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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MIKE CRAPO, a Senator from the State of Idaho.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, the Reverend John Johnson, First Presbyterian Church, Merrillville, IN.

### PRAYER

The guest Chaplain, Rev. John Johnson, offered the following prayer:

God Almighty, Creator of all that is, our Maker, Redeemer and Sustainer, and Lord of this great Nation, we give You thanks for and ask Your blessings upon these men and women whom You have called as Senators to serve You and us, Your people.

We ask that You be with them in that role, inspire them to seek to do not what is popular and easy but what is just and right in Your eyes. May Your Spirit inspire them to do as You would have them do in jobs that ask so much of mere mortals. In all they do, may we be privileged to see their love for truth, justice, compassion, liberty, and peace.

Lord God, we are mindful of the human cost that each bears by being a Senator. Each is first and foremost a child of God, and to be true to You, we offer sincere and honest prayers for the personal well-being of each Senator. Bless each in home and family; help each to know that when pummeled by critics or pressure, by turning to You, all may know the peace, tranquility, and comfort of a loving God.

We pray all this to You whose love is not limited but is for all Your children. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 10, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MIKE CRAPO, a Senator from the State of Idaho, to perform the duties of the Chair.

STROM THURMOND,  
President pro tempore.

Mr. CRAPO thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The Senator from Indiana is recognized.

### WELCOMING REV. JOHN JOHNSON

Mr. LUGAR. Mr. President, I have the privilege of welcoming our guest Chaplain, the Reverend John Johnson. We are indeed fortunate to have Reverend Johnson with us today. He is a true Renaissance man and public servant. He brings to us his vast experience, not only in the ministry, but also in academia, business, law, and volunteerism.

Reverend Johnson has a master's degree in physics. He studied as a Churchill Scholar at Cambridge University in England. He has a Juris Doctor degree from the University of Chicago. And he has had a successful business career, creating a leading technology company.

Not content to stop there, Reverend Johnson earned his Master's of Divin-

ity degree in 1997 and now is ordained as a minister in the Presbyterian Church. Reverend Johnson currently serves as interim minister at the First Presbyterian Church in Merrillville, Indiana.

Amidst these multiple careers he even found time to run for the U.S. House of Representatives in 1990 from Indiana's Fifth District and for the Indiana Republican gubernatorial nomination in 1992.

Reverend Johnson has remained active in the academic community, and he has generously volunteered his time to many organizations including the United Way Campaign, the YMCA, the Indiana Corporation for Science and Technology, and the Public Broadcasting System.

He is a dear personal friend. It is a privilege to thank him for joining us and for his inspiring words of prayer for us this morning.

Mr. BYRD. Mr. President, I join the Senator from Indiana in welcoming to the Senate the Reverend Mr. Johnson. We are grateful for his presence and for his prayer.

Tennyson said that more things are wrought by prayer than this world dreams of. And the Bible tells us that blessed is the Nation whose God is the Lord. Thank God for our forefathers who built this Nation on religious principles, who had faith in a higher power. If Providence had designs for this country and its people, may we never get away from the offering of prayer in the opening of the two bodies of the legislative branch of government.

There are those in this country who would have us do away with that. May there always be men and women in this body and the other body who will stand for prayer, stand up for the Creator.

I haven't seen Him, nor have I seen electricity. But I dare not put my finger in an open socket because I know it is there.

I thank the Senator for having his minister in our midst this morning.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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May God add his blessings to the word that has been spoken for us.

RECOGNITION OF THE ACTING  
MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, has the Senator indicated what the leader wants to do today?

The ACTING PRESIDENT pro tempore. The distinguished acting majority leader.

SCHEDULE

Mr. LUGAR. Mr. President, I respond to the distinguished whip by saying that this morning there will be 1 hour and 50 minutes remaining for closing remarks on the budget resolution conference report. Senators can expect a vote on the conference report between 11 a.m. and 11:30 a.m. Following that vote, the Senate will resume consideration of S. 1, the education bill. Votes on amendments are expected throughout the day in an effort to make significant progress on the bill.

I encourage those Senators with filed amendments to work with the chairman and the ranking member in order to schedule consideration of those amendments.

I thank my colleagues for their attention and for their cooperation.

Mr. REID. Mr. President, we had a cutoff time last night of 5 o'clock for filing amendments on the education bill. We have almost 300 amendments that have been filed on S. 1. It is going to take a lot of work, and people are going to have to work this afternoon on that. It is going to take a couple more weeks to finish that legislation. I think everyone who has an amendment should offer it at the earliest possible date.

