The PRESIDING OFFICER (Mr. BENNETT). The Senator's time has expired.

Mr. CRAIG. Recognizing my time has expired, I will continue this dialog probably on Monday night. I have now quoted 20 of about 40 of these kinds of situations in which the Vice President has found himself. I will make them a part of the RECORD to compare them to what the Senator from Nevada has stated, and I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Nebraska.

DIFFERENT APPROACHES

Mr. KERREY. Mr. President, in yesterday's New York Times, there was a story about a young man in Poughkeepsie, NY, who used a global positioning satellite device—a little, handheld device that tells you exactly where you are—to do something that apparently is sweeping the country; that is, to cachet something and then put a GPS label on it. Then somebody else goes out and tries to find it. It is the latest fad in the never-ending pursuit of ways to use sophisticated technologies to accomplish useless things.

With great respect to the Senator from Idaho, what we have here is one more attempt to come down here and use sophisticated descriptions of the Vice President to accomplish useless things.

The other day, the Senator from Nevada came down and read I don't know how many pages of statements of the Governor of Texas; things that he said were incorrect. ''Nigeria is a continent''—things like that—and, ''I am the only candidate who knows how to put food on my family.''

It is funny.

The truth is, the Vice President, in the House of Representatives, did play an instrumental role in providing the funding for the National Science Foundation, DARPA, and other sorts of things. One of the founders of Netscape the other day said Netscape wouldn't have been created—he is the guy that wrote the software at Champaign-Urbana, IL, called Mosaic that lead to the creation of the Internet.

He said: I wouldn't have gotten my start, and we wouldn't have been doing our work were it not for AL GORE's work over in the House.

All of these things we can argue.

I have been asked repeatedly: Do you think the Governor of Texas is competent enough to be President? Does he lack intelligence?

I was asked the other day on a radio show. I don't say that the Governor of Texas lacks intelligence; I do not suggest that he is incompetent; But I think it is important to examine the proposals that are on the table. The Governor of Texas says we ought to cut income taxes by $1.6 trillion. He says let the American people decide how the money is going to be spent.

That is a reasonable thing to do. I don't object to letting the American people decide how they are going to spend their own money.

Over the last 10 years, we have made great strides, starting with a piece of legislation that the father of the Governor of Texas supported in 1990. George Herbert Walker Bush, when he was campaigning in 1980 for the Republican nomination, described Ronald Reagan's proposals as ''voodoo economics.'' He went along with him as Vice President for 8 years, and for 2 years as President.

In 1990, he said we have had enough. He signed legislation and imposed caps that we are obliterating this year.

We are ignoring the caps this year. I think we are going to be $300 billion over on appropriations; the tax bill, another $250 billion against Medicare; health provisions, another $250 billion. We are about $900 billion over the caps.

But the Governor of Texas is determined to do another $1.6 trillion on top of that—$1.1 trillion of payroll tax; ''voodoo economics,'' and will put at risk not just this surplus that we have but the jobs that have been created as a consequence of what his father started in 1990.

That is what this campaign is about. It should not be in pursuit of what I consider to be sort of useless arguments where you find that the Vice President said something that isn't 100 percent true. So he finds something that the Governor of Texas says isn't 100 percent true. That really makes unusual candidates for office. It is a fairly common thing for us to do in the campaign.

But, in my view, an awful lot is at stake here—an awful lot more than just trying to figure out who says the silliest things and the most preposterous things.

The economic strategy of these two individuals is dramatically different. Their approach to problem solving is also dramatically different, and their attitudes toward many issues are dramatically different. We ought to allow the American people to distinguish one from the other.

I for one am getting sort of weary from all of these attempts to demonstrate that one person lies and the other person is so stupid that they can't figure out one thing from another.

It is far more important, it seems to me, for the American people to assess where it is these two individuals want to take this country, and then try to, as well, give them the opportunity to separate themselves. And they are clearly dramatically different in their approach not only to the issues but in their approach to the economy and in their approach to where they want to take the United States of America.

I yield the floor and look forward to the comments of the distinguished Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I listened to the distinguished Senator from Idaho and the distinguished Senator from Nebraska, and I would like to say that there is a real difference between the two candidates for President. I think we in America can say that the candidates running for President and Vice President are decent people. Their wives are good people. I know them all very well. The differences between them, however, are really stark.

I believe if you compare the Bush and GORE economic programs you will find that the programs of George Bush have much more justification than the other side.

We all know that these comments about reducing the national debt are just a front. We haven't seen that happen since 1994 when the first Republican Congress in decades took over.

The year 1994 was the first time in decades that we controlled both Houses of Congress and since then we have balanced the budget three times. We have paid down the debt $361 billion. By the end of next year it will be $½ trillion. That would not have happened had it not been for the first Republican Congress.

I remember as a Member of this body in 1994 when the President submitted the budget for $200 billion in deficits well into this century. President Clinton said at the time that nothing could be done, there was no way we could have anything but those deficits for at least 10 years.

