

you right now that some of the EPA regulations on our training grounds have caused us to be less than adequate in our training activities. In fact, we have testimony from one of our commander trainers that they spend more money on compliance of EPA rules and regulations than they do actually on training.

In terms of the energy supply, we can't just act as though all of these new rules and regulations affecting our refiners don't have an effect on cost. They do have an effect on cost of gasoline that we burn in our cars. It is something that will have to be dealt with. Right now, we are at 100 percent of refining capacity in this country. Any new rules and regulations that would cause any of these refiners to drop down directly impacts and increases the cost of fuel.

If I could single out one thing that I am really thankful for in Christine Todd Whitman taking on this position, it is that she has been on the receiving end of abusive regulations. She has been the Governor of a State that had to comply with things without adequate time, without the resources, and I think it is time we had someone in that position who has been on the receiving end of these regulations. I am sure Christine Todd Whitman will be one of the best directors we have ever had for the EPA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President.

#### NOMINATION OF JOHN ASHCROFT

Mr. REED. Mr. President, after listening to the testimony given before the United States Senate Judiciary Committee and after much reflection, I decided to oppose the nomination of John Ashcroft as Attorney General of the United States.

This has been a difficult decision; one that I take very seriously. Just as the Constitution gives the President the unfettered right to submit nominees to the Senate, the Constitution requires the Senate to give "Advice and Consent" on such nominations.

The Senate does not name a President's Cabinet, but it also does not merely rubber stamp his choices. Senatorial consent must rest on a careful review of a nominee's record and a thoughtful analysis of a nominee's ability to serve not just the President, but the American people.

Unlike other cabinet positions, the Attorney General has a very special role—decisively poised at the juncture between the executive branch and the judicial branch. In addition to being a member of the President's Cabinet, the Attorney General is also an officer of the federal courts and the chief enforcer of laws enacted by Congress.

He is in effect the people's lawyer, responsible for fully, fairly and vigorously enforcing our nation's laws and Constitution for the good of all.

In addition to being intellectually gifted, legally skilled and of strong moral character, I believe that the position of Attorney General requires an outlook and temperament that will allow the American people to believe that he will champion their individual rights more than any particular and potentially divisive dogma.

During the past several weeks, I have listened to John Ashcroft's words in the context of his lifetime of public conduct. As a state attorney general, a governor and a United States Senator, he has established a pattern of activism that challenges important civil and individual rights.

Instead of being a positive force for reconciling the races, as Missouri's Attorney General John Ashcroft conducted a futile struggle to frustrate the voluntary integration of public schools.

He fought a voluntary desegregation plan for the city of St. Louis, showed defiance of the courts in those proceedings and used that highly charged issue for political advantage instead of for constructive action.

Instead of accepting commonsense approaches to limiting the damage done by guns in our society, he has rigidly worked against such solutions—such simple solutions as asking that guns be sold with safety locks

He also has aggressively worked to dismantle some of our country's most basic legal tenets, such as the separation between church and state.

On the nomination of Judge Ronnie White to the United States Federal court, he appears to have mischaracterized Judge White's record unfairly, and at the end of the process, raising issues that really did not go to the merits of Judge White's nomination. This raises serious concerns and questions about both his sense of fair play and his respect for judicial independence.

In sum, although he claims he will enforce the letter of the law, I fear he will not recognize the true spirit of the law.

I believe he will use the considerable power of the Attorney General in directing resources, initiating lawsuits, and interpreting the law to clearly and consciously impose his views as he has done in the past.

His views are not the views of a vast majority of Americans, regardless of political affiliation.

Given the extremely divisive nature of the last election, and the nature of some of the voting irregularities, our nation needs an Attorney General who can lead us on critical civil rights issues, unite us in the pursuit of justice, and help heal some of these wounds.

I believe that John Ashcroft lacks the temperament needed to serve as Attorney General of the United States and I cannot support his nomination as our next Attorney General.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with and that I may proceed for 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized without objection.