CONCURRENT RESOLUTION ON  
THE BUDGET FOR FISCAL YEAR  
2002—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the conference report to accompany H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:

Conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from West Virginia is now recognized for 30 minutes.

Mr. BYRD. Mr. President, would the Chair kindly inform me when I have used 25 minutes of my time?

The ACTING PRESIDENT pro tempore. The Chair will notify the Senator.

Mr. BYRD. Mr. President, the Senate will soon vote on the conference report for the fiscal year 2002 budget resolution. I will vote against this conference report. This budget is a bad deal for America. It fails to address critical deficiencies in our Nation's schools, our Nation's highways, our Nation's drinking water and sewage systems, our Nation's law enforcement, and energy independence. The list goes on and on like Tennyson's brook—almost forever. Instead of addressing these deficiencies, instead of planning for the future, this is a budget resolution that places short-term, partisan political gratification ahead of the long-term needs of the Nation.

This Nation faces daunting challenges—if you drove in just this morning to work, or yesterday morning, you can see what I am talking about, the daunting challenges that confront this country on the highways—in the next two decades. We will continue increasingly to face those daunting challenges.

The baby boom generation will begin to retire around the year 2008. That is not far away. Because of the demands of that generation, both the Social Security and Medicare trust funds are expected to be running in the red by 2016—15 years from now. Not a single dime—not one thin dime—is devoted to shoring up Social Security, and the resources allotted to Medicare and prescription drugs are totally inadequate.

We know that 75 percent of our Nation's school buildings are inadequate to meet the needs of the Nation's children. But how many dollars are devoted to building and renovating school buildings? How many dollars are devoted to making classrooms smaller? Zero. Zip.

The American Society of Civil Engineers, earlier this spring, graded the Nation's infrastructure. How did we do? Abysmally. Roads, D+; aviation, D-; schools, D-; transit, D-; drinking water, D. Overall, in 10 different categories, the Nation's infrastructure received an average grade of D+.

Now my old coal miner dad would have given me a good thrashing if I had brought home a report card with a D on it. I could have depended on that. Well, the dog must have eaten that report card on the way to the White House because this conference report ignores low grades on the Nation's infrastructure.

Now the President—and I have great respect for the President—is fond of saying we ought to give the people their money back. I think we ought to give the people their money's worth. Instead of a massive tax cut today, we ought to look toward tomorrow and repair our outdated infrastructure. Instead of a massive tax cut today, we ought to help provide for safe highways and bridges, airports and transit systems that work, clean air, safe drinking water, safe schools. We ought to plan ahead to ensure that Social Security and Medicare will be available in

the long term. The American people expect us to make smart choices. This conference report is not a smart choice.

What is in this conference report?

It contains a \$1.35 trillion tax cut spread out over the next 11 years, based solely on an illusory surplus estimate that even the Congressional Budget Office considers highly unlikely.

This budget also establishes discretionary spending levels that are totally inadequate and unrealistic. For the next fiscal year, the budget limits spending to a 4.2-percent increase. For nondefense programs, the level provided in the conference report is \$5.5 billion below the level necessary to keep pace with inflation.

Now I am wearing my Appropriations Committee hat today. I am the ranking member on the Senate Appropriations Committee. Let me say to my colleagues, you will be coming to the waterhole—I think of the animals in the forest. Occasionally, they have to go to the waterhole. They can't avoid it. And so the people of this country have to go to the waterhole. The waterhole is the Appropriations Committees of the two Houses. And Senators and House Members who represent the people who elect them and send them here also have to go to that waterhole, the Appropriations Committee. Well, I am wearing my appropriations hat today.

Let me say to my colleagues, if you vote for this budget conference report, don't come to the watering hole. It is not that I would not love to help you, but you are going to make it impossible. Those who vote for this conference report are going to make it impossible for me and for the Appropriations subcommittee ranking members to help you. Hear me: I would love to help you, but you are going to make it impossible when you vote for this conference report, because you are going to cut discretionary spending levels to the point that we cannot help you.

Again, for nondefense programs, the level provided in the conference report is \$5.5 billion below the level necessary to keep pace just with inflation. This level will leave no resources for increases that we all recognize are necessary for education, for infrastructure, for research and development, and for the promotion of our energy independence. We have an energy shortage in this country right now—rolling brownouts. You are going to hear more about them. But what are we doing about it? We are not doing anything positively in this budget conference report. I will tell you what we are doing. We are cutting the moneys for basic research—fossil fuel research—in the budget.

The increases being debated on the floor for elementary and secondary education cannot be fully funded. The resolution provides for an increase of less than \$13 billion above fiscal year 2001 for all nondefense programs. The elementary and secondary education