Of course, we have shown that good fiscal discipline can literally balance the budget. I have to say what we are in right now is a mess. I think it will take George Bush and Dick Cheney to straighten it out. One of the things I like about George Bush so much is that he picked Dick Cheney, who, without question, is head and shoulders over most people who have served in Washington. Cheney is bright. He is extremely intelligent. He is extremely knowledgeable and has a lot of experience. He is honest to a fault, and he is straightforward. He is just the type of a person we need in government today.

When you have a $4.6 trillion projected surplus, it is pretty clear to me that taxpayers are being asked to pay too much in taxes. Frankly, Bush's approach is to set aside $2.3 trillion for Social Security; he has $1.3 trillion to give back to the taxpayers and use the other $1 trillion to pay down the national debt.

In order to have a $4.6 trillion surplus, we better pursue a wise economic approach. This economic approach has reduced the marginal tax rates from 70 percent down to 28 percent in 1986, and reduced capital gains from 28 percent to 20 percent 3 years ago. We had to think seriously about balancing the budget during our battles for the balanced budget amendment. But the first

Republican Congress in decades managed to balance the budget. And we also had a wonderful head of the Federal Reserve in Alan Greenspan, a Republican, who basically has done miraculous work. There is no question that Secretary Robert Rubin did a good job and helped to stabilize world markets.

In all honesty, if we want to keep this economy going, we have to realize that marginal tax rates have jumped from 28 percent in 1986 up to over 40 percent today. Of course, they are still 30 points below where they were when Ronald Reagan took office with double-digit inflation and double-digit interest rates.

I hope the American people realize we have to have a change in Washington or we are going to go back to the old ways of deficits, high interest, and high taxes.

I might also add that I get tired of this 1 percent business. Let's face it, the top 1 percent of those who pay income taxes pay almost 35 percent of the income taxes in this country. The upper 50 percent, which comprises people with incomes over $27,000 a year, pay 96 percent of all taxes. The bottom 50 percent pay around 4 percent of all taxes. Naturally, Bush wants everybody who pays taxes to receive some benefits from having done so. Those who earn less than $35,000 a year are going to have a 100-percent reduction in most cases. Since the average wage in Utah is $37,000, it is easy to see we are going to have a lot of people in Utah benefiting from the Bush tax cuts. If you make $50,000 or less, you have a 50 percent or a 55 percent reduction in your tax burden. At $75,000, you have 25 percent.

I felt it necessary to make these comments because the differences between the two candidates are stark. I think both candidates are good people. Vice President GORE and his wife Tipper are good people. There is no question that Governor Bush is a very good person, and his wife, Laura, is a wonderful person.

The difference is philosophy. It is time for us to get the country going in the right direction. That is my view.

Mr. President, I make a few comments to discuss a matter of great importance to immigrants and to all Americans.

President Clinton has repeatedly threatened to veto the Commerce, Justice, State appropriations if it does not include his proposals for immigration amnesty for undocumented aliens, or in most cases, illegal aliens. He calls it the Latino Immigration Fairness Act.

The CJS conference report does far better than the Latino fairness bill that the President is advocating. This CJS Report includes provisions that will restore fairness to immigrants from all countries, including hundreds of thousands of Latinos. The CJS bill contains a proposal carefully crafted by myself and others and we call it the Legal Immigration Family Equity Act, the LIFE Act. Our proposal has at its foundation a simple goal—to take a much needed step toward bringing fairness to our Nation's immigration policy by reuniting families and helping those who have played by the rules. Our proposal does not pit one nationality against another, nor does it pit one race against another. Our legislation provides relief to immigrants from all countries involved.

By contrast, the Clinton-Gore proposal would grant a blanket amnesty to millions of undocumented aliens—many or most of whom have broken our immigration laws. It also picks out specific groups of immigrants—namely, Central Americans—for special treatment. Unlike the Clinton-Gore proposal, our plan does not provide relief to those who have violated our laws at the expense of those who have played by the rules. Instead, it restores due process to a class of immigrants wrongly denied the ability to apply for residency nearly 15 years ago and expeditiously reunifies husbands, wives, and children of resident aliens. In other words, legal aliens.

It is important to bear in mind that at the same time the administration wants to grant amnesty to millions of people, it cannot even tell us how many people are waiting in line to come here legally. The administration's best guess on the number of immigrants waiting in line—a figure which is nearly four years old—is that over 3.5 million people are waiting to immigrate to the United States. Over 1 million of these applicants are spouses and children of permanent residents, that we take care of in our bill. The others we will look at, but not in the context of this bill. No; instead, the administration proposes to move to the front of our immigration lines those who have violated our immigration laws.

That doesn't seem right to me. We have to focus our efforts on helping reduce this backlog in addressing any legitimate due process issues. Our proposal does these things to accomplish these goals. The first part of our LIFE Act creates a new form of visitor visa for spouses and children of permanent residents. Our plan puts our Nation's resources behind reuniting families, instead of processing amnesty applications. Eligible applicants would be allowed to reunite with their families residing in the United States, and work legally while awaiting a decision on the merits of their petitions.

Our proposal would allow approximately 600,000 over the next 3 years to come to the United States legally, ahead of schedule, to be reunited with their immediate families.