#### BUDGET PITFALLS

Mr. NELSON of Florida. Mr. President, I had the privilege of coming to Congress in 1978 and being assigned as a freshman in January 1979 to the House Budget Committee. In 1979, I never thought I would live to see the day we would balance the budget, much less did I think I would live to see the day that, in fact, we would get into a surplus situation. Now, in this time of prosperity and budget surpluses, it is very much incumbent upon us to be fiscally wise and fiscally disciplined in how we use these budget surpluses so we do not go back into the boom-and-bust cycles that we have experienced in the past.

Mr. President, 22 years ago as a freshman member of the House Budget Committee—I am now a freshman member of the Senate Budget Committee—we had an annual deficit somewhere in the range of about \$20 to \$24 billion. Then, as we moved into the decade of the 1980s, that annual deficit crept higher and higher and higher. Toward the end of the decade of the 1980s, we exceeded \$300 billion in annual deficit spending. That is not the kind of financial situation you want.

Indeed, we just had Mr. Greenspan before the Budget Committee and he continued the very severe lecture that he has given us for years, which is: Be very fiscally disciplined and wise, and don't return to that era of deficit spending.

I bring this up today—and this is, by the way, my maiden speech in the Senate, so what a privilege for me to be here, what a privilege to represent such a dynamic State as the State of Florida—but I rise on the occasion of my maiden speech to talk about the potential pitfalls that could take us back into deficit spending. In these times of prosperity and budget surpluses, it is important for us to be very wise and fiscally conservative in making these choices—and we are going to make some choices very soon.

One of the first choices we have to make is: Are we going to use all of the

Social Security surplus and most of the Medicare trust fund surplus to be applied to reducing the national debt? I can tell you the people in Florida believe very firmly that we should use the surplus to reduce and ultimately pay off the national debt. I think most of us, almost unanimously in this Chamber, would be dedicated to that particular part of budgetary restraint. We have the surpluses. We need to do that.

The next question that is going to face us, then, is: What should be the size of the tax cut?

I am going to argue and articulate about what my people have educated me, and that is to craft a Federal budget that will be balanced so we can have a substantial tax cut and, at the same time, we can address a number of other very important needs facing this country, such as modernizing Medicare, a 35-year-old system, to provide a guaranteed prescription drug benefit.

I will give another example: a substantial investment in education that will help bring down class sizes and pay teachers more to give them the respect they need in their profession and who ought to have the very best to compete with the private sector, so that we have the very best teaching for our children; an investment in education that will also enable us to make the classrooms more safe and the schools safe.

In addition to lowering class sizes, paying teachers more, and making the schools safe, we should have our schools accountable for the product they produce. That is just another example.

Clearly, defense is another important priority: the new systems we are going to need, the research and development that will be needed. Indeed, what is one of the main reasons for having a National Government? It is to provide for the common defense, not even speaking about the question of pay for our men and women in our armed forces.

I have only listed three, and there are many more. I mentioned prescription drugs, education, and defense, all being needs in which, over the next decade, this Government is going to have to invest more.

The question is: With the available surplus, after we subtract the Social Security surplus and the Medicare trust fund surplus, with what is left, what is wise for us then to enact in a tax cut? Should it be the tax cut that is proposed by the administration which, after one considers the interest cost and the alternative minimum tax, is going to be in the range of a \$2.2 trillion tax cut over a decade? What that would do is wipe out all of the available remaining surplus over the next decade so there would not be anything left for prescription drugs, education, defense, strengthening Social Security, the environment, and I could go on and on.

What I argue in my maiden speech in this august body, of which I am so privileged to be a part, is that we approach our budget with balance, that we keep in mind primarily paying down the national debt with the surplus, and that as we make choices, we make them wisely on a substantial tax cut, but a tax cut that leaves enough of the surplus left to do these other things; plus one more thing, and that is, we need a rainy day fund.

We do not know that these budget projections are going to pan out over the course of the next 10 years. We ought to have a cushion. We ought to be conservative in our fiscal planning so that if those budget projections do not turn out to be accurate, then we have a cushion to fall back on so we never get back into the situation we were in during the decade of the eighties when, in 1981, we enacted a tax cut that was so large—and I voted for it; I admit I am gun shy on this because of the lessons I learned—we had to undo it not once but three times, in 1983, 1986, and again in 1990 when I had the privilege of serving in the Congress.

