also understanding that the world is changing, that we are globalized. This Senator has spent the last 15 years making trips back and forth to various Asian countries, trying to globalize the economy of West Virginia through reverse investment and through the increase of exports. Indeed, the increase of exports in the last 5 years has gone up by 50 percent in West Virginia. So we are making progress.

But we do not start from the base that so many other States have. So what happens in southern West Virginia if the Senate or the Congress turns its back on this amendment is something I would like people to think about. We would lose approximately $2 billion in wages. Senator MCCONNELL, in his very good remarks, mentioned 4.1 percent of people are unemployed in this Nation. That is not true in the part of the State that we are talking about, in West Virginia. The counties I would mention would be six. In McDowell County there is over 14 percent unemployment today. The reason it is not higher is because so many of the people who were there have left. If they had stayed there, the figure would be much higher.

In Mingo County, which has a lot of coal reserves of very high quality—that is high Btu, low-sulfur-content coal—it is over 14 percent, over 14 percent. The national average is 4.1 percent—that is terrific, in Connecticut, Colorado, other places. I am proud of that, happy for that. But in Mingo County it is 14 percent. In Boone County it is less than that; it is 13.9 percent. A lot of our low-sulfur, high Btu, highly desirable for the making of steel coal is produced in that county; Logan County, 13.5 percent; Lincoln County, almost 11 percent; Wyoming County, almost 11 percent.

Can one understand what that means to me as a human being, much less as a U.S. Senator, when one struggles in land which is so steep, so desperately steep, land which used to be, many millions of years ago, higher than Mt. Everest? Because that is what the Appalachians were; they were the tallest mountains in the world. Over these millions of years, they have been ground down, but they have not been ground down to a level where economic activity is readily accessible. We cannot put the great big highways so easily into that kind of terrain.

Senator BYRD has done a remarkable job in trying to do that. But not all those roads have been built, and only a couple of those have been built in southern West Virginia because the cost per mile is so prohibitively high. Even if the Federal Government provides the money, the State can't match it. So progress is slow.

I also want to say something that is very important to me personally. This Surface Mining Act goes back to when I was Governor. The Senator from Idaho made those comments. I did not agree with everything the Senator from Idaho said, incidentally, about either the Environmental Protection Agency or other things, but I agree with the thrust on what he wants to do with this amendment. But I was Governor of West Virginia at that time. We were faced with this question of what we were going to do about surface mining and the Federal act.

I will say two things. One is that I have known for a long time, and I have been told by many people in and out of government, that a good deal of the Federal act was based upon what it was that we were doing, what it was I was causing to happen as Governor in West Virginia, in the way that surface mining was carried out. In other words, West Virginia, I will then say from that statement, has a higher level of requirements of surface mining than do other States and higher, in general terms, I might say, than the Federal Government.

But I also want to say Cecil Andrus, who is from the West and was tough—he was a tough Department of Interior Administrator, Secretary of the Interior—gave West Virginia something called primacy on surface mining.

All of this we are talking about—surface mining being the opposite of underground mining; anything that is not underground is surface; whether it is mountain mining or surface mining, it is all up above the ground—he gave us primacy. We were the first State in the Nation and the only State for quite a period of time to receive primacy.

What he was saying by that is that you in West Virginia do your surface mining reclamation so well that we are going to give you the authority to go ahead, and we will back out of it completely; we have no jurisdiction anymore; you have jurisdiction unless you start to do things which are wrong. Then we will take it back.

I was very proud of that. That caused me to have some of the views I have today.

When we talk about not gutting the Clean Water Act or not gutting SMCRA, we in West Virginia cannot afford to gut, so to speak, those Federal

acts in a far more intense way than most other States because if we do, we are hurt by them much more than other States because of the enormously mountainous, hilly nature of our State, with only 4 percent of it being flat. All the rest of it goes up or it goes down at one level or another. We have to respect the laws.

