

The amendment is as follows:

On page 2, line 5, strike "March of each year" and insert "March, 2000,".

Amend the title so as to read: "Resolution designating the month of March, 2000, as National Colorectal Cancer Awareness Month".

Ms. COLLINS. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 2796) was agreed to.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution, as amended, be agreed to, the preamble be agreed to, the title amendment be agreed to, the motion to reconsider be laid upon the table, and finally, that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 108), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

[The resolution was not available for printing. It will appear in a future edition of the RECORD]

Ms. COLLINS. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. LEAHY. I wonder if the Senator from Maine would yield for one comment?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. LEAHY. Would the Senator from Pennsylvania yield for 30 seconds?

Mr. SPECTER. I would.

Mr. LEAHY. Mr. President, I commend the Senator from Maine. She has cleared out the Judiciary Committee docket to a fare-thee-well. A lot of the legislation was worked in a bipartisan fashion by Senator HATCH and myself and the distinguished Senator from Pennsylvania and others.

Ms. COLLINS. I thank the Senator for his comments.

The PRESIDING OFFICER (Mr. AL-LARD). The Senator from Pennsylvania.

FUNDING FOR DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

Mr. SPECTER. Mr. President, I have sought recognition to comment on the pending appropriations bill which includes funding for the three Departments of Health and Human Services, Education, and Labor, the subcommittee which I chair for the Appropriations Committee.

The legislative process has proceeded to this point in an extraordinary way.

It had been my hope and plan that the bill for my subcommittee would have been taken up by the Congress, passed, and presented to the President in advance of the close of the fiscal year, September 30, but that has not occurred.

It had been my hope and plan to present it to the President before the end of the fiscal year so he could have signed it or vetoed it and, had he chosen to veto it, there could have been a public debate on the priorities in the bill and also the key point of having local control on the decision of \$1.3 billion, which has been allocated for additional teachers for the reduction of classroom size.

Unfortunately, it has been the practice in the Congress in recent years to pass the bills after the close of the fiscal year and in a context where we are going to yield to the President's wishes, subject to a veto, because it may result in the closing down of the Government. Winston Churchill had it right when he said that democracy is a terrible form of government except compared to everything else. I think that would apply to representative democracy as well. Somehow we muddle through. We are in the final stage of the muddling process now.

To describe the process to people who are not familiar with the inside of the Senate is very challenging. I was discussing with my son last night the plan to have the Senate convene at 12:01 a.m., November 20, Saturday morning, to take up a cloture motion on the appropriations bill, and then to vote at 1:01 a.m. It was necessary to have the conversation because I had to defer lunch with my 4-year-old granddaughter, Perri, and picking up my 6-year-old granddaughter, Silvi, from school, all of which is fine, but there has to be some reason for that.

We have Senators exercising their rights which, to be repetitious, they have a right to do, such as to have bills read for several hours, which does not change the ultimate outcome, or to have cloture votes with these extraordinary scheduling problems. I learned a long time ago that the Senate is a lot smarter than I am and the rules of the Senate are in place for a purpose.

As one of our distinguished colleagues said yesterday in a closed caucus, Senators ought not be discouraged from exercising their rights because when they take to the floor and debate, have a filibuster, and have extended discussions for the purpose of acquainting the country with what is going on, perhaps it may arouse some public reaction to perhaps change what the Senate might be doing.

So, in essence, I am delighted to see the Senate rules observed and rights to Senators activated. For whatever delay there is, so be it. It is my hope that next year the appropriations bill for my subcommittee on the Departments

of Labor, Health and Human Services, and Education will be completed at an early date. I have talked to our distinguished majority leader, Senator LOTT, and I have had some encouragement that my bill may be taken up first next year, so that priorities can be established in regular course by the subcommittee, the full committee, and the Senate—the same on the House side—then conferenced and presented to the President for his signature or for his veto. If he chooses to veto the bill, so be it.

The bill which was voted out of the Senate by a vote of 73-25 had been very carefully crafted on a bipartisan basis with my distinguished colleague from Iowa, Senator TOM HARKIN. I learned a long time ago that if you want to get anything done in Washington in the Senate and the Congress, it has to be bipartisan. Senator HARKIN and I worked through our bill. We had a very attractive bill. We had emphasized \$300 million more than the President's figure on education, establishing the priorities which we thought were in order.

We had provided very substantial increases to the National Institutes of Health because of the great work done there in looking for cures and being on the verge of cures for very many major maladies. We are within 5 years striking distance, so the experts say, on Parkinson's and have made great progress on Alzheimer's and heart disease and cancer—prostate cancer, breast cancer and cervical cancer.

We picked a figure of \$93.7 billion because we thought that would attract very substantial bipartisan support, that being \$300 million higher in education than the President had, that it would qualify for a President's signature.

Regrettably, the House of Representatives did not pass the bill. In conference, the bill was substantially altered, being joined with the bill for the District of Columbia. It had an across-the-board cut of almost 1 percent. The bill was ultimately vetoed. Then it came back for reconsideration.

On reconsideration, the White House administration wanted to add some \$2.3 billion more. I knew that would cause a major strain on the Republican side of the aisle, and there was a great deal of pressure to yield to the President because of the bad experience we had in December 1995 and early 1996 when the Government was closed down and the Republican-controlled Congress took the blame. The result is that the Congress is now gun shy to fight with the President, gun shy because, with his threatened veto, the Congress has a strong tendency to back down, perhaps not on every point—the family planning issue and the U.N. dues was a notable exception—but backing down on almost every point. The result has been that we are developing an imperial presidency because we have a gun-shy

or timid Congress. That is very unfortunate.

The issue came into sharp focus on the matter of classroom size reduction and additional teachers, with the President's program to add 100,000 teachers. I think it is a very good program. I support it. But I do not support it if the local school district says that there are other needs at the local level which are more important to the school district than additional teachers and classroom size.

