Mikulski
Murray
Reed
Reid
Rockefeller
Sarbanes
Schumer
Torricelli
Wellstone
Wyden

NOT VOTING—5

Feinstein
Gorton
Grams
Helms
Lieberman

The motion was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ENACTMENT OF CERTAIN SMALL BUSINESS, HEALTH, TAX, AND MINIMUM WAGE PROVISIONS—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate on the bill H.R. 2614 ''To amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes,'' having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report is printed in the House proceedings of the RECORD (Part II) of October 25, 2000.)

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the continuing resolution, that no amendments be in order, the vote occur immediately; that following the vote the time be divided as follows: 15 minutes under the control of Senator MCCAIN and 30 minutes under the control of Senator HARKIN.

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

The clerk will state the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 116) making further continuing appropriations for the fiscal year 2001, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. LOTT. Mr. President, this will be the last vote of the night. We will then be on the Tax Relief Act conference report.

Of course, Senators have indicated that they wish to speak on that, and perhaps other subjects. The pending business then will be the Tax Relief Act conference report.

But this will be the last vote tonight.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 116) making further continuing appropriations for the fiscal year 2001, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on passage of H.J. Res. 116.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Washington (Mr. GORTON), the Senator from Minnesota (Mr. GRAMS), and the Senator from North Carolina (Mr. HELMS), are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina (M. HELMS) would vote ''yea.''

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 287 Leg.]

YEAS—94

Abraham
Akaka
Allard
Ashcroft
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Breaux
Brownback
Bryan
Bunning
Burns
Byrd
Campbell
Chafee, L.
Cleland
Cochran
Collins
Conrad
Craig
Crapo
Daschle
DeWine
Dodd
Domenici
Dorgan
Durbin
Edwards
Enzi
Feingold
Fitzgerald
Frist
Graham
Gramm
Grassley
Gregg
Hagel
Harkin
Hatch
Hollings
Hutchinson
Hutchison
Inhofe
Inouye
Jeffords
Johnson
Kennedy
Kerrey
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Levin
Lincoln
Lott
Lugar
Mack
McCain
McConnell
Mikulski
Miller
Moynihan
Murkowski
Murray
Nickles
Reed
Reid
Robb
Roberts
Rockefeller
Roth
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith (NH)
Smith (OR)
Snowe
Specter
Stevens
Thomas
Thompson
Thurmond
Torricelli
Voinovich
Warner
Wellstone
Wyden

NAYS—1

Leahy

NOT VOTING—5

Feinstein
Gorton
Grams
Helms
Lieberman

The joint resolution (H.J. Res. 116) was passed.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ENACTMENT OF CERTAIN SMALL BUSINESS, HEALTH, TAX, AND MINIMUM WAGE PROVISIONS—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to read some headlines from newspapers across the United States commenting on our work:

''Congress' Pork Roast'' The News and Observer (Raleigh, NC)

''Imaginary Numbers Game: Congress Pork-Barrel Is Eroding The Surplus'' The Record (Bergen County, NJ)

''Congress Rolls Out The Pork-Barrel Election, Surplus Bring Free Spending'' The Florida Times-Union (Jacksonville)

''Costly Delay: Politics Prompts Capitol Hill Feeding Frenzy'' Telegram & Gazette (Worcester, MA)

''Bellying Up To A Pork Barrel'' The Christian Science Monitor

''Dollars Flying In Congress' Flurry Of Final Spending'' USA Today

''Congress Has Last-Minute Pork Feast'' Chattanooga Times

''Spending Bill Fat With Pork: Both Parties Engaged In Budget-Busting Spree'' The Houston Chronicle

I am saddened by these headlines because of the damage such words do to the reputation of our governmental institutions. But I am also angered by them.

Why? Because we are deliberately, of our own free will, spending the surplus and jeopardizing future prosperity.

With this year-end spending blitz, Congress and the President have blown away the last remaining vestiges of fiscal discipline that, for a brief, very brief moment in time, had put the brakes on the spending frenzies that all too often engulfed our Capitol and contributed to our huge national debt, which stands today at $5.7 trillion.

Tens of billions in pork barrel and special interest spending have been packed into these appropriations bills, as well as numerous provisions pushed by Capitol Hill lobbyists that the American public will not know about until after these bills become law. In fact, Dan Morgan of the Washington Post aptly characterized this well-coordinated, last minute lobbying offensive as ''high noon at Gucci Gulch.''

I regard such a spectacle as demeaning to our Government.