Mountain mining has changed a bit over the years in the sense that it has gotten rather larger in the area it covers. Most of us in Congress understand that mountaintop mining in West Virginia is never going to be the same. In fact, the congressional delegation in the House and the Senate wrote an article in the West Virginia papers in which we said it is true, it never is going to be the same.

It may be possible we cannot afford to have, as far as the mountains are concerned, these enormous areas that are mined all at once. But when somebody comes along and says, oh, you should do that, you should restrict the size because you can't fill valleys, they are wrong. Under the Federal law, they are wrong. The Federal law specifically provides for that. I will not read it. I will simply hold it up. Here it is in SMCRA. It specifically provides for being able to do valley fill.

If the Federal judge who made this decision in West Virginia wants to eliminate that—but then again, in his opinion recently, he said: Nothing I am saying here is anything on the basis of merit; it is all on the basis of saying we want a little peace and calm so that the Federal Government, the Congress, can litigate on this matter and decide what needs to be done, which is why Senator BYRD, Senator MCCONNELL, and a number of us went ahead with this amendment.

We did have a system whereby the two sides—I do not even like to use the words ''two sides''—the environmental community and the industrial community, could come together and work together. We had a system in which one of the people who works with me spent 5 weeks in the coal fields working with the environmental people, working with the State people, working with the mining people, working with the union people. They came very close to almost a total agreement on what should be done. There was only one area on which they could not reach final agreement. It was something called a buffer zone. They could have reached a final agreement. Then the Corps of Engineers came along and blew the whole thing out.

I appeal to my colleagues to understand there is a role and a place for reason, compromise, balance, and sensible action in all of this. This world is not divided between people who are strictly environmental in their purposes and people who are strictly for jobs in their purposes. There has to be that balance.

Global warming is a fact. I do not dispute the science. I look around me; I feel the temperature; I understand what is going on. On the other hand, at the same time I have those feelings in my bosom, having to speak grown up as an adult, as a VISTA volunteer in the southern coal fields of West Virginia, that these people who are mining coal—the coal miners Senator BYRD talks about so eloquently—are doing what they know how to do and doing it the best way they possibly can.

If we are not able to get our amendment accepted, if the judge lifts the stay, if his decree goes into effect, mining will more or less cease to exist in West Virginia because nobody will invest; nobody will say: All right, let's just wait for a couple of years and then we will come back and look at West Virginia. That will not happen. It will be more or less the end of mining in West Virginia, not just in southern West Virginia, but it will probably be all over West Virginia because everywhere there are effects of the judge's opinion.

We have to have both. We have to have a way for people to provide the electricity the Senator from Idaho talked about to turn on those computers. We have to have a way to light up this Senate and to light up the homes of people all over America. As I indicated, 57 to 60 percent of all the electricity in this country is made by coal. It is not made by nuclear power. It is not made, at this point, by natural gas. It is made by coal. It is a fact of life. Reasonable people understand that.

You cannot just obliterate that and pretend there are not going to be consequences. Nobody wants economic devastation. I do not think any of our colleagues want economic devastation on the State of West Virginia. I do not think that is in their hearts; I do not think that is what is in their minds; but that is what is in the process of happening unless this Byrd-McConnell amendment is, in fact, agreed to and becomes part of the national law. All it will do is put into law precisely what the Environmental Protection Agency, the Office of Surface Mining, and the Corps of Engineers have officially signed off on as policy.

The stakes are tremendously high in West Virginia, and the stakes are tremendously high not only in Kentucky but all across this country. This is kind of a watershed decision we are about to make. Are we going to find some kind of a compromise, a way of working things through, or are we going to deem each other to be enemies, one to another, one on one side, one on the other—one environmentalist, who either feels or is deemed to feel they have no interest in jobs—which I doubt because environmentalists are people, too—or on the other side coal miners who then turn on environmentalists as being totally hostile people. All that does is degrade the content of public discussion and degrade the possibility of a reasonable resolution.