Second, the LIFE Act further strengthens family and marriage by permitting spouses of U.S. citizens married outside the United States to obtain visas allowing spouses to enter the United States to await immigrant visa processing. Before the Clinton-Gore White House proposes that we give residency to those who have broken our minimum immigration laws, shouldn't we first be in the position of letting the wives of our citizens into this country, those who are legal?

Third, the LIFE Act restores due process to immigrants who are wrongly denied adjustment of status because of an INS administrative error.

My proposal allows the late amnesty class of 1982 to pursue their legalization claims under the original terms of the 1986 Act. We restore fairness to this group of individuals that has spent over 10 years in litigation.

This portion of the LIFE Act would assist approximately 400,000 immigrants in the class of 1982 who have played by the rules and now deserve the chance to legalize their status in accordance with law. Our proposal is strongly supported by those who lived through this litigation and fought against the Clinton administration's INS for fairness—not the political interest groups that would prefer to divide our country over this issue. Members of the class of 1982 prefer our solution to the administration's. One member of the class recently pleaded:

> We urge President Clinton to now call upon his INS to lay down its arms, to stop its decade-old battle to block our legalization, to comply with the numerous court orders we have won.

In short, our LIFE Act will help close to one million people who have been treated unfairly by our nation's immigration laws.

But Republicans have not stopped there. We recognize that there is a serious need to reform the Immigration and Naturalization Service in both its mission and its structure. We have complaints all the time about it. It is time to reform it. The INS should offer better service and a culture of respect for our newest Americans. Many Republicans and Democrats have worked hard toward promoting these broad goals.

Although we have yet to receive any written or formal response from the administration concerning the LIFE Act, we have presented the White House with language that says we should hold hearings and consider legislation that addresses the backlogs in applications for lawful permanent residency, furthers keeping families together, and addresses whether there are worker shortages in different sectors of our economy. Further, we have proposed that the Attorney General prepare a report to Congress no later than March 1, 2001, addressing facts relating to the administration's proposal.

Why do we need a report? Well, before the Congress is asked to proceed to

grant separate treatment to different nationalities, or consider a blanket amnesty, I think it might make some sense to know how many people would be covered by the proposal. We have repeatedly asked for such information from the administration—they have yet to provide it. Let's be clear: the Clinton-Gore administration cannot even tell us how many people will be covered by their proposal. Why can't they tell us? Either they do not know the answer or they do know the answer but don't want the American people to know it. They would rather play politics with this issue.

I have no objection to seriously considering immigration reforms during the next Congress. I am chairman of the Republican Senatorial Hispanic Task Force. I have worked very hard for Latinos throughout our country—frankly, throughout the world, and will continue to do so. But such major reforms should not be pursued in an election year rush to create wedge issues that divide, rather than unite Americans. Real INS reform requires that we proceed in a responsible way, after we know the facts.

Unfortunately, the President appears not to care about the facts. If he did care, he would not threaten to veto this important bill since a veto jeopardizes funding for some of our most crucial government programs.

This chart shows just some of the many programs funded by the CJS appropriations bill—programs which the President threatens to cut off funding for with his veto. The CJS appropriations bill allocates $4.8 billion for the INS. If those funds are cut off by that veto we are going to be in a bigger mess on immigration then ever before, as bad as some think INS is. It contains an additional $15.7 million for Border Patrol equipment upgrades. How will President Clinton explain to Americans that he wants to shut down the INS and Border Patrol in order to force Congress to grant amnesty to millions of illegal aliens? What kind of a message does this send to the men and women of the Border Patrol who risk their lives doing their job each and every day? I would note that the Border Patrol officers oppose his amnesty proposal—or should I say the proposal of those on the other side.

This appropriations bill also contains $3.3 billion for the FBI, and $221 million for training, equipment, and research and development programs to combat domestic terrorism. How will President Clinton explain to the families of those killed in the U.S.S. *Cole* bombing that FBI agents may have to be brought home because he has cut off funding for the FBI in order to grant amnesty to millions of undocumented aliens who violated our immigration laws?

This appropriations bill contains $4.3 billion for the federal prison system and $1.3 billion for the Drug Enforcement Administration. How will President Clinton explain to the American people that funding for Federal prisons and drug enforcement and drug interdiction will be put at risk because he wants to grant amnesty to millions of people who have violated our immigration laws?

We do not even know how many millions because they will not give us the figures. I suspect the reason they will not give us the figures is because it amounts to more than 4 million people.

Let me just put another thing up here. At the end of this Congress, we got into an awful bind that threatened to stop us from reauthorizing the Violence Against Women Act—for which we allocate $288 million. This is the Biden-Hatch bill. We passed it 6 years ago, as I recall. It has worked very well to help Women In Jeopardy Programs, legal aid for battered women and children, and a whole raft of other things to help cope with the problems of violence against women. This all goes down the drain if the President vetoes this bill. It is a matter of great concern. Like I say, this bill allocates $288 million for the Violence Against Women Act Program, legislation that I strongly supported and helped to break free at the end of this Congress.