U.S. News & World Report, October 23, 2000:

Nearly two weeks past its promised departure date, Congress remains in Washington, locked in a standoff with the White House and mired in its own disarray over the Federal budget. And as the dealing crackles up and down Pennsylvania Avenue and across the Capitol Rotunda, the shenanigans are going to cost a staggering amount of money. By some estimates, if the spending increases continue at the current pace—nearly twice the rate of inflation—the non-Social Security surplus could be eliminated in less than 5 years.

* * * * *

Feast day. The $650 billion figure must be stacked against the famed 1997 balanced budget deal. Under that agreement, the government was supposed to spend $541 billion in discretionary dollars this year. They should miss the mark by a mere $100 billion or so. The Republicans will outspend their own budget resolution passed this spring by about $50 billion. Election-year politics, an irrepressible instinct for pork, and a unique moment of plenty have combined to create a kind of fiscal third-base coach waving everybody home to score whatever spending project his heart desires

* * * * *

The spending comes in big chunks and small. In Alaska, thanks to Senate Appropriations Chairman Ted Stevens, taxpayers will spend $176,000 to help the Reindeer Herders Association. Stevens set aside a total of $43 million for other Alaska transportation projects. Alabamians may be forever grateful for the $1.5 million set aside to help restore the venerable Vulcan statue in Birmingham, a 56-foot, iron rendition of the Roman god of fire and metalwork. Built as an entry for the 1904 World's Fair, it won the grand prize in the Palace of Metallurgy. Stewart Dansby, executive director of the Vulcan Park Foundation, says officials at the organization talked to Alabama Sen. Richard Shelby about helping to fund the renovation. "Why are federal tax dollars being spent on a statue in Birmingham?" asks Dansby. "Because Vulcan is symbolic of American industrial strength. He represents the working person and . . . . These are federal dollars that would have gone somewhere."

There is ample evidence of that. The huge surpluses projected over the next decade—$268 billion next year—may have forever changed politics in Washington. The result is a kind of giddiness. "The surplus is burning a hole in our pocket. It is affecting our judgment," says Republican Sen. Phil Gramm of Texas

* * * * *

Senators from both sides of the aisle have been treating themselves to hundreds of spending programs of peculiar, and perhaps dubious, value. Examples:

Harry Reid has secured more than $14 million for five projects in Nevada, including $2 million to enable airline passengers to get boarding passes at their hotels.

Who I see here.

Tom Harkin added more than $7 million to next year's Agriculture bill to fund "integrated cow resources management and agriculture-based industrial lubricants research."

Perhaps Senator Harkin can enlighten us on that.

Robert Byrd has earmarked $5.25 million for a new dorm at the National Conservation Training Center in Shepherdstown, a facility run by the U.S. Fish and Wildlife Service.

Ted Stevens (R-Alaska), the appropriator in chief, scored $400,000 for a parking lot in Talkeetna—a slice of the $43 million in special projects he pulled out of the Transportation bill.

Pete Domenici a nominal budget hawk, claims that the $200,000 he got for a railroad museum in Las Cruces "could improve transportation for the entire nation."

Richard Shelby opposed Federal involvement in peanut allergy research in 1998, but he has secured $500,000 for the same in fiscal year 2001.

Mr. President, I have included the top 10 list on several occasions. One of my favorites was insect rearing, bug raising for fun and profit. There are many others that my colleagues may be entertained by, but also American taxpayers may be somewhat disturbed by.

The Washington Post, Eric Pianan, October 25:

Rules created more than two decades ago to impose fiscal restraint on Congress have broken down, helping fuel a year-end spending spree that is resulting in billions of extra dollars for highways and bridges, water projects, emergency farm aid, school construction and scores of other projects.

Many budget hawks have derided the binge as a typical election year "porkfest." But key lawmakers and experts on federal budgeting say another less visible problem is that the law aimed at reining in such spending has been effectively gutted by the congressional leadership.

In particular, lawmakers are increasingly ignoring the annual congressional budget resolution, the document that is supposed to guide spending and tax decisions in the House and Senate every year. In years past, lawmakers might miss their budget targets by a few billion dollars, but now they are busting the budget by as much as $50 billion this year.

This year's budget resolution, for instance, called for about $600 billion in spending this fiscal year on defense, health, education, and other non-entitlement programs. When Congress and the White House finally complete their negotiations . . . the total will be $640 billion or more. . . .

The decision to ignore the budget resolution is only one sign of a general breakdown of fiscal discipline on Capitol Hill, according to fiscal experts. Congress and the Clinton administration are also ignoring spending caps, both agreed to as a part of the 1997 legislation to balance the federal budget.