I hope very much this amendment will be adopted. I regret very much the White House has been so difficult on this whole matter, having given their word to the senior Senator from West Virginia and then reversed it the next day, having given their word on matters of steel during the course of a campaign in the northern part of our State and then reversed their view on that. One almost wonders whether or not there is an assault that is taking place on West Virginia.

But we are struggling. We know that along with two or three other States, we have more economic problems than any other State in the country. We live with that. We live with that every day. We try our very best. Senator BYRD, and this Senator, and our congressional delegation, try our very best every single day to try to improve the economic situation of our State, bringing in new industry that does not create any kind of pollution or industries that are entirely smokeless and entirely of a new order. But it cannot be done, as Senator BYRD said, overnight.

So you cannot have a crashing decision which descends on the good people of southern West Virginia and northern West Virginia that deprives them not only of their self-respect but of their ability to eat, to get medical care, or to exist as human beings.

We have not distinguished ourselves in this country in taking men or women in their 40s or 50s or 60s, and saying: All right. You are finished as a coal miner. Now we are going to train you to do something else. We talk about it all the time, but we do not do it. We do not know how to do it. The Canadians do; we do not.

So to banish people into oblivion is not something which is common with the practices of the soul of America, any part of the soul of America, or any part of the soul of this body. That is what would happen, however, were this amendment to fail.

I commend to my colleagues the integrity of the Byrd-McConnell amendment; I commend to my colleagues the honesty and the environmental soundness of the Byrd-McConnell amendment; and I commend to my colleagues the enormous crisis which potentially will take place if it fails because, as has been said, what starts in West Virginia—because this has now been picked up by the national movement—will move from State, to State, to State, to State.

Mr. BYRD. Mr. President, would my distinguished colleague briefly yield for a comment in connection with something he said?

Mr. ROCKEFELLER. I certainly will.

Mr. BYRD. Mr. President, when I went up to Rhode Island on Saturday, a few weeks ago, to attend the funeral services of the late Rhode Island Senator John Chafee, the national press people—the Washington Post, the New York Times—who were right on that plane indicated that the administration was supportive of that amendment. That was on Saturday.

I had run the language by the administration's representatives, who come

to this hill often. I hoped the administration would support the language. So I was quietly running the language to the administration and certainly getting the support of the administration—if not openly, at least they were not opposed to it. We were working with them tacitly.

The very next day the tune changed, and the newspapers announced the administration was against the Byrd amendment. So they flip-flopped over night; they made a 180-degree turn over night. One day I had the confidence of them. They were looking at the language, making any responses they wished to make to express their viewpoint. The next day they were 100 percent on the other side.

So I say this amendment is a test. I say to the working men and women of America, do not believe the pretty words you may hear. Pretty words are easy. And I have heard pretty words myself. Watch what happens with this amendment, I say to the working men and women of America. Watch what happens to this amendment. See if the actions of those who say they are your friend do match those pretty promises.

I thank my distinguished friend and colleague. I am pleased to associate myself with his remarks. Well done, my friend.

Mr. ROCKEFELLER. I thank my senior colleague and I yield the floor, Mr. President.

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

SOMETHING IS OUT OF BALANCE IN AMERICA

Mr. GRAMM. Mr. President, it is easy when you come to work every day in the most historic and important building in the world to forget you are part of history—to forget you are in a sacred place where history has been made in the past. But it is even easier to forget you are making history now.

But I am reminded that we are making history now when I listen to Senator BYRD speak with righteousness on behalf of the working people of West Virginia. And might I also say, I have never heard a more eloquent speech in the Senate than Senator CRAIG's speech that he gave earlier.

Having heard those speeches—including Senator MCCONNELL's and Senator ROCKEFELLER's—I do not want to rise to talk about the substance. I do not think you can improve on what they had to say. But there is an important point, at least in my mind, that I want to make; and that is, something is wrong in America. Something is out of balance in America.