Does President Clinton want to cut off funding for assistance to battered women and their children in order to grant amnesty to millions of illegal aliens? It does not sound logical to me. I know we are weeks away from an election. I also appreciate the desire of the Clinton-Gore White House to play wedge politics. But I feel it is incumbent upon me to note this White House, indeed, some White House officials involved in this immigration effort, have a pretty poor record when it comes to letting political motivations cloud their judgment on matters, important matters of public interest and public safety. Let's not forget how the Clinton-Gore White House granted clemency to convicted FALN terrorists in order to, in their words, ''have a positive impact among strategic Puerto Rican communities in the U.S. (read voters).''

The White House consciously targeted Puerto Rican voters and, it seemed to me, under the worst of circumstances and in the worst way.

Actions have consequences. If President Clinton vetoes this bill, he is putting the public safety and well-being at risk, both at home and abroad. He is doing this all in an effort to play wedge politics. The President's veto threats ring especially hollow because this appropriations bill provides many proposals to help immigrants. The President himself has stated that he wants, ''to keep families together, and to make our immigration policies more equitable.''

This is exactly what my LIFE Act does. In order to get that done, I have had to bring together people with all kinds of varying viewpoints, from those who do not want any immigration changes at all to those others who do not care about immigration.

I believe in the Statue of Liberty. I believe this is a country that ought to be open for legal immigrants.

I believe we ought to do everything in our power to solve these problems. I am willing to hold hearings right to see if we have not covered some of the problems that need to be covered. More than 1 million people are going to be covered by the LIFE Act. We have been able to bring together both Houses of Congress, as far as Republicans are concerned, and I think a lot of good Democrats when they look at this will be very impressed that we have been able to get this much done. I cannot go beyond that because there are people who just will not go any further.

I am willing to commit to holding hearings right after the first of the year to determine what else needs to be done. I am not prepared today, without all the facts, without hearings, without knowing where we are going, to grant amnesty to millions of illegal aliens and put them on the list ahead of those who need their spouses and families to be brought together.

When we fought these matters on the floor, there was a lot of anguish and whining by some on the other side that we were not taking care of families and children. I said we would try to do that and we have done it.

This bill does more than the President's bill, and it does it legally in the right way, giving preference to the people who have played by the rules rather than those who have not.

Most Americans descend from someone who came to this great country in the hope of pursuing a better life, in the hope of fulfilling the American Dream. I believe the American Dream is still alive and that we in Congress should try to serve as its custodians. For this reason, I believe it is not right to penalize families and to disadvantage those who have played by the rules. Indeed, I believe most current and future Americans—most Hispanics, most Asians, most Africans, and most Arabs—do not want to see people who play by the rules disadvantaged in an election year rush to help those who have not. And if you put the question to those the administration seeks to help, I think they would agree as well.

A veto of CJS appropriations and the LIFE Act would elevate political posturing above immigrant families and would place interest group politics over protecting the health and well-being of all Americans.

We have brought a lot of people together on this bill. I call upon the President to look at that. It is quite an achievement under circumstances that have been difficult for people such as myself.

It surprises me that the administration has suddenly called for urgent immigration reform for fairness' sake. It was 4 short years ago that the President eagerly signed the Illegal Immigration Reform Act of 1996. The President's current proposal stands the 1996 law on its head. Here is what the President said then about the 1996 Act in his signing statement:

> This bill also includes landmark immigration legislation that reinforces the efforts we have made over the last 3 years to combat illegal immigration. It strengthens the rule of law by cracking down on illegal immigration at the border, in the workplace, and in the criminal justice system—without punishing those living in the United States legally, or allowing children to be kept out of schools and sent into the streets.

I think the President ought to live by those words, instead of undermining existing law through Latino fairness. Getting our LIFE bill together has taken a lot of effort on my part and on the part of others under difficult circumstances. We have been able to bring together people who almost always have difficulty with immigration laws.

Our proposal has something that will solve the 1982 problem of due process rights. Those people have not been treated fairly by the INS. The INS keeps appealing their cases even though they win them every time. We will solve that problem for them.

It solves the problem of reuniting minor children with their parents in this country. It does it in the best of ways, and it does it expeditiously. It solves the problem of bringing spouses together with their husbands and wives who are legal, and it will help close to 1 million people. That, to me, having worked on immigration matters over the last 24 years, is a pretty darn good accomplishment if we can get it done.

I do not want to have this process break down because politics are being played. I know there will never be an agreement to allow up to 4 million people who are illegal aliens into this country in preference over these three categories of people I have talked about, these 1 million people who deserve to be treated better.

I hope the President will listen to what I have said. I have not had a chance to personally chat with him, but I have talked with his Chief of Staff who is a good friend and decent man and who I think, having served on the Senate Judiciary Committee for all those years on the Democratic side, understands how difficult these matters are to put together.

I believe it is time to resovle these problems. I have done my best to do it. This is as far as we can go now, but we make a promise to look into every issue that is raised in hearings as soon as we get back, assuming we are still in the majority. Even if we are not, I will cooperate in seeing those hearings are held in an orderly and intelligent way.

I reserve the remainder of my time.

Mr. REID. Will the Senator withhold for a moment?

Mr. KERREY. Yes.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from West Virginia, Mr. BYRD, be recognized for 20 minutes following the Senator from Nebraska.