When we crafted our bill, we said we would acknowledge the President's ideas as the first priority, but if the local school district made a decision after a fact finding study that they wanted to use the money for something else, then let them use the money for something else. We held tough to that position. Without going into all the details, finally we were undercut. The rug was pulled out, and there was a concession to the President on that point, with a bone being thrown to the Congress so that 25 percent could be used for teacher training. But that is not the kind of flexibility that is best public policy. The best public policy is, OK, class size reduction and additional teachers are important and they are the first priority, but if a local school district says our local needs are different, then let's not put them in a Washington, DC, bureaucratic strait-jacket. That is the result of what has happened.

It is my hope that next year we can take this bill up early. This issue will still be with us next year and President Clinton will still be with us next year. When Senator HARKIN and I and other Republicans and Democrats, on a bipartisan basis, establish our priorities, let's legislate. As the Constitution says, the power of the purse is with the Congress—the appropriation power—so let us present the bill to the President. If he vetoes it, let's take the case to the public. I think we can certainly win on the issue of local control versus the Washington bureaucratic strait-jacket. To do that, the bill has to be presented to the President before the end of the fiscal year. It has to be presented to the President in September—hopefully early September. That is the plan for next year.

I would like to see the process modified where we do not have the White House officials in the legislative process as part of the negotiations. The Constitution says that Congress submits a bill to the President and he signs it or vetoes it. But that system has been aborted, observed in the breach more often than in the rule by having OMB officials, the Director of OMB, sitting down with the appropriators to decide what the President will accept before the Congress makes a decision and submits a bill to the President. That is not the constitutional way and we ought to change it.

So against that backdrop with substantial concerns about what has been done, I do intend to vote for this appropriations package. I do so because the good points outweigh the bad points, perhaps close, but the benefits do outweigh the negatives. We come through in this bill with an increase in the National Institutes of Health funding by \$2.3 billion, for a total of \$17.9 billion. Senator HARKIN and I have taken the lead with an increase, 2 years ago, of almost \$1 billion, last year \$2 billion, and this year \$2.3 billion. Some objections have been lodged, but nobody with sufficient bravado to try to take it out of the bill.

Enormous advances have been made on dreaded diseases. They are within 5 years of curing Parkinson's, so say the experts, with major research advances in Alzheimer's, cancer, heart ailments, and a whole range of various other ailments. With the Federal budget of \$1.8 trillion, \$17.9 billion is not chopped liver, but it is not too much.

This bill also has an increase in special education by \$913 million, bringing the total to more than \$6 billion on what is essentially a Federal obligation, and it frees State and local funds for other purposes. The Head Start increase is \$608 million, to more than \$5.2 billion. Afterschool learning centers more than doubled for a total of \$453 million. The substance abuse and mental health program increases by \$163 million over fiscal year 1999, for more than \$2.6 billion. AIDS funding increased by \$185 million over last year to almost \$1.6 billion. There is first-time funding of \$75 million for the Ricky Ray Hemophilia Act, which are appropriations that are long past due.

We worked out an accommodation on the issue of organ allocation and, regrettably, at the last minute on a backdoor arrangement, a different provision has been added to another bill that will be voted upon by the Congress. Organ allocation has been very contentious. Last year we agreed, under considerable reluctance, to a 1-year deferral. The Secretary of Health and Human Services, Donna Shalala, promulgated regulations on October 1, and then came the cry for an additional delay. Some wanted it at 90 days.

Finally, in a rather unusual way in my capacity as chairman of the conference, I invited Secretary Shalala to come to the conference on Wednesday, November 10. She was on her way home. We reached her in her car and she turned around from Georgetown and headed back to Capitol Hill. For more than an hour and a half we had a meeting with the House chairman, BILL YOUNG, who very much wanted a 90-day delay and the ranking Democrat on Appropriations, Congressman OBEY from Wisconsin, who also argued strongly for a delay. I urged that we not have the delay, as did Congressman

JOHN PORTER, chairman of the House subcommittee. Finally, we hammered out an agreement for 42 days—21 days for additional comments and 21 more days for a response to those comments.

I had thought that closed the matter out and reported back to the leadership. The general rule is to leave these issues with the subcommittee chairmen, and we have hammered it out. I found out late yesterday that there is another bill with a 90-day extension. It is not possible to put a hold on the other measure, which is a conference report. There could be some delay, such as a reading of the bill, a vote for cloture, but the result would be the same.

Let me say this to those who have increased the delay: It increases our tenacity to get these regulations into effect. There is some thinking that there will be an authorization bill that is going to validate the regulations. I am not one for predictions, but I am prepared to make one here. There won't be 60 votes for cloture. If that should be wrong, there certainly won't be 67 votes to override a Presidential veto. George Shultz, when he was Secretary of State, once made a prophetic comment that "nothing is ever settled in Washington." That very thing is true in Washington; he hit that right on the head. Nothing is ever settled in Washington. I thought the delay on the organ transplant issue had been resolved, but it wasn't settled. George Shultz may be wrong; we may settle it with finality when this 90-day period expires.

In summary, the Congress will finally get the job done on this appropriations bill and finally move ahead on the bill from my subcommittee on funding the Departments of Health and Human Services and Labor and Education. I have given a brief thumbnail description as to what the pluses and minuses are. I will vote for it because the advantages outweigh the disadvantages. But it is my hope that we will learn from the experiences this year and do a much better job next year.

I thank the Chair and yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTELLIGENCE AUTHORIZATION
ACT FOR FISCAL YEAR 2000—
CONFERENCE REPORT

Mr. SHELBY. Mr. President, on behalf of the majority leader I submit a report of the committee of conference