I argue for balance, I argue for fiscal restraint, I argue for fiscal discipline, I argue for fiscal conservatism as we make these choices in the budget that we will be adopting over the next several months.

I thank the Chair.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. NELSON of Florida. Indeed, I yield with pleasure.

Mr. BYRD. Mr. President, I was sitting at my desk poring over my mail, watching for grammatical errors, errors in sentence construction, and, lo and behold, I heard this voice coming to me. I heard the voice saying this was a maiden speech, so I just stopped everything, and I said to the other staff people in the office: That man says this is his maiden speech. I am going to go up and listen to him.

This is a reminder to me of the old days when Senators gathered around close to hear a new Senator's maiden speech. The word would go out, and we came. We did not have the public address system. We gathered close by so that we could clearly understand the words that were being spoken, and we looked the speaker eye in the eye and he looked us eye in the eye.

This reminds me of those days when Senators gathered together to listen to a new Senator. This Senator has greatly impressed me. He serves on the Budget Committee with me. We are both newcomers on that committee. I have had the chance to talk on very few occasions with Senator NELSON. I have been impressed by his straightforwardness, his high sense of purpose in service. He comes to us from Florida. My wife and I lived in Florida for 7 months during the last days of the

war—the Second World War, that is, not the Civil War.

I was a welder in the shipyard at the McClosky shipyard in Tampa. Spessard Holland was the Governor of the State of Florida. I later came to this body, and, lo and behold, here was Spessard Holland in this body. I went right over there, about the second or third seat in the front row, and I sat down and talked with Spessard Holland the day I was sworn in. I said: Well, Governor, I lived in your State. I was a welder down in your State while you were Governor. I am proud to be here serving with you.

Spessard Holland was a very fine Senator. He was always courteous to a fault and made up his own mind. I think this Senator from Florida will be one who will make up his own mind. That is something we need to be very careful of here. I do not count myself being in a particular ideological group of Senators. I am an independent Senator—not an Independent but an independent Democrat. Sometimes I differ with my other Democratic friends.

That is not the point here. I think we have a fine Senator in Senator NELSON who will be his own man, who will make up his own mind. He will study things carefully, and he will try to reach a reasoned, balanced—I use his word “balanced” there—disciplined—he used that word, too—judgment. I am proud we have such a man coming into the Senate. I predict he will be a power in the Senate, and I consider myself very fortunate in having the opportunity to serve with Senator NELSON.

I was trying to think of a bit of poetry that I wanted to recall for this particular occasion. But aside from that—I may get back to it later—I like what the Senator said. He intends to weigh very carefully this proposed tax cut which is in the nature of \$1.6 trillion. That is \$1,600 for every minute since Jesus Christ was born. That is a good way to gauge the size of this tax cut: \$1,600 for every 60 seconds since the birth of our Lord Jesus Christ.

That is a lot of money, and I am going to weigh it very carefully with him. Yes, we need to think carefully about education. We also must remember that the 7 percent contribution we make to the education budgets in the States is not a great deal. And I am not sure how much good what we contribute really does. Probably, we will never be really sure.

But education is at the local level. We need good teachers, teachers who know the subjects, teachers who are dedicated. We need parents who will back up the teachers. And we need students who want to learn.

I was fortunate, coming up in the Great Depression, to have good teachers. They didn't make much money, and many times they had to give 20 to 25 percent of their check in order to get

it cashed in the days of the Great Depression. But they were dedicated teachers.

I started out in a two-room schoolhouse; I am proud of it. I thank God for it. I thank God for the fact that I came through the Great Depression. It left some very vivid memories with me.

I was born in 1917, and so my recollections of the Great Depression are as they were only of yesterday. I remember that little two-room schoolhouse at Algonquin in Mercer County. And I remember a little two-room schoolhouse up on Nubbins Ridge where I attended. There were two teachers in that little school. One was a man; one was a lady. The man walked, I expect, 4 miles every morning to school. He came from far down the creek, and he came up, walked by my house, and I fell in line when he came by the house, and I walked on to school with him.