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

The Senator from Nebraska.

Mr. KERREY. Mr. President, my good friend from Utah just described two things that I see much differently than he does. The conflict we are having right now over Commerce-State-Justice is occurring as a consequence of the House and the Senate not finishing their appropriations work. They are supposed to be done by the first of October. We are supposed to have all 13 bills passed. Our work is supposed to be done and all the bills sent to the President for signature. We were not able to get the work done. We are not able to look much further than what has happened to fiscal discipline around here to discover why we have been unable to get our appropriations bills done, why there have been delays on the appropriations bills. The answer is we are spending a lot more than the budget caps allow.

According to Bill Hoagland, who in the New York Times lays it out as accurately as anybody—I consider him to be an extremely reliable analyzer of the numbers—the appropriations bills we are going to pass will be $310 billion over the caps as estimated by CBO over the next 10 years, and that presumes that only inflation will be allowed over the next 10 years in growth in appropriations which we did not do this year. We are way beyond inflation this year. It is probably not $310 billion. It is probably much more than that. That is the problem.

It is very much a case where we had a glass slipper that was too small for our great big foot, and we could not get all the things we wanted to spend into that shoe. The Republican majority, facing that problem, had to decide what it was going to do. It has delayed, delayed, delayed, and as a consequence, we are now in a situation where, if we attach anything to it that is objectionable to the President, it is going to provoke a veto.

You know what you have to do to get the President to sign it. He will tell you what to do to sign it. If you are 27 days late, do not be surprised if you have lost leverage. Of course you have lost leverage; you are 27 days beyond the battle line, what the law tells us we are supposed to be doing with our appropriations bills.

There are two things I want to talk about as we head toward the end of this session that I find to be very troubling. The first is what we are doing with the surplus itself. Again, the second thing the Senator from Utah said earlier is we balanced the budget in 1997 and that it came about as a result of the election of a Republican House and Senate in 1995.

I voted for a Republican budget in 1995. I voted for a Republican budget in 1997 in order to balance it. But we began down this trail in 1990. That is when the budget caps were enacted. That is when we established sequestration to put in automatic across-the-board cuts if we were unable to get our budget inside the caps. There was a purpose. Balancing the budget was not an end in itself; it was a means to an end.

What was the end? The end was growth in the economy. We believed that if you balanced the budget—in other words, if you spent less than you taxed—that that would produce growth in the economy. That was the argument, not just in 1990, but way long before that.

I recall, when I was Governor, signing a letter in support of what the Republican Senate was doing in 1985 to try to balance the budget. It included a freezing of the COLA, which some say contributed to the loss of the Republican Senate in the 1986 election. I do not know if that is true or not. It was tough medicine. It would have balanced the budget. It is not easy to balance the budget.

I remember voting in 1990, 1993, and 1997—and the criticism is always the same: I want to balance the budget. I believe deficit reduction is important. I just don't want to pay any more or take any less. The only objection is, you cut my program and increased my taxes. Other than that, I liked what you did.

We had tough medicine in 1990, tough medicine in 1993, and tough medicine in 1997. All during those years, we had a means to say to our citizens: Look, I have to say no; I have a spending cap up until this year. If you came to this floor, and there was a motion to waive the Budget Act, it was tough to get 60 votes. Not anymore. Today, it is relatively easy to get 60 votes. I am not even sure we are going to have a vote to break the budget caps on appropriations.

Listen to what Mr. Hoagland says: This year we started off with a $2.4 trillion general fund surplus. The appropriations is going to reduce that surplus by $310 billion. An additional $295 billion in surplus goes for two tax cuts: the $240 billion package we are battling over right now and a separate $55 billion reduction in taxes on long distance telephone calls.

I listened to the argument. This is a Spanish-American War tax. For gosh sakes, the income tax is a World War I tax. Let's get rid of that, too, if that is the basis of why eliminating a tax makes good sense.

But we are going to eliminate a $55 billion tax. We are going to increase

payments to Medicare. That is $74 billion more in the surplus, another $44 billion going to increased pension benefits to military retirees. Tax cuts and spending increases come to $723 billion over 10 years. The surplus is actually reduced by an additional $187 billion because of interest costs, bringing the total to $910 billion.

Since the 1990 Budget Act, signed by President Bush—all through the 1990s—we had to come to the floor, and if you wanted to offer something that spent more money, you had to have an offset. It was called the pay-go system.

We discovered that tucked in this little $247 billion tax bill that we are arguing about is a provision that waives the pay-go provisions. I mean, we are abandoning everything that got us to where we are today.

Again, I emphasize to people who want to know, what is this all about? Twenty-one million dollars have been created. The recovery, in my view, started prior to 1993. It started in 1991 and 1992. The deficit started coming down in 1992, and in no small part because of what we did in 1990. The full story did not begin in 1997. It did not start in 1993. It started in 1990. And now we are just throwing it all out the window, saying: It does not matter anymore; we have a great big surplus. That is why the American people are distrustful. That is why they are saying to us: Take that surplus and pay down the debt. That is why they are not supporting big tax cuts.

