

Mr. BYRD. None of them were budget busters.

Mr. REID. If someone came to the floor and said: The reason we can't pass appropriations bills is because we haven't passed a budget, would it be a fair statement to say that is without basis in fact?

I should say, we don't have a budget, but as far as being the reason we don't do appropriations bills, that wouldn't be a very good reason, would it?

Mr. BYRD. No. We agreed in the committee that we would have a certain top line. We voted for that top line. It was unanimous, Republicans and Democrats there, and Republicans and Democrats in the Senate voted for that \$768 billion top line. Yet the administration insists on standing by the \$759 billion figure. That is just a \$9 billion difference, just \$9 billion. We are hung up over that \$9 billion.

Ask the chairman of the Appropriations Committee in the House. He knows what the problem is. He knows that the administration has its feet in concrete when it comes to that top line figure. He, the chairman on the House side of the Appropriations Committee, knows that we need that top line which we in the Senate have already agreed on, \$768 billion, if we are to come close to meeting the needs of the American people, talking about homeland security also.

Mr. REID. What the Senator is saying is for the Defense appropriations bill, which was approximately \$350 billion, you are saying the other 12 appropriations bills were \$9 billion over what the Office of Management and Budget wanted; is that what the Senator is saying?

Mr. BYRD. I am saying that is the difference, \$9 billion. That is all that is holding us from going forward. Yet Mr. Lawrence Lindsey, the President's economic adviser, says with respect to what the anticipated cost of the war in Iraq will be—

Mr. REID. Up to \$200 billion.

Mr. BYRD. Somewhere between \$100 billion and \$200 billion, chicken feed. That is nothing, he says. That is nothing. Yet \$9 billion is like a bone in the throat to this OMB Director down here, Mitch Daniels, and the President and the administration. They are hung up on \$9 billion. But when it comes to Iraq, no; \$100 billion, no, \$200 billion, no.

Mr. REID. One last question to the Senator from West Virginia, if we passed all of our appropriations bills out of here, including the Defense bill, passed them and took them to the House, we still have to go to conference; is that not true?

Mr. BYRD. That is true.

Mr. REID. And maybe if the President made a good case in conference, we would come back with less than \$9 billion over the OMB; is that right?

Mr. BYRD. Well, I suppose if there were a good case made. But the good case has already been made to the contrary that we need that \$9 billion more.

Mr. REID. But my point is that the process has been going on for 215 years. The House does its work; the Senate does its work. We go to conference. There you work out differences. It is my understanding they are not letting us pass bills because they are not passing House bills that we can even go to conference.

Mr. BYRD. Absolutely. The House has not passed the appropriations bills. The House Appropriations Committee—no fault of the Republican chairman of that committee and others on the committee—has not passed, has not reported out all of the 13 bills in the House. The House has reported eight bills. The House Appropriations Committee has reported 8 of the 13 bills. I am just talking about the reporting out by the committee.

We haven't done very well over here, either, because we are stalled on the Interior appropriations bill which has been before the Senate now for many days.

Mr. DAYTON. Will the Senator yield for one more question?

Mr. BYRD. Madam President, I yield for a question.

Mr. DAYTON. From what I understand from the discussion, the Senate Appropriations Committee has come out on time and on budget, and yet we are hung up in these delays. The Senator who chairs that committee, who has done everything right in order to meet these deadlines, today is on the Senate floor expressing the catastrophic effects that will result across the country from the failure to meet these deadlines.

This Senator presides a great deal and has not heard anyone else come before the Senate to express his dismay at the human consequences of the failure to come to this agreement.

I thank the Senator for bringing these matters to the attention of the Senate and ask, as a final question: What can we do now to try to stave off these catastrophes?

Mr. BYRD. Madam President, I hope the administration will come to its senses and stop playing politics. What I say, I say with great respect personally and individually to the leadership of the House, but for political reasons the House has not passed an appropriations bill—not a single one—in 9 weeks.

I have been in Congress now 50 years this year, and I don't recall, may I say to the distinguished Senator from Pennsylvania over here, ever in any administration, Democratic or Republican, seeing the likes of this. The House will not move its appropriations bills. The House is getting orders from on high—from on Mount Olympus, up there with the gods. So there we are. We are stalled, dead in the water. Here we are, within a few days of the new fiscal year.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business has expired.

Mr. BYRD. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Madam President, one quick comment about being stalled. I suggest that in defense of my colleagues in the House—and I try to be a defender of them in the Senate—I suspect one of the reasons is that we don't have a budget. It is very hard to mark up appropriations bills when you don't have an agreement between the two bodies. I think that is difficult.

The fact that the Senate has not passed a budget has put us in a situation where we have been unable to get conference reports—or even bills passed, in some cases—because of the uncertainty of what those numbers are.

Mr. BYRD. Will the Senator yield?

Mr. SANTORUM. I yield for a question.

Mr. BYRD. I will try to put a question mark after it. The House has a bill. We, on this side, agreed on it, and we had a vote in the Senate not too long ago. We got 59 votes; we lack 1 vote, or we would have had a budget. I hope we have another opportunity to vote.

Mr. SANTORUM. Madam President, yes, the House does have a budget, but the Senate does not. The Senate's top line number is higher than the House's. That is why we go through the budget process, so that we can have agreement between the two bodies on the top line number, and we can apportion the money accordingly. There is a discrepancy between the two bodies. That is what creates the problem for the House in being able to move their appropriations bills—that trap into which they may be entering.

That is not the reason I got up to talk. I know the good Senator has spent considerable time talking about this, and I respect his opinion. I wanted to very politely disagree with some of the conclusions in his discussion.

Mr. BYRD. Madam President, I didn't know the Senator disagreed with me.

Mr. SANTORUM. With the conclusion. My mother always told me to try to disagree without being disagreeable. I am trying to do that at this time.

Mr. BYRD. Well, the Senator is talking about mothers now.

Mr. SANTORUM. I figure I am on solid ground in that regard.

Mr. BYRD. Maybe.

#### THE CARE ACT

Mr. SANTORUM. Madam President, I rise to talk about an issue of grave importance. The Presiding Officer is from New York, and she knows of the great tragedy that has befallen her State as a result of 9/11, and the tremendous generosity that has been pouring out to the victims of terrorism in New York, northern Virginia, as well as Pennsylvania.

What I am sure Members know also is that, as a result of that tremendous outpouring of giving, in a lot of other