If tomorrow in West Virginia a sub-species of crickets develop that have legs 6 millimeters longer than crickets as we know them, or that have brown or white specks on them, they would be protected before the law. They would be protected by the Endangered Species Act. There would literally be thousands of people who would be willing to troop to West Virginia and hold signs and demand that this new sub-species of crickets be protected.

But yet when the livelihood of people who hear that alarm ring at 4:30 a.m. in the morning—and if you grew up in one of those houses—I know Senator BYRD did—the next sound you would hear is those two feet hitting the floor. It is predictable. You know what is going to happen, whether it is raining or whether it is not raining. These are people who get up every day, who work hard, who struggle to make ends meet, who sit down around the kitchen table on the first day of the month and get out that stub they got with their paycheck. Then they take the back of an envelope, or a piece of paper, and they try to figure out how they are going to be able to pay their bills, and who they can get by without paying this month. They contribute to America by producing things America needs.

I think something is out of kilter in America when our laws are more focused on protecting sub-species of crickets than they are focused on protecting people who earn a living with the sweat of their brow and with their hands.

I think something is very wrong in America when there does not seem to be much focus on working men and women. And what was moving to me about Senator BYRD's speech is he was speaking on behalf of the people who work with their hands, and who work for a living, and who often do not have much of a voice in American Government.

I am not here to criticize people who have focused, in some cases, their lives, their civic activity, and their leisure time activity on the environment. But I think something is wrong when, in focusing on the environment, we forget about people who work for a living and are affected.

I think, in some cases, environmentalism has gone too far. I think, in some cases, that it has become anti-growth. Maybe that makes sense if you live in a fancy air-conditioned house and if your children have gone to college. If you have boundless opportunities, it makes sense to say we need to protect the environment at all costs and that there is no burden that is too great to bear. After all, the person saying that already has a piece of the American pie and has already generally lived the American dream.

But I think what Senator BYRD has reminded us of is that not every American has lived the American dream. Not every American has gotten a piece of the pie.

I think when we have focused so much on a sub-species of crickets, it is about time that people in the Senate stand up and say: What about people who make a living in the mining industries of this country—people who have had placed on their livelihood less weight by American law than we place on the assumed well-being of sub-species of crickets? I think something is out of balance in America. I think we need to bring it back into balance. I think we need to remind people who are so concerned about one particular element of the environment that there is no more basic part of the environment than the ability of the people in West Virginia, or Kentucky, or Texas, or any other State in the Union to make their house payment, or their ability to earn a livelihood, or their ability to have self-respect in their own worth of what they do.

We are not talking about tearing down America's environmental laws. No country in history has a better environment than we have. No country has spent more resources and legitimate effort on their environment than we have.

EXTENSION OF MORNING BUSINESS

Mr. GRAMM. Mr. President, I ask unanimous consent that morning business extend until 6 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, reserving the right to object—and I shall not—there are some of us who would like to speak on this debate concerning this particular issue and who have been waiting for a while. Could we get some sequence of order perhaps?

The PRESIDING OFFICER. Under the previous order, Senator LANDRIEU is to follow, and Senator KOHL is to follow Senator LANDRIEU. There is no UC. Senator LANDRIEU was the last covered.

Mr. GRAMM. As far as I am aware, we have gone back and forth from the Democrat side to the Republican side. I have listened to five other people speak. I have been well served by hearing their speeches. I will be as brief as I can.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be in order of sequence on the Democratic side as we move back and forth.

Mr. GRAMM. Mr. President, reserving the right to object, if we could simply accommodate every speaker, while realizing that we are waiting for the omnibus bill to come over from the House, may I suggest we amend that unanimous consent request so that the Senator be recognized in the order of the sequence we have, but that when the omnibus bill comes over from the House, it continue to take precedence?

Mr. KERRY. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. It is my understanding the Senator appropriately asked for an extension until 6. It is my understanding the Senator from Louisiana wants to speak for only 10 minutes, or less. The Senator from Minnesota wants 5 minutes. I think if we could get an order, we could contain it within the time and everybody would be satisfied. I ask the Senator from Alaska how long he wants to speak.