I voted for the Republican tax cut the first time it came up. Then I went home and the people of Nebraska said to me: We don't want it. We don't want it. Pay down the debt.

This fiscal discipline has been good for us. It has created jobs. It has promoted economic growth. There has been a positive result.

So I say, especially with the Governor of Texas saying he is committed to a $1.6 trillion income tax cut and a $1.1 trillion payroll tax cut, that on top of what we have already done, in my view, that is unquestionably going to put us right back in the soup. That is the failed policy of the past.

The failed policy of the past is when we said it doesn't matter if our budget is balanced. The failed policy of the past is when we were taking 22 percent of our income and spending it with 18-percent taxes coming in. Now it is the opposite. Spending levels are at 18 percent—the lowest level they have been since the middle of the 1970s, before this year, before what we have been doing in the past week or so—heading to 16 percent. It has not been at that level since Dwight Eisenhower was President.

I have to say that given what Congress is doing, and what we are seeing at the Presidential debate level, my hope is the American people will wise up and say: We got to where we are with tough choices. We are about ready to throw it all down the drain.

My belief is that fiscal discipline has not just been good for us here domestically, it has given us the strength to do an awful lot of things throughout the world as well. That is our greatest source of strength, our capacity to keep our economy growing.

You do not have to look any further than the former Soviet Union and Russia. They have a GDP that is $30 billion less than we have for defense. I am not saying our defense ought to be lower. I support taking it higher. I do not compare our defense against Russia, but their GDP is so low they cannot take care of submarines such as the Kursk.

I took a trip to Africa. Of the 11 nations we visited, they spend less than $10 per person on health care and $10 per person on education. The reason is their income is insufficient. They do not have the growth and are not producing things that the world wants to buy, and the United States of America does.

So I do not want to go back to the failed policies of the past. I do not want to go back to ''voodoo economics.'' I do not want to go back to those days when we said to the American people that it does not matter whether or not our budget is balanced.

We paid too big a price to get to where we are today. The American people not only are more prosperous and more enthusiastic about their economy and their future, but they have an awful lot more confidence in democracy as a result of our finally being able to do something about what was public enemy No. 1, all the way through the 1980s, and all the way through the 1990s.

I am sure former President Bush remembers what happened in 1992. He had a guy by the name of Ross Perot who made the deficit a battle cry and enabled him to have an impact upon that Presidential election, and probably enabled then-Governor Clinton to win that election, with 43 percent of the vote.

So you do not have to go back very far to see why it is that we have to reestablish fiscal discipline. We are going in the wrong direction. To get rid of the pay-go provisions is reason enough to vote against this tax bill for anybody who went all the way through the 1990s in this Congress. And that is the reason we are struggling with Commerce-State-Justice.

The dirty little secret is that our spending appetite exceeds the budget caps that got us to where we are today. As I said, this sounds like all process arguments. But there was a big payoff in eliminating that deficit, paying down the public debt, and relieving the pressure upon the private sector of borrowing, as we have done.

It did not just enable the economy to grow, it lowered the cost of borrowing money for a house, lowered the cost of borrowing money for an automobile, and lowered the cost of borrowing money for a business. In my view, at least as one former businessperson, it promoted an awful lot of economic growth. It has a huge impact on our capacity to create the kind of jobs that the American people want.

There is a second troubling thing that I have heard said over and over during this tax debate and the debate on the Medicare balanced budget givebacks as well. Those are both provisions we have, recognizing in 1997 we took almost $300 billion out of Medicare for providers instead of the $100 billion that we thought. So we are trying to adjust that a bit and make things a little easier for—in my State, especially the rural providers—the providers, but also home health care people and long-term care providers, and so forth, that are in that package.

I have heard it said over and over that, gee, this was largely bipartisan. Many of the provisions in this bill are provisions that were supported by Democrats. That is absolutely true. There are many provisions that are in this bill that were supported by Democrats. That is not the issue. The problem is, I heard one of my colleagues say earlier—he was describing negotiations with China—an agreement is just a temporary interruption in the negotiations.

We had an agreement on pensions. We had an agreement on pension reforms. Democrats came on board saying: We recognize that in order to do pension reform, you are going to have to provide changes in the law that are likely to benefit upper income people.

The distinguished Senator from Utah earlier talked about the 1 percent. He is absolutely right.

Almost 40 percent of the swing in the deficit from 1992 to today, 43 percent, an estimate made by Bill Hoagland of the New York Times—43 percent of that came because income tax rates were higher, and we had a big run-up in the stock market, a big cashing out of stock options, and a big cashing out of pensions as well. So upper income people are paying more taxes, especially Americans who have more than $1 million of taxable income. They are paying a lot of taxes.

So Democrats—I for one—acknowledge that if you are going to do a pension reform bill, it is likely to benefit upper income people. We are not going to demagogue that. It is likely to be that that is the case. But we asked for a couple little provisions to help that low- and moderate-income worker. They were tax credits.