I learned in those days. My heroes were the great patriots of the American Revolution. And they were men such as George Washington, Benjamin Franklin, Francis Marion, the "Swamp Fox," Daniel Morgan, and men who lived during the formation of this Republic.

Now, I wanted to learn. And the man who raised me never told me he would ever go up and whip the teacher if I came home with a bad report card. He wouldn't go up. And if the teacher gave me a whipping—which he didn't—I was told that I would get another one when I got home. And I knew that was the case.

I wanted to please the two old people who raised me. They were not my father and mother, but I wanted to please them. I wanted to please the teacher, just to get a pat on the back, just to get a little pat on the top of my head from the teacher.

I remember I took violin lessons beginning in the seventh grade. And at this particular school—it was in a coal mining camp—the principal was a tough disciplinarian, the kind we need in our schools, if they would let teachers discipline children. I don't think they will let them do that anymore. Too bad.

But the principal's wife was a music teacher, and an excellent one. She talked me into asking the people who raised me if they would buy a violin for me so I could take music lessons. She thought I might grow up to be a violinist.

So I remember one Saturday night when we all piled into the back of a big truck and went to Beckley 10 or 12 miles away. And there—I always called him my dad; he was the only dad I ever knew—he bought a violin and a case and a fiddle bow. Now I am talking about a fiddle, but it is all the same thing. But this whole kit and caboodle cost about \$26 or \$28. That was big money in a coal camp.

Anyhow, I went home that night carrying that fiddle case under my arm

and with visions—old men dream dreams, and young men have visions—of myself being a Fritz Chrysler or a great violinist. Well, I took lessons. And in this high school orchestra, I was the first violinist. It so happens, I was the first violinist. I was the first one. I got to the point where I thought I had all the lessons down pat, that I didn't have to practice as hard anymore.

So one day I went to school, and the teacher had a little tryout. And lo and behold, she demoted me to the second chair. I went home a crushed lad, crushed because I had been demoted. I liked that music teacher. In all my years of 83, I have lost I think four teeth. It was on one of those occasions when I had an abscessed tooth that this music teacher said to her husband: Now, you take this boy to Sophia. That was 3 miles away. This was in the wintertime. It was up a steep mountain. She said: You take him up to the dentist. And he took me.

I was crushed that night because I had been demoted. But it was my fault. I got just a little too overly confident. So that night I practiced and I practiced and I practiced and I practiced; and the next day I recovered my first chair in that orchestra. Those are the kinds of teachers we had.

We can put all the money we want into education, but the teachers have to be dedicated teachers. I had dedicated. They didn't make much money. As I say, they had to give a fourth or a fifth of it away in order to get a check cashed in the days of the Depression. But we can't pay enough money to a good teacher. And it is very disappointing to me when I see athletes draw down millions of dollars every year. Of course, I admire good athletes, but I think this country has gone all wild over athletes, and it is standing its values on its head. A lot of these athletes go out here and they commit crimes. They are not very good models. Of course, there are people outside athletics who are not good models, too. There have been a few in politics, especially in recent years, perhaps not altogether recent years.

Look at some of the anchors on the TV from the networks. They are drawing down \$5, \$6, \$7, \$8 million a year. They aren't worth it. They aren't worth it.

But we need to stimulate a love and a search for excellence in this country. Most of that can be done, most of the stimulation of that, the motivation of that; some of it will come from within; some of it starts in here. But it also comes from a good teacher, a good parent, who sets the example for that young person and encourages them to study, and study, and make something out of themselves—to use the words of my own people who raised me, try to make something out of themselves, try to continue learning.

I try to continue learning. I am always trying to learn. Solon, one of the

seven wise men of Greece, said: "I grow old in the pursuit of learning."

We can pour out all the money from the Treasury, but it can be poured down a rat hole. The motivation has to be there. The good teacher has to be there. We ought to pay those good teachers. After all, they are dealing with our most precious resource. They ought to be paid well. But they ought to be held accountable for the work they do. And the parents, as I say, ought to strive to stimulate in the child a motivation, a desire to learn, learn, learn.