Congress's enthusiasm for real budget constraints began to wane almost as soon as deficits gave way to surpluses beginning three years ago. Until then, the specter of towering annual deficits of as much as $290 billion had fostered a series of hard-nosed policies, including a 1990 budget deal that for the first time imposed caps on spending and required Congress to offset tax cuts by reducing spending or raising other revenues.

The emergence of surpluses has left it to lawmakers to produce budget plans that would impose spending discipline with an eye to the time when Medicare and Social Security will begin to run short of money. But that has not happened.

All of this maneuvering and horse trading predictably has been conducted behind closed doors, away from the public eye, bypassing a process whereby all of my elected colleagues should evaluate the merit of each budget item.

The big winner in this budget ritual is not the American people but bigger Government and bigger bank accounts for special interests.

As Ronald Reagan was fond of saying, "Facts are stubborn things," and the facts swirling around the fiscal year 2001 budget are disheartening to anyone who believes in smaller Government, fiscal restraint, and the responsibility of elected officials to do everything possible to ensure prosperity for our children and grandchildren.

A few months ago, Republicans outlined our spending plan, calling for about $600 billion in so-called discretionary spending. That is spending on programs other than Social Security, Medicare, and interest on our $5.7 trillion debt. The President's budget requested about $623 billion in discretionary spending.

But the unsavory mix of Members adding billions upon billions more in special interest spending, in what the Associated Press described as a "bipartisan spending bazaar," combined with a President determined to squeeze as many taxpayer dollars as possible as the price for letting everyone go home, led to a "compromise" only Washington could love. In the end, bidding up the final spending tally in the range of $640 billion to $650 billion, give or take a few billion, but this explosion of spending does not seem to bother the White House. Just last week, I was amused to read the words of the President's Chief of Staff, who said in a speech that at the end of this budget process, "We will have a budget that is fiscally responsible."

It is a mind-boggling comment, at odds with the facts.

For the fiscal year 2001, we have already spent at least $30 billion past the discretionary spending limits set by the budget resolution for this year. When all is said and done and all the bills have been properly reviewed, we could very well spend up to $50 billion more. What is going on here?

The Congress has not always acted this way. As a matter of fact, in 1997 and 1998, when we still had deficits, we spent less money than the actual budget caps. Since the era of surpluses began in 1999, the Congress and the President have taken this to mean they now have a license to spend freely without any adherence to limits. In fact, a recent Cato Institute study of congressional budget habits found that from fiscal year 1998 to fiscal year 2000, domestic spending grew by more than 14 percent in real terms.

Our continuing irresponsibility is threatening to consume a substantial portion of the projected on-budget surpluses before they are realized. Do any of my colleagues genuinely believe we will actually spend less next year?

According to a CBO report released this month, even if we are to save all of today's projected surpluses, we still face the possibility of an uncertain long-term fiscal future as the aging of our population and, thanks to the wonders of modern medicine, the lengthening of our lifespans lead to surging entitlements costs.

The CBO projected the three main entitlements programs—Social Security, Medicare, and Medicaid—will rise from roughly 7.5 percent of gross domestic product today to 17 percent by the year 2040, absent structural reforms. One line in particular in the report should grab the attention of my colleagues. It reads:

> Projections of future economic growth and fiscal imbalances are quite sensitive to assumptions about what policymakers will do with the budget surplus that are projected to arise over the next decade.

Remember, today's official budget surplus projections assume discretionary spending will grow for the next 10 years at the rate of inflation, which makes the conclusion of a recent Concord Coalition report even more alarming. The report warns ''that if discretionary spending continues to grow at the same rate it has in recent years, two-thirds of the projected 10-year non-Social Security surplus would disappear.'' That will translate into a reduction of the non-Social Security surplus by $1.4 trillion.

While the White House was the chief engineer pushing the spending bonanza, my party, yet again, let pass a golden opportunity to showcase our fiscal discipline and resolute devotion to debt reduction. We could have supported spending bills with no hard-earned taxpayers' money spent at the behest of individual lawmakers without authorization and adequate congressional review, but we did not.

As we are close to the end of this Congress, we must look to the next Congress, indeed the next President, to address many of the pressing problems that plague our Nation. The real question that faces us is whether we will end the Washington partisan gridlock and achieve results for the American people on a range of critical issues, such as prescription drugs, HMO reform, Social Security reform, and military reform.

I strongly submit that to break the gridlock that cripples Washington, we must break the stranglehold of the special interests on our political process.