The chairman of the Ways and Means Committee, Mr. ARCHER, doesn't like tax credits. So he stripped the two provisions out that we had in there for small businesses to help them defray the cost of start-up pensions. He

stripped the provision out that had a matching in there for this low- and moderate-income worker who is working for small businesses that have fewer than 100 employees. He stripped that out because he doesn't like tax credits. We had a deal. So when the Republican leadership got together, they yielded to Mr. ARCHER and stripped out provisions of the pension bill we wanted that made it more fair.

I said last night, God created Democrats so we can ask the question: Is it fair? Sometimes we don't ask: Can we pay for it? That is something we have to train ourselves to do, and I thought we had through the 1990s with the budget caps. I talked about that earlier. But we asked the question: Is it fair? If we are going to spend money and try to increase the amount of pension coverage we have in the United States of America, shouldn't we try to do it for low- and moderate-income working people in the workforce with employers who have fewer than 100 employees? Shouldn't we do that? We answered yes. And Republicans in the Finance Committee agreed with us. That is what we got.

Mr. ARCHER said he doesn't like tax credits. So when the Republican leadership all got together—without a hearing—they stripped it out. Guess what. With it stripped out, Mr. ARCHER still votes against it.

So they took something out of the pension bill they now want us to pass, that we had insisted on in order to get Mr. ARCHER's support, and he still votes against the darn thing.

That is why we are pushing back. That is why we urge President Clinton to veto this thing. We would like to get most of the things that are in this tax bill. We believe Vice President GORE is correct when he says we ought to make careful decisions and selections about whose taxes are going to get cut. That is what we ought to attempt to do. We ought to target those tax cuts.

But you have to target the tax cuts, especially when you are dealing with pensions and health care, as much of this does, you ought to target it so as to increase the number of people who have pensions.

All of us here in Congress aren't going to have any difficulty contributing to get another $5,000. We have plenty of disposable income to come up with the money to be able to increase our contributions. The problem is for that minimum-wage, or slightly over, individual in a small business who is struggling to get it done.

The same on health insurance: If you are trying to increase the number of people who have health insurance, you have to do more than what is in this tax package. My friend from Texas, Senator GRAMM, was talking about the value of the tax deduction. The value of the tax deduction is much greater the higher your income. I get a 40-percent subsidy as a consequence of the level of my income. But if my income is $16,000 a year, I don't get any deduction. If I am paying at the 15-percent rate, I get a 15-percent deduction. That is how it works.

The Joint Tax Committee estimates that 26 million people will get benefits as a consequence of the health care provisions, but only 1.6 million of those people are people who currently don't have health insurance.

Republicans in Congress, I think correctly, are saying that what Governor Bush said in the third debate, ''That is the difference between my opponent and I;'' he wants Washington to decide and select who gets a tax cut. Republicans apparently are saying that the Governor is wrong, because we are going to select who gets the tax cuts.

If you are going to have a tax cut right now, it seems to me one of the things we ought to try to do is to say: This remarkable recovery we are having right now has been fabulous, but there are some people who have been left behind. Let's try to help them acquire pensions in their part of the American dream. Let's try to help them acquire health insurance in their part of the American dream. We don't do that.

As I said, I heard my Republican friends assert several times that Democrats were on board and support many of the provisions. That is true. But we added provisions that were stricken out. We added provisions that would have made the proposal much more fair. I believe you cannot apply a fairness test every single time you are doing things. There are times when life isn't fair. But when you are giving tax cuts to American working families, it seems to me a test of fairness is appropriate. When you are trying to increase the number of people who have pensions in the workforce, when you are trying to increase the number of people who have health insurance, a test of fairness is appropriate for Members of Congress to try to apply to the piece of legislation we are considering.

Those are the two objections I have to what is going on right now. The first is, I think we have lost our way when it comes to fiscal discipline, the discipline that enabled us to say to a citizen, when a citizen comes and says, Senator, it only costs $100 million over 10, would you offer an amendment, and I would always say in the 1990s, well, I have to have a ''pay for.'' I have to find an offset.

Not anymore. If the pay-go provisions of the Budget Act are repealed, as is proposed in this tax bill, no longer will that be necessary. It used to be I would say: Look, this is going to be tough because it is beyond what we authorized in the Budget Act and to get 60 votes to waive the Budget Act is going to be hard.

Not any longer does it appear to be difficult to waive the Budget Act. That discipline that enabled us to get where we are today is at risk in the closing days of the 106th Congress.

I hope that in this election the American people will say loud and clear we recognize the value of that fiscal discipline. We benefited from economic growth. We benefited from lower mortgage payments. We benefited from greater opportunity as a consequence of Congress getting its act together, all the way through the 1980s and 1990, 1993, and in 1997.

Secondly, I have great objection, as I look at especially the tax cut proposal, but also the BBA give-back proposal, that we simply haven't applied a test of fairness. That is why it was a mistake for Republicans to have a meeting with only Republicans. If you want something to be bipartisan, you have to let Democrats in the room. Likewise, Democrats can't hold a meeting and expect it to be bipartisan if we are the only ones in the room, and then go out and say: Gee, I don't understand why Senator HATCH won't sign on board. It is something he supported years ago. I don't understand why he won't support this. It is similar to something he was talking about. The answer is, he wasn't in the room. He didn't have an opportunity to voice his concern. He didn't have an opportunity to say what he liked or didn't like.