I have gone a long way in my desultory ramblings here, but this matter of education is one that is overly, overly, overly important. As I often say to young people, no ball game ever changed the course of history, not one. And when you have seen one, you have seen them all. When you have seen one ball game, you have seen them all.

I can play every position on the team. I can go through all the motions. I don't say this now in derogation of athletics. I don't do that at all. But we have our values standing on their heads. We have a job to do. We do need to think about education, as we think about the so-called surpluses. These surpluses, I have seen them on paper. I haven't seen one yet that really glitters because we don't have them in hand, and we may never have them in hand. If we go for this big tax cut, \$1.6 trillion, once we write that law and the President signs it, that money goes out. It is gone. The surpluses won't be in hand, if ever, for some years. It will take a while. So we need to proceed with great caution.

I hope the Senator will forgive me for imposing on his time. I felt so proud to see Senator NELSON come to the floor. I have lived more than 83 years. I have been fooled by a few people in my lifetime.

My mom used to keep boarders, and I would go to her when we had a new boarder, and I would say: Mom, that man is going to cheat you out of your board payment.

I didn't do that often, but I think I was about right in every one I selected. That man will cheat you out of your board bill; there is something about him.

I think there is something about this man. In any case, he is going to be a good Senator, a hard-working one. I am proud to listen to him in his maiden speech, and I am delighted to work with him. I thank him for what he has said today.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Colorado is recognized.

Mr. REID. Will the Senator yield for a brief comment?

Mr. ALLARD. I am glad to yield.

Mr. REID. I also appreciate having had the opportunity to listen to the Senator from Florida. We served in the

House together. He is just as good as the Senator from West Virginia expects him to be.

It is a rare occasion that we have on the Senate floor two doctors: the doctor from Colorado and the Presiding Officer who is a doctor. They are both doctors of veterinary medicine. I think we should recognize the fact that they are and recognize that their talents are far beyond their medical training. It is unusual to have two doctors on the floor at the same time.

I yield the floor to the Senator from Colorado and recognize that my friend, the Presiding Officer, is also a doctor of veterinary medicine.

Mr. BYRD. Will the distinguished Senator yield to me briefly?

Mr. ALLARD. I am glad to yield to the Senator from West Virginia.

Mr. BYRD. I did not know that Senator ALLARD was a doctor. He has gone up in stature with me since I have learned that. I have a little dog, a little Maltese dog, Billy Byrd. He is approaching his 14th birthday. If I ever saw in this world anything that was made by the Creator's hand that is more dedicated, more true, more undeviant, more faithful than this little dog, I am at a loss to state what it is. I take my hat off. My wife and I pay some pretty high bills to some of these veterinarians, but we gladly pay them. We love that little dog. I take my hat off. I wish I could say that I had been a veterinarian. It must be a joy to work with animals, especially with dogs. I believe it was Truman who said: If you want a friend in Washington, buy a dog. Well, I have a friend in McLean, and I take my hat off to the veterinarians, the two of them, the one in the Chair as well. I am glad we have two here. I did not know this about Senator ALLARD. I have served with him a while. I am pleased to hear this.

Thank you for the services you perform on creatures that make us happy and that show us God's love and show us how to be honest and true and faithful and guileless.

Mr. NELSON of Florida. Will the Senator further yield?

Mr. ALLARD. I thank the Senator from West Virginia, as well as the Senator from Nevada, and in a moment I will recognize the Senator from Florida to comment, too.

I want to invite all of you to join the veterinary caucus with all the favorable comments we are getting here. Before I yield to the Senator from Florida, I want to respond that Senator GREGG has a dog by the name of Wags, and Wags comes down the hallway and frequently comes into my office to say hello. We visit with him a little bit. If your dog is ever visiting you in your office, bring him down. We love dogs and would like to have an opportunity to get to know Senator BYRD's dog.

I yield to the Senator from Florida.