For example, we have been trying for nearly 2 years to get a decent health care bill of rights passed into law. The purpose of the legislation is to provide every American who is caught in a squeeze play between employers' HMOs and their doctors with some basic rights designed to ensure they get the quality health care they have paid for and deserve. Yet the trial lawyers and the health care industry lobbies have succeeded in derailing any hope of reaching a meaningful compromise. So Americans, average Americans, will go on suffering at the hands of health care bureaucracy decisions often guided more by the bottom line than the best interests of the patients.

We must have courage to say no to the special interests who pay the soft money fee to gain access to the high political councils while the average taxpayer is left out in the cold. It will not be easy breaking our addiction to soft money.

Roll Call newspaper reports that in a recent survey of 300 senior corporate executives conducted by the Tarrance Group:

> Nearly three-quarters said pressure is placed on business leaders to make large political donations, and half of the executives said their colleagues ''fear adverse consequences for themselves or their industry if they turn down requests'' for contributions.

And 79 percent said the campaign finance system is ''broken and should be reformed.''

The PRESIDING OFFICER. The Senator has used 15 minutes.

Mr. McCAIN. I thank the Chair. I will make the rest of my remarks brief.

Such pressure for campaign contributions seems to be paying dividends. According to the Center for Responsive Politics, in 1992, soft money accounted for 18 percent of the political parties' overall fundraising. Today, that figure has more than doubled to ''40 percent of everything the parties raise.''

We are going in the wrong direction, and it is undermining our democracy. That is why I pledge to bring campaign finance reform to the Senate floor when the Senate convenes next year.

Let me be clear; no matter which party prevails in November, our democracy will be the loser unless we clean up our political process. Without real change in how we conduct our politics, cynicism will prevail and continue to eat away at our public square, fueling even lower voter turnout and turning more and more Americans away from public service.

Mr. President, this is too high a price to pay. That is why I am committed to clean up the budget process and the way we fund campaigns. Please join me in this process.

LOW-POWER FM RADIO SERVICE

Mr. McCAIN. Mr. President, there is a great example of the influence of special interests, which I am told has been inserted into the Commerce-State-Justice, the Judiciary, and related agencies appropriations conference report, without a debate on this floor, without a vote on this floor.

Mr. President, I understand that legislation restricting low-power FM services has been added behind closed doors to that appropriations bill. The addition of this rider illustrates, once again, how the special interests of a few are allowed to dominate the voices of the many in the backdoor dealings of the appropriations process.

Low-power FM radio service provides community-based organizations, churches, and other nonprofit groups with a new, affordable opportunity to reach out to the public, helping to promote a greater awareness within our communities, about our communities. As such, low-power FM is supported by the U.S. Conference of Mayors, the National League of Cities, Consumers' Union and many religious organizations, including but not limited to, the U.S. Catholic Conference and the United Church of Christ. These institutions support low-power FM because they see what low-power FM's opponents also know to be true—that these stations will make more programming available to the public, and provide outlets for news and perspectives not currently featured on local radio stations.

But, the special interests forces opposed to low-power FM—most notably the National Association of Broadcasters and National Public Radio have mounted a vigorous behind-the-scenes campaign against this service.

Let me repeat—and my dear friend from Nebraska joined me in this effort. Together, we tried to stop the National Association of Broadcasters and National Public Radio. Simply put, they have won again.

I believe the Senator from Nebraska will agree with me there is no way they could have carried that vote on the floor of this Senate. There is no way they could have deprived all of these communities, all of these small business people, all of these religious organizations, all of these minority groups—but they stuck it into an appropriations bill, a piece of legislation that never had a single bit of debate and would never have passed through the Commerce Committee, of which I am the chairman, if it had been put to a vote.

Earlier this year, Senator KERRY and I introduced the Low Power FM Radio Act of 2000, which would have struck a fair balance between allowing low-power radio stations to go forward while at the same time protecting existing full-power stations from actual interference. Under our bill, low-power stations causing interference would be required to stop causing interference—or be shut down—but noninterfering low-power FM stations would be allowed to operate without further delay. The opponents of low-power FM did not support this bill because they want low-power FM to be dead rather than functional.

Congress should not permit the appropriations process to circumvent the normal legislative process.

Mr. President, low-power FM is an opportunity for minorities, churches and others to have a new voice in radio broadcasting. In the Commerce Committee, we constantly lament the fact that minorities, community-based organizations, and religious organizations do not have adequate opportunities to communicate their views. Moreover, over the years, I have often heard many Members of both the Committee and this Senate lament the enormous consolidation that has occurred in the telecommunications sector as a whole and the radio industry specifically. Here, we had a chance to simply get