What the Republicans did is they brought something that stripped out things we had agreed to, and they did not apply a test of fairness. As a consequence, I am pleased, especially connected to the loss of fiscal discipline, that in the closing days of the 106th the President has indicated he is going to veto these two pieces of legislation. I think the American people will be the beneficiaries of it.

My hope is, on both of them, that it will result in bipartisan negotiation and producing something the President can sign. It can be done. We don't have to run out of here over the weekend. We know exactly what to do. It would take us about 30 minutes to put together a tax bill and a BBA give-back bill that would get 80 votes on this floor. We wouldn't have to sit and say, I wonder if the President is going to sign it. We would know he would sign it. If we have 80 votes, he is going to sign it. The last time I checked, that is still enough to override a veto. But we didn't do that.

As a result, we are left here on October 27, 27 days beyond the time we were supposed to be done and home, we are left here, still a long way to go before we have an agreement, a long way to go before we will be able to say we have closed up shop and we have finished the people's business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, my colleague made some pretty good points

on fairness, except we asked ''is it fair,'' too. Is it fair to allow 3.5 million legal immigrants to be held in line so that we can take care of approximately 4 million illegal immigrants? That is the point I was making earlier in the day. Frankly, it is a matter I find of great importance.

THE CALENDAR

PRIVATE RELIEF

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration, en bloc, of the following bills which are at the desk: H.R. 848, H.R. 3184, H.R. 3414, and H.R. 5266.

I ask unanimous consent that the bills be read the third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bills be printed in the RECORD.

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

FOR THE RELIEF OF SEPANDAN FARNIA AND FARBOD FARNIA

The bill (H.R. 848) for the relief of Sepandan Farnia and Farbod Farnia was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF ZOHREH FARHANG GHAHFAROKHI

The bill (H.R. 3184) for the relief of Zohreh Farhang Ghahfarokhi was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF LUIS A. LEON-MOLINA, LIGIA PADRON, JUAN LEON PADRON, RENDY LEON PADRON, MANUEL LEON PADRON, AND LUIS LEON PADRON

The bill (H.R. 3414) for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron, was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF SAEED REZAI

The bill (H.R. 5266) for the relief of Saeed Rezai, was considered, ordered to a third reading, read the third time, and passed.

FOR THE PRIVATE RELIEF OF RUTH HAIRSTON

Mr. HATCH. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 660, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 660) for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 660) was read the third time and passed.

EXPRESSING APPRECIATION FOR U.S. SERVICE MEMBERS ABOARD HMT ''ROHNA''

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration H. Con. Res. 408 which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 408) expressing appreciation for the United States service members who were aboard the British transport HMT *Rohna* when it sank, the families of these service members, and the rescuers of the HMT *Rohna*'s passengers and crew.

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

Mr. HATCH. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (H. Con. Res. 408) was agreed to.

The preamble was agreed to.

NATIONAL MOMENT OF REMEMBRANCE ACT

Mr. HATCH. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3181 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3181) to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3181) was read the third time and passed, as follows:

S. 3181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Moment of Remembrance Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) it is essential to remember and renew the legacy of Memorial Day, which was established in 1868 to pay tribute to individuals who have made the ultimate sacrifice in service to the United States and their families;

(2) greater strides must be made to demonstrate appreciation for those loyal people of the United States whose values, represented by their sacrifices, are critical to the future of the United States;

(3) the Federal Government has a responsibility to raise awareness of and respect for the national heritage, and to encourage citizens to dedicate themselves to the values and principles for which those heroes of the United States died;

(4) the relevance of Memorial Day must be made more apparent to present and future generations of people of the United States through local and national observances and ongoing activities;

(5) in House Concurrent Resolution 302, agreed to May 25, 2000, Congress called on the people of the United States, in a symbolic act of unity, to observe a National Moment of Remembrance to honor the men and women of the United States who died in the pursuit of freedom and peace;

(6) in Presidential Proclamation No. 7315 of May 26, 2000 (65 Fed. Reg. 34907), the President proclaimed Memorial Day, May 29, 2000, as a day of prayer for permanent peace, and designated 3:00 p.m. local time on that day as the time to join in prayer and to observe the National Moment of Remembrance; and

(7) a National Moment of Remembrance and other commemorative events are needed to reclaim Memorial Day as the sacred and noble event that that day is intended to be.

SEC. 3. DEFINITIONS.

In this Act:

(1) ALLIANCE.—The term ''Alliance'' means the Remembrance Alliance established by section 9(a).

(2) COMMISSION.—The term ''Commission'' means the White House Commission on the National Moment of Remembrance established by section 5(a).

(3) EXECUTIVE DIRECTOR AND WHITE HOUSE LIAISON.—The term ''Executive Director and White House Liaison'' means the Executive Director and White House Liaison appointed under section 10(a)(1).

(4) MEMORIAL DAY.—The term ''Memorial Day'' means the legal public holiday designated as Memorial Day by section 6103(a) of title 5, United States Code.

(5) TRIBAL GOVERNMENT.—The term ''tribal government'' means the governing body of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).