Mr. NELSON of Florida. I thank the distinguished Senator for yielding for

me to make the comment that it is not only a great privilege to serve here and to represent my State, but it is doubly a pleasure to serve with the quality of Members of this body as exemplified by the senior Senator from West Virginia. He is someone I have naturally gravitated to in these first few weeks as someone from whom I can learn a lot. Of course, I knew of his tremendous talents as one of the best orators who has ever been produced in the Senate. His reputation precedes him as one of the best fiddlers the Nation has ever produced, and now I am delighted to know how he got started as an expert fiddler by virtue of the story he told us of receiving the gift of a violin as a child.

I thank the Senator for his comments, and I thank the Senator for yielding.

Mr. ALLARD. I would also like to join with the Senator in commending Senator BYRD for his distinguished service in the Senate. We all respect him. Whether we agree with him or not, he is one of the more honorable Members here, somebody I appreciate. He has joined on the Budget Committee; I am new on the Budget Committee. I am looking forward to visiting with him about those issues as they come up before the Budget Committee. I think it is going to be a challenging year, and it is an important committee. It is an important start for the Congress.

Hopefully, we will get some legislation quickly reported out of there, as we get the process moving forward.

Again, I am glad we have all these animal lovers here in the Senate. I talked to Senator ENSIGN, who is in the Chair, about facetiously setting up a veterinary caucus. With all these comments, I begin to take it more seriously. We would like to perhaps extend an invitation to all the dog lovers here in the Senate, to see if they would like to join us.

Mr. BYRD. I thank the Senator.

#### NOMINATION OF JOHN ASHCROFT

Mr. ALLARD. Mr. President, I come to the floor this evening to lend my support to President Bush's nomination of John Ashcroft to be the next United States Attorney General. He is another individual in the Senate whom I have always viewed as quite honorable.

It is the constitutional right and duty of each President to appoint Cabinet Members who will help serve the citizens of this great country during their tenure. I believe President Bush has made a wise choice in John Ashcroft as a member of his Cabinet.

John Ashcroft is a man of great honor and high personal integrity. He will bring these much needed characteristics to the office of the U.S. Attorney General. I have no doubt about

that. He has had a long and distinguished career serving the people of Missouri and the people of the United States. I am confident he has the experience to fulfill the duties of this position.

Those who defended President Clinton to the death are now attacking one of the most honorable individuals of the Senate as less than honorable. This was most evident by Senator Ashcroft's gracious concession to his opponent in his Senate race in Missouri.

John Ashcroft served as Missouri's attorney general from 1976 to 1985, where he worked tirelessly to enforce Missouri State laws and chaired the National Association of Attorneys General; having been supported in that position, I might add, by both Democrats and Republicans. After serving his home State as their top law enforcement agent, he was elected as Missouri's 50th Governor in 1984. He was reelected in 1988 to a second term, where he received 64 percent of the vote.

It was during his second term that he was recognized as a leader among his colleagues and was named chairman of the National Governors' Association. Again, he was supported by both Democrats and Republicans.

In 1994, John Ashcroft was elected by the people of Missouri, this time to serve his State in the U.S. Senate. While serving in the Senate, Senator John Ashcroft was a member of the Judiciary Committee as well as chairman of the Judiciary Subcommittee on the Constitution. His record has shown a strong commitment to upholding the Constitution and the rule of law equally and fairly.

Throughout this grueling nomination process, Members on the other side of the aisle have questioned John Ashcroft and, in some cases, even accused him of allowing race to affect his decision on judicial nominees.

There is absolutely no evidence that backs up these absurd allegations.

Let me remind Members of this body that as a United States Senator John Ashcroft supported 26 of 28 African American Judicial nominees sent to the Senate for confirmation by the President.

As the Governor of Missouri, John Ashcroft nominated eight African American judges, including the first ever to the court of appeals in the state. He appointed three African American members to his cabinet while he was the chief executive of the state of Missouri. He supported and signed into law Missouri's Martin Luther King, Jr. holiday. He supported and signed the law that established Scott Joplin's house as the first and only historic site honoring an African American citizen. He led the fight to save independent Lincoln University, founded by African American soldiers.